

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
AUGUST 18, 2009  
9:00 AM**

**MINUTES**

**Commissioners Present:** Joseph Parrish – Chairman, Bevin Putnal – Vice Chairman, Pinki Jackel, Cheryl Sanders, Noah Lockley

**Others Present:** Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Clerk, Michael Morón – Board Secretary, Renee Stone – Deputy Clerk.

**Call to Order (9:05 AM)**

Chairman Parrish called the meeting to order.

**Prayer and Pledge (9:05 AM)**

There was a Prayer followed by the Pledge of Allegiance.

**Approval of Minutes (9:06 AM)**

**Motion by Sanders, seconded by Putnal, to approve the minutes from of the August 4, 2009 regular meeting; Motion carried 5-0.**

**Payment of County Bills (9:07 AM)**

**Motion by Lockley, seconded by Sanders, to approve the payment of the County's Bills as presented; Motion carried 5-0.**

**Department Supervisors Report**

**Hubert Chipman – Superintendent of Public Works (9:07 AM)**

Mr. Chipman had no items for Board action.

Commissioner Sanders thanked Mr. Chipman and the Road Department for their assistance on Alligator Point during Tropical Storm Claudette.

Commissioner Sanders and Mr. Chipman discussed salary reduction issues at the Road Department, including moving Tommy Sadler from inmate supervision to operate heavy equipment.

The Board and Mr. Chipman discussed previous employees who were moved from inmate supervision to different positions and lost \$500 in salary, although they retain Inmate Supervision Certification and can work with inmates if needed. Chairman Parrish said as long as the Certification is retained he doesn't see why their salaries have to be reduced.

Mr. Chipman asked about giving a salary increase to another employee who works as a small engine mechanic and mentioned the Road Department's need for a new inmate truck. Attorney Shuler said there is a policy that governs the salary issue so a new policy would need to be written if there is a motion to change it.

There was further discussion on this subject by the Board.

Commissioner Lockley asked that the temporary mechanic's helper at the Solid Waste Department receive a temporary \$2 per hour increase while he fills in for Mr. Brannan, as was requested by Mr. Johnson at the previous meeting. The Board and Attorney Shuler discussed the legalities of this salary increase.

**Motion by Lockley, seconded by Sanders, to return the \$500 in salary to the 4 employees who were transferred from inmate supervision to another position effective August 16<sup>th</sup> – 31<sup>st</sup> pay period, change the pay status of the employee from small engine pay to mechanics pay, allow Mr. Tommy Sadler to keep his \$500 incentive for supervising inmates even if he is transferred to a heavy equipment operator, give temporary \$2 increase per hour to employee who has been temporarily transferred to a mechanic in the Solid Waste Department, and have Attorney Shuler amend the personnel policy regarding inmate supervision incentive pay; Motion carried 5-0.**

Commissioner Lockley suggested that the Board set up an executive session to discuss some of the issues with the Road Department. Commissioner Jackel suggested that the Board schedule a Commissioner's retreat instead of an executive session to discuss Road Department and other County issues.

**Motion by Lockley, seconded by Jackel, to authorize staff to schedule a Commissioner's Retreat to discuss Road Department and other County issues; Motion carried 5-0.**

Commissioner Putnal said John Richards asked him if the County would put a load of gravel at the boat ramp at Steamers. The Board, Mr. Pierce, and Attorney Shuler discussed this matter and decided against it because it is private property. Mr. Pierce suggested that Mr. Richards speak with the property owner about the gravel.

Mike Rundel, of Lanark Village, asked for the installation of a No Dumping sign placed at the southwest corner of Heffernan and Pine (near Chillas Hall) in Lanark Village, saying that dumping is a chronic problem in that area.

**Van Johnson – Solid Waste Director (9:27 AM)**

Mr. Johnson had no items for Board action.

Commissioner Sanders said she has had numerous complaints of an ongoing problem with the dumping of household garbage at the recycle bins and along the streets in Lanark Village. Mr. Johnson said when the County pick up household garbage it has to be taken directly to the Transfer Station and the County has to pay to dump it.

Dot Bless, of Lanark Village, said one of the issues regarding the dumping had been cleared up at this time.

Mr. Johnson said the correct approach for a problem with household garbage or littering is to call the Sheriff's Department so they could investigate or if it's a public nuisance, call the Health Department.

Commissioner Sanders asked Mr. Johnson to have Mr. Fonda Davis, of the Solid Waste Department, monitor these areas and if household garbage is being dumped, report it to the Health Department.

Tom Tiffin, an Eastpoint business owner, said he has had a recycle container at his business in Eastpoint for 20 years and also has an issue with people dumping household garbage.

**Dan Rothwell – County Engineer (9:32 AM)**

Mr. Rothwell submitted the following items for Board approval and/or discussion.

**BOARD ACTION:** *Eastpoint Water & Sewer District Pavement Cuts:*

*Staff requests approval to allow the Eastpoint Water & Sewer District to make a 5'W x 18'L cut in Avenue A at 5<sup>th</sup> St, a 3'W x 18'L cut in Avenue A at 4<sup>th</sup> St and a 2'W x 18'L cut in Otter Slide Road at Avenue A.*

Commissioner Jackel said that whatever cuts need to be done on Avenue A needed to be done before the paving project starts in that area and didn't want cuts made after any of these roads have been paved, unless it is an extreme emergency.

Commissioner Putnal also expressed concerns about the cuts and patches not holding up because of the heavy traffic, but Mr. Rothwell said if done appropriately it will hold up.

Commissioner Sanders mentioned a patch on Apalachee Street in Lanark Village that was broken up. Mr. Rothwell said these patches will be covered with an asphalt overlay which should rectify that problem.

Chairman Parrish asked that they use 5,000 PSI to do the overlay. Mr. Rothwell said the specs call for 3,000 PSI but he will ask for 5,000 PSI.

**Motion by Jackel, seconded by Putnal, to approve pavement cuts requested by Eastpoint Water & Sewer District; Motion carried 5-0.**

There was further discussion on this issue between the Board and Mr. Rothwell.

Commissioner Lockley asked Mr. Rothwell to check with the City of Apalachicola about areas that do not have sewage and inquire whether or not pipes can be installed and capped before the paving project starts in the area. Mr. Rothwell said he will contact the City Administrator about this matter.

**BOARD ACTION:** *2009 Road Paving Project:*

*Staff requests approval to pay the interim invoice for \$173,569.27 with balance due plus retainage of \$3,118,613.91 remaining of the contract amount \$3,292,183.18 for the Road Paving Project to C. W. Roberts.*

Commissioner Putnal mentioned that the paving project is going slow but expressed concerns about them possibly missing part of the project like they did before. Mr. Rothwell said they will be checking behind the contractor and also mentioned that he had requested a copy of the lab tests from the inspector.

**Motion by Sanders, seconded by Jackel, to approve payment of invoice to C. W. Roberts; Motion carried 5-0.**

*Eastpoint Boat Ramp Side Erosion:*

*The contractor has agreed to place surge stone along the sides of the boat ramp to eliminate erosion the ramp fabricator believes is caused by stormwater running down the parking area to the ramp sides.*

*Alligator Dr. Signage:*

*Staff has worked with an Alligator Point representative to make proposed road signage improvements to be approved by the home owners association and to be considered by the Board of County Commissioners once a solution has been devised.*

*East & West Gorrie Dr. Shoulder Work:*

*The Road Department has completed extensive work on East & West (E&W) Gorrie Drive to relieve many drainage issues along the roads as well as shoulder work on many of the north - south connector roads from E&W Gulf Beach Dr to E&W Gorrie Dr.*

Commissioner Jackel asked Mr. Rothwell to discuss standing water that might have compromised the integrity of the new bike path extension on East Gulf Beach Drive, wanting to resolve who is responsible for repairs and costs of repairs.

Mr. Rothwell said the damage resulted from a water main breaking, which belonged to Water Management Services, and after speaking with Commissioner Jackel and Mr. Pierce, he sent a letter to WMS asking them to repair the sub-grade base and pave the damaged section, but the response from WMS said the owner of the property would be responsible for damages. Mr. Rothwell said most counties would hold the utility company liable.

Attorney Shuler said he would contact WMS and be sure that repairs are made, even if it involved the County Road Department performing the labor at a reduced costs and having WMS reimburse the County for actual expenses. Mr. Rothwell said the Road Department would be able to do the job efficiently.

**Motion by Jackel, seconded by Lockley, directing Attorney Shuler to resolve this issue and have the bike path repaired; 5-0**

Mr. Rothwell said replacement culverts on County Road 30 in Carrabelle should be completed by mid-Fall and then re-paving can begin.

Commissioner Jackel said there was a sunken boat at the new boat ramp and a partially sunken boat at the new dock in Eastpoint and wanted to have them removed. Commissioner Putnal suggested the boat owners might be waiting for the weather to clear before removing the boats.

Attorney Shuler suggested, due to liability issues, allowing him to work with Mr. Rothwell to resolve this issue.

Mr. Tom Tiffin, an Eastpoint business owner, spoke about an increase in animals, especially black bears, being killed on the road coming off of St. George Island going toward Eastpoint. Commissioner Jackel suggested installing a bear crossing sign in that location. Mr. Pierce said he would contact Transfield America to order a sign.

**Pam Brownell- Emergency Management (9:54 AM)**

Mrs. Brownell submitted the following items for Board action and/or discussion.

Commissioner Sanders thanked Mrs. Brownell and other volunteers for doing a good job with Tropical Storm Claudette on Sunday.

Mrs. Brownell thanked Mr. Chipman, the Road Department, the Sheriff's Office, and all the other agencies that helped out during the storm; they all did a great job.

*Action Items:*

1. *Approval for the Public Assistant funding agreement for the April Flooding FEM-1831-DR.*

**Motion by Jackel, seconded by Sanders, to approve the Public Assistant funding agreement; Motion carried 5-0.**

2. *FEMA is now requiring for reimbursement purposes that counties and municipalities have a written road and street maintenance schedule or plan, after speaking with the Hubert at the Road Department our county doesn't have a written maintenance schedule. I am asking the Board to direct the Road Department to construct a written maintenance schedule or plan for the county in order to qualify for FEMA reimbursements on our roads.*

Commissioner Jackel asked if the Board should review and approve the plan before it is put in the file. Mr. Pierce said it is standard information and should be straight forward.

**Motion by Sanders, seconded by Putnal, to direct the County Road Department to construct a written maintenance schedule or plan for the County; Motion carried 5-0.**

*Information Items:*

1. *We are still on track with the revision of the Emergency Management Comprehensive Plan. We've had a great participation from our county agencies and municipalities and non-profit organizations, next meeting is scheduled for September 08, 2009 at 9:00 am to be held at the EOC.*

2. *The next 911 communications meeting is scheduled for Sept 09, 2009 at 9:00 am to be held at the Franklin County Sheriff's office.*

**Bill Mahan- County Extension Office Director (9:58 AM)**

Mr. Mahan had no items for Board action.

Commissioner Putnal said he had received inquiries about assistance with paying electric bills and wanted to know if there was any assistance available.

Commissioner Sanders said Ms. Dot Inman-Johnson of the Capital Area Agency Program had mentioned funding for light bill assistance at a previous meeting.

Reverend John Sink said funds are available but come in on a quarterly basis and suggested turning to local churches for assistance.

Mr. Mahan said he will bring this issue up at the next Franklin's Promise meeting.

**Ms. Dot Bless, Lanark Village Association (LVA) – Discussion – Lanark Village Lighting (10:02 AM)**

Ms. Bless distributed a hand out and spoke to the Board concerning reimbursement of funds for Progress Energy street light bills, stating that the LVA is almost two years behind on requesting funds.

Commissioner Sanders said the information Ms. Bless was presenting is confusing.

Mr. Pierce asked if part of the problem was that for a couple of years the bill was more than the County was subsidizing. Ms. Bless confirmed that it was.

Commissioner Sanders wanted to know if the amount requested, \$6,270.91, was for 2008. Ms. Bless said it was also for three months in 2009 before the County took over payment of the street light bills.

Chairman Parrish wanted to know if funding for this item was in the budget.

Mrs. Johnson explained that the LVA turns in a budget request every year, then the Finance Office cuts a check for the amount of the budget request and the LVA has been given everything that has been turned in as a budget request thus far. Mrs. Johnson said the LVA received a check last December for the amount turned in for the current year's budget but the Board agreed in March to begin paying the bill out of Parks & Recreation budget, so in addition to the budget request, the Board is also paying the bills each month.

Commissioner Putnal asked if this \$6,270.91 had been budgeted. Mrs. Johnson said it has not. Linda Phillips, Finance Clerk, explained that the Finance Office had given the LVA a check for the amount of their budget request for the current year in December 2008 but in addition to that the County has been paying the monthly bill since March 2009 and what Ms. Bless was requesting were past bills the LVA paid out of their own budget.

Mrs. Johnson said she explained to the LVA that the Finance Office can't pay anything above their budget request without Board approval, and if approved these funds will be paid from reserves or the Parks & Recreation budget.

Commissioner Sanders wanted the auditor to be contacted before a decision was made on this issue.

**Motion by Sanders, seconded by Jackel, to table this issue until the September 1, 2009 meeting and have Mrs. Johnson contact the auditor for recommendations; Motion carried 5-0.**

Chairman Parrish mentioned areas in Apalachicola that are also in need of street lights and suggested the issue be discussed at the Commissioners' Retreat.

### **Representative Leonard Bembry – Discussion – Legislative Issues (10:14 AM)**

Representative Bembry addressed the Board and said it was an extreme pleasure to be in Franklin County and stated that he represents 10 counties, which is the largest geographical district in the State, totaling 7,846 square miles. Representative Bembry said this year the Legislature dealt with a lot of contentious and threatening subjects to local counties but in the past two months revenue estimating has been positive. He spoke about budget shortfalls and said before he was elected he had no idea how issues at the Capitol touch people's lives and affects us all. Representative Bembry said last year the budget was \$65 ½ billion, of which almost \$6 billion was stimulus funds and even though he wasn't particularly in favor of the stimulus package made sure Florida got its fair share. He said the State of Florida's debt has doubled since 2002 and the ability to pay had decreased by 25% last year.

Representative Bembry said the Commissioners have a tough job but the good job that they do make a better life for their constituents.

Representative Bembry said he is available all of the time and welcomed everyone to go to the Capitol during session to make the Legislature aware of any concerns they may have as he cares deeply about Franklin County and the people who live in it and also welcomed anyone to visit his offices in Tallahassee, Madison, and Chiefland. He said it has been a pleasure to represent Franklin County.

Chairman Parrish, on behalf of the Board, thanked Representative Bembry and acknowledged how rare it was for one of the Representatives to request to come to a Board meeting. The Chairman told Representative Bembry that one issue near and dear to the hearts of Franklin County residents was the proposed rate increase by Progress Energy. Representative Bembry said head way had been made with Progress Energy; he had made some calls but he would make more calls concerning the matter. Representative Bembry said it is important that everyone stays “plugged in” to these issues and call his office with confidence, as he is “plugged in” and he cares very deeply.

Commissioner Sanders asked about the status of the annex of Franklin County Correctional Institute. Representative Bembry said they expect to break ground within 45 days and it was going to be a positive thing for the County.

Commissioner Sanders asked about DAC Oyster Relay funding that was supposed to be \$150,000 but was only \$100,000. Representative Bembry said funding is there but it has to be used, and has been assured by Mr. Sherman Wilhelm that the program was going well.

Commissioner Sanders also told Representative Bembry that she was upset with Legislative decisions on the Solid Waste grant reduction of \$200,000. Representative Bembry explained when it first came out there was zero monies for Solid Waste but he was able to get \$2.6 million in funds to distribute.

Chairman Parrish also mentioned that along with the cut there were new mandates put on Solid Waste to compost 75% of material at the Landfill, which costs the taxpayers, who have to make up the difference in what the County doesn't receive.

Commissioner Sanders asked about license plate fees doubling on September 1<sup>st</sup>.

Representative Bembry said he voted against this Bill on four different occasions because it was a tax increase of \$1.1 billion which goes to general revenue and if it goes to general revenue it is considered a tax. Representative Bembry said that through his efforts the State budget will be made public and can be viewed on the internet next year.

Mr. Pierce read the following item from his report and asked Representative Bembry for his assistance on this matter. Representative Bembry said he and his office have a good relationship with the Department of Health and they will certainly make use of that.

*3- (Representative Bembry is on the agenda and this item relates to an issue the Board would like the Representative to work on so this item needs to be read when the Rep. is before the Board.)*

*Several meetings ago the Board discussed the inability of the Apalachee Mental Health Clinic to accept certain Franklin County residents for treatment. Ms. Marcia Johnson, Clerk, has put Mr. Jay Reeve in contact with me to explain the situation. Mr. Reeve is the Executive Director for Apalachee Mental Health, and he has submitted this information for the Board, and Rep. Bembry's consideration:*

*Apalachee Mental Health currently maintains an outpatient mental health clinic in Apalachicola. The Mental Health Clinic currently serves approximately 80 clients. Clients, who only have Medicaid benefits, again only Medicaid benefits not Medicare, are assigned to the Medipass program. Medipass is an HMO program. The Medipass program in Franklin County*



*is administered by Magellan Health Services. (In other counties, residents may choose among two HMOs, but in Franklin County only Magellan administers the Medipass program.)*

*Since Oct. 2007, the Apalachee Center has had no contract to provide services to Magellan clients. Dr. Reeve states in his email that "although we have made multiple requests since Dec. 2008 to negotiate a new contract with Magellan, and remain very willing to do so, Magellan has denied this request on one occasion, and not responded on others." Without a contract Franklin County residents who have been assigned to Magellan are unable to receive services at the Center in Apalachicola. Dr. Reeves states, "Apparently they have been told they must travel to Tallahassee to receive services. Notably, the guidelines for the RFP which Magellan responded in winning the Medipass contract calls for an upward limit of 1 hour travel time in rural areas between consumers and their source of treatment." Magellan is not complying with the terms of its contract by making residents from Apalachicola travel to Tallahassee which is more than one hour away.*

*Mr. Reeves concludes, "We are eager to serve all the residents of Franklin County but without a contract we are unable to serve Medicaid clients whose Medicaid is administered through Magellan. I have communicated this information to AHCA. I am happy to discuss this situation in greater detail with the county's legislators at their convenience." Mr. Reeve's office number in Tallahassee is 850-523-3213.*

Commissioner Putnal asked Representative Bembry to find out if there are any State programs or stimulus funds that might help seafood workers who need assistance with paying utilities. The Representative said he would be more than happy to do that and believed there might be some Federal funds available and mentioned that this subject was addressed in the Natural Resources Appropriation Committee but he will have to get the information to the Board at a later date. Representative Bembry said that the mean income from his district is 40% less than the mean income of the State of Florida and it is important that the Legislature understands and said he will commit to the Board to address this in the future.

Commissioner Putnal also asked about the over age 65 issue on turkey hunting. Representative Bembry said he made a request at the FWC meeting in Crystal River and believed they will resolve it.

Commissioner Sanders asked that while Representative Bembry is in Legislative session, that he assists all small counties by way of not allowing any unfunded mandates to be passed down. Representative Bembry said there were several things that were addressed in the session, including issues with the Clerk's and Property Appraiser's Office but some of these were favorably resolved. Representative Bembry promised that he would represent the County and if there were any concerns he wanted to hear them.

### **Keith McCarron, ARPC – Discussion – FDOT Five-year work plan (10:50 AM)**

Mr. McCarron, of the Apalachee Regional Planning Council, distributed a hand out and discussed the Department of Transportation's work plan. He said the reason the planning council is involved is because County Commissions play an important role in developing the work program so they asked ARPC to come out during the update cycle of the work program to

bring the update process to the Board's attention. Mr. McCarron said the work program hand out given to the Board is the adoptive program that was approved through the Legislature's past session and became effective July 1, 2009 and the idea is for the ARPC to present the current work program and receive any ideas the Board has on updating it. Mr. McCarron said he will also be meeting with the County Administrator and Engineer for their input and asked if there was any questions from the Board concerning the work plan.

Mr. Pierce and Commissioner Jackel questioned items concerning Patton Bridge on St. George Island, including widening the turn off of the bridge to the new boat ramp and Mr. McCarron said he would check on those items.

Commissioner Jackel said the engineering specs need to be known before the sidewalk to the fishing pier is built.

Commissioner Sanders had several inquiries about a possible partnership with DOT and the City of Carrabelle to extend the proposed walk/bike path from the Tillie Miller Bridge in Carrabelle to the Crooked River Lighthouse. Mr. McCarron said the design is in the process now but he will give the information to DOT.

Commissioner Sanders wanted to know if DOT plans to extend the shoulders of the road or the elevation at the flood prone areas of Hwy 65 from Hwy 98 to the Liberty County line. Mr. McCarron said he will get back to the Board on this matter.

Mr. McCarron said there is quite a bit of work planned for the airport and thought it was interesting to see how it develops and said the DOT work plan information is on the DOT website, [www.dot.state.fl.us](http://www.dot.state.fl.us), if anyone is interested.

#### **Recess (11:05 AM)**

Chairman Parrish called for a recess.

#### **Reconvene (11:22 AM)**

Chairman Parrish reconvened the meeting.

#### **Open RFQ – CIE Services for Stimulus Sidewalk Projects (11:22 AM)**

Mr. Pierce explained that the County is receiving stimulus money to build sidewalks and the State has required that the County go out for RFQ's in the engineering/inspection part of these projects. He said Bailey Bishop and Lane and Preble-Rish have submitted RFQ's for these projects.

Mr. Pierce said the County is familiar with both firms as they have previously done work for the County and explained that whichever firm didn't receive the contract could team up with the contractor to do the design portion of the project and also recommended that one firm do all three inspections.

Mr. Pierce discussed the qualifications of both firms with the Board.

Chairman Parrish recommended Preble-Rish because the sidewalks are a product of the ground work they did, at no expense to the County, for applying for the stimulus projects.

Commissioner Sanders recommended having Mr. Rothwell look at both firms and make a decision on which one to choose but Commissioner Jackel believed that a decision needed to be made sooner than the next meeting and would like to see the project split up among the two firms.

Mr. Pierce said because this is a design build, the contractor will need an engineer to assist in the process.

**Motion by Jackel, seconded by Sanders, to accept RFQ from Preble-Rish for Apalachicola project and accept RFQ from Bailey Bishop and Lane for the St George Island projects; Motion carried 4-1, Lockley opposed.**

Commissioner Lockley stated that Bailey, Bishop, and Lane needed to step up and do some pro bono work in the same manner that Preble-Rish has done for the County.

**Public Hearing (Continuation) – MSBU Fire Assessment (11:31 AM)**

Mr. Pierce distributed the notice that was advertised in the newspaper.

Jay Abbott, Franklin County United Firefighters Association (FCUFA), notified the Board that there will be a FCUFA meeting on Sept. 9<sup>th</sup> @ 9 AM at the Sheriff's Office and requested that at least one Commissioner be designated to attend the meetings.

Commissioner Sanders didn't think it was necessary to designate a Commissioner to attend the meetings because the Board has always supported FCUFA projects and it would be up to each individual commissioner to attend. Chairman Parrish said he would be at the Sept. 9<sup>th</sup> meeting. Mr. Fling distributed a hand out with information from the Property Appraiser which Attorney Shuler had requested.

Commissioner Jackel asked Attorney Shuler when and why he requested the information because the Board had not requested it. Attorney Shuler stated that he thought this information would help the Board make a more informed decision.

Mr. Fling discussed how the MSBU increase will help the operation of the individual departments and gave statistics from the National Fire Protection Association (NFPA) on how many volunteer firefighters were killed fighting fires on wild land fires.

Commissioner Sanders asked where the Division of Forestry (DOF) service comes in, pertaining to wild land fires. Mr. Fling said they come in and help if the Volunteer Fire Department (VFD) or Sheriff's Department feel like the fire might get out of hand and said the DOF also calls the VFD's in if they need help.

Commissioner Lockley asked if the increase will be used for any payment of salary and Mr. Fling said all firefighters are strictly volunteers.

Commissioner Jackel wanted to know how the vacant parcels will be assessed. Doris Pendleton, Property Appraiser, said if the parcels are connected and are considered one parcel they will be assessed one \$10 fee but if there are multiple parcels they will be assessed on each parcel, and if the parcels are connected to one another they could be combined to make one parcel but could be cut out later if the owner wanted to sell a portion of it.

Commissioner Jackel wanted to know if there was any way to notify property owners of that option before they receive their bills. Mrs. Pendleton said it would be the option of the Board to advertise this information.

Chairman Parrish said he had been catching a lot of static about the vacant parcel assessment but thought it would bring the VFD's to the place where they can meet their operating expenses and was glad Attorney Shuler had requested the information from them.

Commissioner Sanders said four of the VFD's were in her district and it concerned her that these are volunteers yet they don't have enough money in their operational budgets and said she would still like to see the rate increase go by tiers. Commissioner Sanders believed that if a ladder truck needed to be purchased that the property owners who require the use of it pay for it and asked that Mr. Fling and FUFA look at the tier idea.

**Motion by Sanders, seconded by Jackel, to accept increases for MSBU; Motion carried 5-0.**

Commissioner Sanders thanked the Board for the unanimous vote on the MSBU increase.

Commissioner Putnal asked Mr. Pierce if the ladder truck requirement was a result of the height restrictions. Mr. Pierce said it was because people have taken advantage of the height allowance.

Commissioner Sanders and Mr. Fling discussed a fee the County previously paid per call for the VFD's and believed that might be another solution to help with budget shortfalls.

Commissioner Sanders asked that the VFD's push for new volunteers but Mr. Fling said because of the 240 hours of required training that would be hard to do.

Commissioner Jackel thanked Mr. Abbott for his assistance with a golf cart fire in front of her house on St. George Island.

Mr. Abbott thanked the Board for their vote to increase the MSBU Assessment.

**Planning & Zoning Commission – Report (11:53 AM)**

**COMMERCIAL SITE PLAN REVIEW:**

*Tabled indefinitely to provide time for island visioning so that the commercial district will develop in keeping with the Island's character (4 to 2 Vote) Consideration of a request to commercial site plan review to construct an 8,000 gsf retail center, located on Lots 8-24, Block 6 East, Unit 1, St. George Island, Franklin County, Florida. Request Submitted by Inovia Consulting Group, Jim Waddell, agent for Olivier Monod, applicant. (The original request was for 8,100 gsf, but the applicant reduced the sqf to 8,000 at the time of the meeting.)*

Mr. Pierce, Attorney Shuler and the Board discussed this request. Mr. Pierce explained that the request has been modified after Planning and Zoning reviewed and voted on it and recommended that the Board send this request, with the new modification, back to Planning and Zoning for their review and vote.

**Motion by Putnal, seconded by Lockley, to send item back to Planning & Zoning for their review and have Attorney Shuler present at the meeting; Motion carried 5-0.**

**Marcia M. Johnson – Clerk of Courts – Report (11:54 AM)**

Mrs. Johnson had no items for the Board.

**Alan Pierce – Director of Administrative Services – Report (11:54 AM)**

Mr. Pierce presented the following items for Board review.

*1- Inform Board that DOT has provided additional information regarding the remaining bridge pilings from the old St. George Island Bridge. DOT will be installing six more buoys with reflective markings. The buoys will remain in place until a contract is awarded to remove the remaining piles. At this time DOT staff engineers are proceeding with developing the plans and specs for bidding out the removal of the remaining pilings.*

*2- At a previous meeting, the Board tabled a request for a supporting Resolution regarding improvements at the Port St. Joe port until there was an official request from either the Port Authority of the City of Port St. Joe. A letter has been received from the Chairman of the Port Authority asking the Board to support a Resolution of support for making the Port of Port St. Joe a viable operational seaport. The letter and proposed Resolution are attached to my report. Board action.*

Commissioner Sanders said she had read the TIGER grant and does not support it because Franklin County has two deepwater ports in Carrabelle and Apalachicola, and if the Board supports Gulf County it might hinder any funds available to Franklin County in the future. Commissioner Putnal said because of the likelihood of future off shore drilling he wanted Apalachicola and Carrabelle to be able to get the business from that and did not support this Resolution.

**Motion by Sanders, seconded by Putnal, to deny support of the letter and proposed Resolution; Motion carried 5-0.**

*3- (Representative Bembry is on the agenda and this item relates to an issue the Board would like the Representative to work on so this item needs to be read when the Rep. is before the Board.)*

*Several meetings ago the Board discussed the inability of the Apalachee Mental Health Clinic to accept certain Franklin County residents for treatment. Ms. Marcia Johnson, Clerk, has put Mr. Jay Reeve in contact with me to explain the situation. Mr. Reeve is the Executive Director for Apalachee Mental Health, and he has submitted this information for the Board, and Rep. Bembry's consideration:*

*Apalachee Mental Health currently maintains an outpatient mental health clinic in Apalachicola. The Mental Health Clinic currently serves approximately 80 clients. Clients, who only have Medicaid benefits, again only Medicaid benefits not Medicare, are assigned to the Medipass program. Medipass is an HMO program. The Medipass program in Franklin County is administered by Magellan Health Services. (In other counties, residents may choose among two HMOs, but in Franklin County only Magellan administers the Medipass program.)*

*Since Oct. 2007, the Apalachee Center has had no contract to provide services to Magellan clients. Dr. Reeve states in his email that "although we have made multiple requests since Dec. 2008 to negotiate a new contract with Magellan, and remain very willing to do so, Magellan has denied this request on one occasion, and not responded on others." Without a contract Franklin County residents who have been assigned to Magellan are unable to receive services at the Center in Apalachicola. Dr. Reeves states, "Apparently they have been told they must travel to Tallahassee to receive services. Notably, the guidelines for the RFP which Magellan responded in winning the Medipass contract calls for an upward limit of 1 hour travel time in rural areas between consumers and their source of treatment." Magellan is not complying with the terms of its contract by making residents from Apalachicola travel to Tallahassee which is more than one hour away.*

*Mr. Reeves concludes, "We are eager to serve all the residents of Franklin County but without a contract we are unable to serve Medicaid clients whose Medicaid is administered through Magellan. I have communicated this information to AHCA. I am happy to discuss this situation in greater detail with the county's legislators at their convenience." Mr. Reeve's office number in Tallahassee is 850-523-3213.*

**This item was discussed earlier in the meeting.**

*4- At the last meeting the Board opened 8 bids for the construction of the Hanger at the airport. Mr. Lee Lewis, AVCON, is here to recommend the award of the low bid. Attached to my report is the engineer's written report, but in summary AVCON reports the bids were all very competitive and all came in less than the engineer's estimate. AVCON recommends the Board award only the base bid at this time, as issues surrounding the use of the paint hanger have not been resolved yet. They expect to determine whether to award the paint hanger component within 45 days. If the paint hanger is not built, then office space will be built. The apparent low bidder is Shumaker Inc out of Panama City. Mr. Lewis is here to add any comments and then Board action to award the low bid for the hanger only.*

Commissioner Sanders said it had come to her attention that after the pre-bid conference an addendum was added to the bid specs but not all of the contractors submitted the bid under the addendums.

Mr. Pierce said two addendums were put into effect but all of the contractors should have received the addendums in a timely manner.

Chairman Parrish said he had Attorney Shuler call Mr. Lewis and ask that he examine the bids properly and be sure all were bidding on the same specs.

Lee Lewis, of AVCON, said the issue was whether tap fees for city water and sewer had been included in the bids, which were required in one of the addendums, and he had contacted the lowest bidder to see if they had included the tap fees in their bid and the contractor said they did.

Commissioner Jackel asked how much time was given between notification of the addendum and the deadline of turning in the bid. Mr. Lewis said they gave a week to have the information turned in.

Commissioner Sanders asked if everyone included the tap fees in their bids and Mr. Lewis wasn't sure if they did but the lowest bidder did include them in their bid.

Commissioner Sanders said she was concerned that all of the bidders might not have gotten the information to include the water taps in time to turn in with the bids and told Mr. Lewis she wanted to be sure it was an even playing field when they bid out jobs and wanted to look at the bids to be sure everyone included the tap fees. Mr. Lewis said the low bidder did include the fees in his bid.

Commissioner Jackel asked Mr. Lewis if he only contacted the low bidder about the tap fees or if it was spelled out in the bid. Mr. Lewis said he contacted the low bidder and it was spelled out in his bid.

Mr. Lewis said he recommended that Schumacker Construction Inc. is awarded the bid.

There was further discussion between the Board and Mr. Lewis concerning the construction of the paint hanger.

Mr. Lewis said they see no risk in awarding the base bid now and awarding the bid to construct the paint hanger at a later date.

**Motion by Lockley, seconded by Putnal, to accept AVCON's recommendation and award the base bid to Schumacker, Inc., contingent upon Attorney Shuler's review and approval of the bids; Motion carried 5-0.**

*5- Board discussion of proposed relocation of constitutional offices out of courthouse. In previous meetings the Board undertook to obtain from the School Board administrative building, also known as Chapman Auditorium Building, or Old Chapman, for future county uses. There has been discussion about moving the Supervisor of Elections into the building, and the Board has been presented with a letter from the Chief Judge advising that at some future date it may be necessary to create more judicial space in the Courthouse. No action has been taken to definitively decide who will move into Old Chapman, but in the discussions with the non-judicial officers in the courthouse, which include the Property Appraiser, Tax Collector, Veteran's Affairs it became apparent that if all three were to have to move then the Old Chapman Building would not be adequate as it would need major renovations that might be difficult because the building is protected by its historical architectural significance. In the discussions, it became apparent that there is adequate space at the old Apalachicola High School that the city has preliminarily obtained from the School Board. If the Board were to seek use of some of the High School then the City would seek to obtain the Old Chapman Building from the county for use by the City Library. The Tax Collector and Property Appraiser believe their shared resources and customer base require them to be co-located. The High School can accommodate that as well as other*

*county functions, like Supervisor of Elections and Veteran's Affairs all in one wing of the High School. Board direction.*

Commissioner Sanders and Mr. Pierce discussed the possibility of having a modular building moved in to the Courthouse area to accommodate the offices. Commissioner Sanders said the Board sent Attorney Shuler to the School Board meeting to discuss using the old Administration Building not the high school, was concerned that it might cost too much money to use the high school, and wanted to do a comparison of costs as to utilizing a modular building.

Mr. Pierce said an evaluation of the old high school had been done from a structural standpoint but there were significant things that needed to be done to occupy one wing and be self standing.

Chairman Parrish suggested getting with a County building inspector to see how much space is needed, the cost of the space, and then suggested discussing this matter at the Commissioners' retreat.

Commissioner Lockley also wanted to find out what the city was proposing to the Board as far as cost to occupy the high school building.

Attorney Shuler expressed concerns about proposed title swaps on buildings with the City of Apalachicola and suggested leases being drawn up if the Board is in favor of that type of action. Commissioner Jackel said she was told the State was willing to make a recommendation to the School Board to condemn the old high school building because of concerns with issues of mold, mildew, maintenance, etc. at the old high school and agreed with Commissioner Sanders that there is a potentially large price tag to move the offices to the old high school.

Commissioner Lockley wanted to know about splitting the cost of utilities with the City of Apalachicola.

The Board, Mr. Pierce, and Betty Webb, City Administrator for the City of Apalachicola, discussed these and other issues regarding the old high school building.

James Harris, County Tax Collector, asked that the Board not consider a modular building because it isn't a long term solution to the problem. Mr. Harris explained that he needs a vault for his office and there are a lot of details and expense to moving his office but at the old high school already has a vault installed and accessibility is better for elderly customers.

**Motion by Sanders, seconded by Jackel, to direct Mr. Pierce to have a building inspector inspect both buildings and also have a quote from a contractor for retrofitting both buildings; Motion carried 5-0.**

Katie Green, Librarian of Apalachicola Municipal Library, asked the Board to consider the idea of moving the library to the Administrative Building if a decision is made for the County to utilize the old high school.

Commissioner Sanders asked Attorney Shuler to take action regarding Mr. Phil Guzzetta as he has not yet removed items from the County's right of way on Alligator Drive in Alligator Point.



Commissioner Sanders asked Mr. Pierce if he had contacted the Department of Children & Family Services to have their office available in Carrabelle at least one day per week. Mr. Pierce said he called and spoke to someone in the office but has not gotten any response.

**Motion by Sanders, seconded by Putnal, directing Mr. Pierce to write a letter to the Department of Children & Family Services asking to them to have office hours available in Carrabelle one day per week; Motion carried 5-0.**

Commissioner Sanders stated that she has had complaints from citizens about people with overgrown yards West of Carrabelle that need to be cleared to deter bears. Commissioner Sanders wanted something to be done, on the County level, that would require people to clean out brush in their yards in populated areas and Mr. Pierce and Attorney Shuler work together on this issue.

Commissioner Jackel introduced Coach Josh Wright, Head Coach Franklin County Seahawks football team, to the Board.

Coach Wright addressed the Board and said he is aware that he is in a position of leadership in the community and knows the time spent with the kids is limited but makes a major difference in how they view their identities and abilities. Coach Wright said he is proud to be in the community and said the football team has been going in the wrong direction but is taking a slow turn in the right direction and that the coaches and players will represent the County well. Chairman Parrish said he believed Coach Wright is the man for the job and welcomed him to the County.

Coach Wright said the first home game is Sept. 4, 2009 and that evening they would be commissioning the athletic field in honor of Mikel Clark.

The Board thanked Coach Wright for coming to the meeting.

**Michael Shuler – County Attorney – Report (12:28 PM)**

Mr. Shuler had no action items for the Board.

**Commissioners and Public Comments (12:28 PM)**

Commissioner Putnal asked that when advertisements for bids for the Carrabelle Urgent Care go out that Green Steel and other local contractors are looked at as possible contractors for this job because they employ local people.

Commissioner Sanders reiterated this request and asked that specs be made so that everyone can bid on it.

Commissioner Putnal said there is still an issue with an overgrown ditch in Eastpoint from 10<sup>th</sup> Street to Hwy 65, and suggested that the ditches are dug out and cut back, and if the State isn't going to do it, the County might need to do it then send the State a bill for labor.

Commissioner Jackel said she was given a bill during the recess of the meeting, made out to the County from Water Management Services for repairs for damages to water lines by County equipment on St. George Island. Attorney Shuler said there are standards for the construction of water lines and if it becomes necessary he can deal with it and suggested handling it in a local manner and would proceed that way until he hits a road block then would come back to the Board.

Commissioner Sanders expressed concerns with issues that are going on with the Road Department and suggested hiring a new labor attorney if the current labor attorney isn't working on these issues.

Chairman Parrish suggested researching the bill from Water Management Services to see if this damage even occurred.

Mr. Pierce said the bill lists damage to three different sites but has no incident dates.

**Motion by Sanders, seconded by Jackel, have Attorney Shuler research the bill from Water Management Services and bring a recommendation at the September 1, 2009 meeting.**

Attorney Shuler and the Board discussed scheduling the Commissioners' retreat.

**Adjourn (12:37 PM)**

There being no further business Chairman Parrish adjourned the meeting.

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Joseph A. Parrish, Chairman FCBCC

Attest:

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Marcia M. Johnson, Clerk of Courts