

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MAY 18, 2010
9:00 AM**

MINUTES

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

Others Present: Marcia Johnson – Clerk of Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Moron – Board Secretary

Call to Order (9:06 AM)

Chairman Parrish called the meeting to order.

Prayer and Pledge (9:06 AM)

There was a Prayer followed by the Pledge of Allegiance.

Approval of Minutes: May 4, 2010 Regular Meeting (9:07 AM)

Motion by Sanders, seconded by Putnal, to approve the minutes of the May 4, 2010 Regular Meeting; Motion carried 5-0.

Payment of County Bills (9:08 AM)

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

Department Supervisors Report

Hubert Chipman – Superintendent of Public Works (9:08 AM)

Mr. Chipman had no items for Board action and/or approval.

Commissioner Putnal and Mr. Chipman discussed materials being used and the crew size for shoulder repairs on roads throughout the County.

Mr. Pierce said the City of Apalachicola had some dirt available if the Road Dept. needed it.

Van Johnson – Solid Waste Director (9:11 AM)

Fonda Davis presented Mr. Johnson's report to the Board and distributed copies of the Solid Waste Grant Application and annual report.

CONSOLIDATED SOLID WASTE GRANT APPLICATION:

FOR BOARD ACTION: I have for Board approval and the Chairman's signature the completed Consolidated Solid Waste Management Grant application for Fiscal Year 2010-2011. The Legislature allocated a total of \$2.4 million for the Fiscal Year 2010-2011 grant cycle. Although the Governor has not yet signed the budget, we anticipate an award of \$70,588 for the 34 counties with populations of less than 100,000, including Franklin.

The grant is used within the solid waste department to offset the cost of providing solid waste management services. The application needs the chairman's signature, and it's due back to the State by July 1.

REQUESTED ACTION: Board Approval and the Chairman's Signature on the Consolidated Solid Waste Management Grant Program Application for Fiscal Year 2010-2011.

Commissioner Sanders expressed dissatisfaction with cuts to this grant.

Motion by Lockley, seconded by Sanders, to approve the Chairman's Signature on the 2010-2011 Consolidated Solid Waste Management Grant Application; Motion carried 5-0.

FULL COST OF SOLID WASTE MANAGEMENT ANNUAL REPORT:

FOR BOARD ACTION: I have for Board approval the Public Notice advertising the County's Full Cost of Solid Waste Management Annual Report. Governmental Consulting Services out of St. Augustine prepared the report for Franklin County, which is mandated by Florida Statutes.

The intent of the report is to determine and disclose the full cost incurred by Franklin County, to provide solid waste management services. The report identifies all costs, both direct and indirect, whether budgeted or not. The report does not take into account the offsetting factors of revenue, grants, amnesty days, equipment or Inmate labor used in the production of services.

During Fiscal Year 2008-2009, the full cost that Franklin County incurred to provide Solid Waste Management services to the public was \$1,717,835, which is a decrease of \$189,076, over FY 07/08. The Public Notice must be published in a newspaper of general circulation and a copy of the report sent to the Florida Department of Environmental Protection.

REQUESTED ACTION: Motion authorizing the advertisement of the Public Notice as required by Florida Statutes.

Motion by Putnal, seconded by Sanders, to authorize advertisement of the Public Notice as required by Florida Statutes; Motion carried 5-0.

Commissioner Lockley asked that the Gulf Coast Workforce employees be utilized as soon as possible.

Alan Pierce – Report Item #3 (9:15 AM)

3- Inform the Board that the county received an email from Gulf Coast Workforce on Monday, May 8,

requesting payment in advance for the employees the county would like to hire through the back-to-work program. This is the program where the county puts up 5% of the cost of an employee and the Workforce pays the balance for a six month period. I did not realize pre-payment of employee costs was required, but in today's bill packet I did include \$2419.00 which is the county cost for four employees. When a fifth employee is qualified there will be an additional cost of \$604.75.

The Board discussed the placement of these employees throughout County departments.

Commissioner Jackel discussed a call she received from Mike Millender regarding concerns about Vrooman Park's handicap access for the entire park and asked Mr. Davis to look into this.

Dan Rothwell – County Engineer (9:19 AM)

1. Board Action - Airport Road Speed Changes:

Staff requests permission to rezone the 45 MPH areas (3800') of Airport Road to 35 MPH, and to rezone the 1200' from Bluff Road to just south of the D. W. Wilson Ball field to be 25 MPH with "when children are present" signage.

Motion by Lockley, seconded by Jackel, authorizing the requested speed limit changes and to notify Sheriff's Department of speed changes; Motion carried 5-0.

2. 2010 County Paving Project:

C. W. Roberts will be working in Lighthouse Estates and then back in Apalachicola for the upcoming weeks.

3. Ochlockonee Bay Boat Ramp:

The dredging around the ramp has been completed and the concrete retaining wall is still under construction. The contractor believes that the project is on schedule and will be completed by June 15, 2010.

4. St. George Island Drainage:

Staff has completed the project scope definition for drainage on East 1st Street at East Gulf Beach Drive and Public works has already completed half of the work to date. Chili Boulevard drainage survey work has been completed at a value of \$3,000.00 and design is partial completed at a value of \$6,000.00.

5. Alligator Drive Crosswalk Signage:

New speed change warning, speed limit and replacement pedestrian crossing signs are on order.

6. Franklin County / Apalachicola Regional Airport Water System Extension:

The water system extension is 90% complete, funded by FDOT grant funds.

Commissioner Jackel asked Mr. Rothwell to follow up on a quote for directional bore at Blue Parrot area on St. George Island.

Commissioner Putnal asked Mr. Rothwell to reduce speed to 15 mph on Beacon Street at Light House Estates and asked about putting a 4 way stop in the same area.

Commissioner Putnal asked Mr. Rothwell about a channel marker at the Ochlockonee Bay Boat Ramp and Commissioner Sanders stated that she is already working on this matter.

Pam Brownell - Emergency Management (9:25 AM)

Mrs. Brownell had no written report for the Board but stated that representatives from BP were present and would like to discuss certain items with the Board.

Mrs. Brownell discussed the current trajectory with the Board.

Tom Bulling and Elvin Taylor, BP representatives, stated that Tier 1 booming is being operated by BP and its subcontractors and Tier 2 is being implemented by the State of Florida. Mr. Bulling said that is under the \$25 million block grant which was given to the State of Florida.

Commissioner Lockley and BP Reps discussed the use of local residents to implement the Tier 1 plan through BP's contractor Eagle SWS. Mr. Taylor discussed the current training classes for local residents.

Commissioner Jackel and BP Reps discussed the priority and use of local vessels for the Tier 1 implementation.

Commissioner Lockley stated that if the oil affects the Bay it will put 1/3 of our workers out of employment but BP is using outside contractors with Tier 1 implementation.

Mr. Bulling discussed BP's first priority, which he said is to protect the Bay and beaches, and stated that BP is opening a claims office to look into displaced workers.

Commissioner Lockley then asked about the effect on the Tourism industry in the County.

Mr. Bulling explained BP's priority list as follows, the first priority is protecting the Bay and shoreline, second is those who are impacted financially and last is tourism. He said the BP CEO had met with the Governor and issued a block grant in the amount of \$25 million.

Commissioner Lockley replied that he wasn't concerned about the State of Florida; his job was to protect the welfare of the people of Franklin County.

Lt. Steven Caskey, US Coast Guard, addressed the Board's concerns and said that he also has a vested interest in protecting Franklin County to protect his stakeholders. Lt. Caskey said as a Federal on scene coordinator he is charged with ensuring that BP does what they need to do to mitigate these circumstances and also address any economic impact, environmentally or commercially, from the tourism standpoint. Lt. Caskey discussed the processes for Tier 1 and Tier 2 implementation and also explained what is being done in other Counties. He stated that BP has acted as a partner during this

disaster recovery and said there are an estimated 17,000 people involved in this staging process. He said BP Representatives are working hard to get training set up in order to deploy the boom. Commissioner Lockley said that the \$25 million grant wouldn't go very far to help recovery efforts. Lt. Caskey said BP has done everything possible to step up to the plate as far as taking responsibility and is sure they will do what they need to do to take care of the situation.

Commissioner Jackel and Lt. Caskey discussed the implementation of the boom strategy. Lt. Caskey indicated the staging area will be at Dockside in Carrabelle.

Lt. Caskey discussed the details of the implementation of the boom strategy and said that local folks will not be hired to implement Tier 1 because of safety issues but Tier 2 will employ locals. He said there is a huge safety factor involved.

Commissioner Putnal discussed the possibility of seafood workers from other states, displaced by the oil spill, moving to Franklin County for work and severely affecting the summer oyster bars. Mr. Pierce said he didn't know of a solution for this issue.

Commissioner Sanders and Mr. Bulling discussed the amount of oil that was still getting into the Gulf since BP installed the tube to redirect some of the oil.

Commissioner Sanders expressed her concerns of a storm possibly pushing the oil into the Bay. She said BP needed to be a little more forthright with their information. She explained that this could change the whole way of life in Franklin County.

Commissioner Jackel said the honeymoon with BP was over and she expressed her concerns of the economic losses already experienced in the County as a result of the oil spill. She said there will be a continuance of losses throughout the tourist season and as long as the looming cloud of oil is in the Gulf of Mexico, Franklin County is under threat of it being on our shores. She said there is already national concern about eating seafood.

Commissioner Jackel spoke about reports on the amount of boom that has been implemented in Florida and wanted to know if the information she is hearing is correct.

Lt. Caskey responded to Commissioner Jackel's concerns regarding the boom implementation and the dissemination of information.

Lt. Caskey said he could send updates directly to the Board instead of receiving information from somewhere else.

Commissioner Lockley stated that he wanted current information on local vessels being used in the recovery process and how many out of state fishermen are working our Bay. Lt. Caskey said he would get that information to Mrs. Brownell.

There was further discussion on this matter.

Commissioner Sanders and Lt. Caskey discussed which vessels are used for response and recovery. Lt. Caskey explained that there are types of response vessels used in the recovery process that are not

available locally. He said at this time information isn't available on the number of local vessels to be used.

Commissioner Lockley, Chairman Parrish, and BP Reps discussed the compensation process for seafood workers and tourist based businesses.

Chairman Parrish stated that compensation has to be immediate as the seafood workers depend on money daily and some of the tourist based businesses are also barely surviving. He said they need immediate compensation. Mr. Bulling stated that compensation occurs within 5 to 10 days.

Commissioner Lockley asked that someone be able to write a check on site.

The Board discussed this matter further.

Commissioner Putnal asked if any of the block grant would be available to Franklin County residents and Mrs. Brownell explained the process for businesses filing claims.

Chuck Tear, CGA, introduced other CGA staff members and discussed some of the efforts being done to expedite the processes, including drug testing, to assist the local residents with employment opportunities. Mr. Tear discussed the process to help the County receive reimbursement for Staff. He discussed a new location, other than the EOC, to assist with processing reimbursement applications and hoped to have extended hours at the facility. He said BP would provide funding for these services, although BP would send the money to the County and the County would reimburse CGA.

The Board discussed the problems that the BP claims office will experience with displaced County seafood workers and wanted to be sure that it is clear that there are no other options for these people to make an income.

Chairman Parrish discussed the constant change of information and the problems this causes.

Commissioner Sanders discussed the frustration being experienced by residents and the Commissioners. She asked that BP be patient with the Commissioners because the County has never faced anything like this and there is no end in sight with this catastrophe.

Commissioner Putnal discussed concerns with some of the requirements for local vessels to work in the recovery process that were mentioned at the Coast Guard meeting he attended and Lt. Caskey clarified some of the concerns raised by Commissioner Putnal regarding the meeting.

Chairman Parrish and Lt. Caskey discussed the problems with the constant changing of information. Chairman Parrish said it seemed like after a couple of weeks everyone would be on the same page and would give out the same information to everyone.

Mr. Tear, of CGA, discussed how some of the information is collected and disseminated, saying that each state conveys information differently.

Commissioner Jackel stated that the staging of boom is equal to money for the economy and would like for that money to be in Franklin County. She said she wanted a commitment from the Coast

Guard and BP that they will use Dockside Marine in Carrabelle as a staging area. Mr. Taylor, of BP, stated that, starting Friday, there will be staging in Franklin County.

Mr. Tear, of CGA, presented the first draft version of the oil spill response plan for the Board's review. He stated that BP is paying for the document but it is the property of Franklin County. He presented the draft to Mrs. Brownell and asked that the County adopt it. Mr. Tear said implementation of this plan would start immediately.

Mr. Tear discussed ICS (Incident Command System) training of Crowder Excavating, appointing the Board as authority over Tier 2 implementation, the incident command team, and CGA's agreement with the County.

Attorney Shuler provided the details of the agreement. He said initially it was going to be a contract between the County and Crowder Excavating but now it is going to be between the County and the State. He said he hasn't had a chance to review the contract with the State at this time and asked that the Board allow him time to review the contract.

Motion by Lockley, seconded by Putnal, to approve the agreement with CGA, contingent upon Attorney Shuler's review and approval; Motion carried 5-0.

Mr. Tear discussed partnering with other groups in the County.

Andy Smith, Apalachicola Bay RiverKeeper, stated that ABARK's mission is to protect the ecosystem of Apalachicola Bay and River and proposed that ABARK take on the role of 'on the water monitoring' for this project.

Attorney Shuler wanted to be sure there is a contract with ABARK, which is similar to the contract with Crowder Excavating and CGA, not holding the County responsible in the case there is no reimbursement for recovery operations.

The Board, Mr. Tear and Mr. Smith discussed what level of monitoring ABARK is capable of based on certifications and qualifications.

Attorney Shuler said CGA should have the responsibility of deciding who they allow to work with them and discussed how he is structuring the contracts in reference to the response.

Lt. Caskey stated that the Coast Guard will have a role in the clean-up and there are federalized mandates for disaster recovery that must be followed. Mr. Tear said this information and procedures are included in the CGA contract.

Commissioner Lockley requested that an African American be employed in this project and Mr. Tear said he has a minority business, Chandler and Campbell Group, partnering with CGA.

Darrell Searcy, of Chandler and Campbell Group, reviewed his company's resources and qualifications. He explained the services his company will provide to the County during this response.

Attorney Shuler stated that all of these contracts are non-exclusive.

Motion Jackel, seconded by Putnal, to engage Apalachicola Bay and RiverKeeper as monitors of the implementation of the boom and response plan, to the degree that they are certified and qualified; Motion carried 5-0.

Recess (11:13 AM)

Chairman Parrish called for a recess.

Reconvene (11:36 AM)

Chairman Parrish reconvened the meeting.

Chuck Tear – Request to present plan at Governor’s Hurricane Conference (11:37 AM)

Mr. Pierce stated that Mr. Tear would like to promote the Franklin County Boom Strategy Plan that he built by making a presentation at the Governor’s Hurricane Conference.

Motion by Sanders, seconded by Lockley, to approve Chuck Tear, CGA, to make a presentation of his plan for Franklin County’s Boom Strategy at the Governor’s Hurricane Conference; Motion carried 5-0.

Motion by Sanders, seconded by Lockley, to extend the local State of Emergency; Motion carried 5-0.

Advisory Board of Adjustment – Report (11:38 AM)

The Franklin County Advisory Board of Adjustment met on Wednesday, May 5, 2010 in regular session and recommends approval of the following:

Consideration of a request for a variance to construct a house 3 feet above the required height of 11 feet for a total of 14 feet above grade on property described as Tracts 40 & 41, City of St. George, 2448 US Highway 98, Franklin County, Florida as requested by Garry Millender, agent for Gilbert Bourgault, owner.

Motion by Putnal, seconded by Sanders, to approve variance, contingent upon the building not exceeding the County’s height restrictions; Motion carried 5-0.

Department Supervisors Report – Continued (11:39 AM)

Bill Mahan – Extension Office Director

Mr. Mahan had no items for Board action and/or approval.

Helen Sphorer – TDC Update (11:40 AM)

Ms. Sphorer thanked the Board and Mrs. Brownell for their actions during this crisis. She then discussed the budget amendment that will be submitted to the Board at a future date.

Ms. Sphorer also discussed what has been done thus far regarding the TDC's ability to submit claims with BP for loss of income of tourist dollars.

Motion by Sanders, seconded by Jackel, to send a letter to the Governor's Office seeking some of the funding for Franklin County which was provided to the State from BP; Motion carried 5-0.

Ms. Sphorer asked if the Board would approve using \$50,000 from reserves to implement a marketing program over the next six weeks.

Motion by Jackel, seconded by Sanders, to approve \$50,000 from the TDC reserves for a marketing program in furtherance of the declared state of emergency and will be reimbursed from any State funding; Motion carried 5-0.

Commissioner Jackel said she had already heard from local vacation rental businesses that people are cancelling reservations.

Open Bids - Airport Road Extension (11:47 AM)

Mr. Pierce opened and read the bids.

North Florida Asphalt, Tallahassee, Florida – \$93,489 – Bid Bond attached.

GAC, Panama City, Florida – \$82,343.59 – Bid Bond attached.

C.W. Roberts, Tallahassee, Florida – \$58,801.25 – Bid Bond attached.

Motion by Sanders, seconded by Putnal, to forward to Preble-Rish for a recommendation; Motion carried 5-0.

Deborah Moore - Guardian Ad Litem Program Update (11:50 AM)

Ms. Moore, Guardian Ad Litem Program, introduced herself to the Board as the new circuit director. She said the program provides services to 24 children in Franklin County and over 650 children in the second judicial circuit. Ms. Moore said the program advocates for the best interest of abused and neglected children. She said there are 330 guardians who are advocates for and support these children, who range from newborn to 19 years of age. Ms. Moore said volunteers are welcome to apply and will be trained and anyone interested can call (850) 606-1200.

Wesley Tice – Repairs to Health Department Building in Apalachicola Update (11:56 PM)

Mr. Pierce stated that Mr. Tice is willing to pay for repairs to the Health Department building out of the Health Departments trust fund so that there won't be a long debate about who is going to pay for the additional costs for repairs.

Mr. Tice explained that he contacted his superiors at DOH and informed them that no action had been taken at the previous meeting so they instructed him to pay the additional cost for the repairs out of the Trust Fund.

Chairman Parrish asked about using funding set aside by the State for repairing Health Departments throughout the State and Mr. Tice said he made an inquiry about that but was told to take the funds out of the Health Department's Trust Fund.

Commissioner Sanders inquired about the trust fund and Mr. Tice explained that the State Health Departments are required to keep three months operating expenses in a trust fund in the event there is an emergency.

The Board and Mr. Tice discussed this matter further.

Commissioner Jackel asked about guarantees and a warranty from the contractors.

Attorney Shuler discussed this matter with the Board.

Motion by Sanders, seconded by Putnal, to authorize Mr. Tice to use the Health Department's Trust Fund to pay for repairs to the Health Department above the \$80,000 already committed by the County and require a warranty and guarantee from the Contractors in the bids; Motion carried 5-0.

Mr. Tice asked if the County would consider helping to put back some of the money back into the Health Department's Trust Fund.

There was discussion concerning receiving funding from the State to pay for repairs.

Mr. Tice stated that the Health Department will take the lead on the advertisement on the bids.

Alan Pierce – Director of Administrative Services – Report (12:07 PM)

Mr. Pierce presented his report to the Board.

1- Inform Board that the Legislature did not fund the Florida Communities Trust to the extent I had previously reported. The Legislature only funded \$3.15M, not \$14M. In the email we received from FCT they informed us that they will not be accepting new applications. The email said, "FCT will instead use the \$3.15M and apply it to a list of projects already scored and ranked from the 2008 Florida Forever grant cycle, as there are several high-quality applications that have not yet received funding."

2- Inform the Board that the Governor's Office is reviewing the scoring on the energy block grants so no award contracts have been sent out.

3- Inform the Board that the county received an email from Gulf Coast Workforce on Monday, May 8, requesting payment in advance for the employees the county would like to hire through the back-to-work program. This is the program where the county puts up 5% of the cost of an employee and the

Workforce pays the balance for a six month period. I did not realize pre-payment of employee costs was required, but in today's bill packet I did include \$2419.00 which is the county cost for four employees.

This item was discussed earlier in the meeting.

4- Inform the Board that the building permit for the Carrabelle Urgent Care Clinic was issued Friday, May 14, to Ajax Corporation.

Commissioner Sanders asked that Ajax Corporation be contacted about a starting date for the building.

5- Inform the Board that the Florida Dept. of Corrections has sent a one year contract extension for the Board to sign for the continued housing of state inmates in the County Jail. As previously discussed the Board requested the Sheriff evaluate whether it is cost effective to house state inmates. I have called the Sheriff and told him the contract is in. He will be at the June 1 Board meeting to discuss the contract.

6- Justice Assistance Grant (JAG) for GIS Mapping funding

Motion by Jackel, seconded by Sanders, to accept grant money and use for the GIS mapping, with the stipulation that funds be returned to the Board if it cannot be used for the GIS mapping; Motion carried 5-0.

Marcia M. Johnson - Clerk of Courts – Report (12:13 PM)

1- For information, the balance in the hospital's operating account for the month ending April was \$317,861.84.

2- For action, I have a resolution for adoption presented to my office by the Florida Association of Counties Trust (FACT). FACT has been providing general liability coverage for its member counties since 1989. They would like to extend the coverage to include Workers Comp and Property, and to do that, the Trust Agreement they were formed under must be changed. This resolution presented would allow FACT to offer additional lines of coverage to its member counties. Franklin County has coverage with the Florida League of Cities program through Pat Thomas Insurance Agency and this new offering won't affect us because FACT is aligned with the Florida League of Cities. We have been a member of FACT for approximately 20 years and all member counties have to approve any changes in the Trust Agreement which outlines the rights and obligations of all member counties and how the program operates.

Motion by Putnal, seconded by Sanders, to adopt resolution; Motion carried 5-0.

Commissioner Jackel asked if the Property Appraiser's Office had presented final tax amount to the

Board and Mrs. Johnson said not at this time.

Motion by Jackel, seconded by Sanders, to request that Doris Pendleton, Property Appraiser, appear at the next meeting to discuss final numbers for the tax amount; Motion carried 5-0.

Commissioner Lockley, Attorney Shuler and Mrs. Johnson discussed Workers Comp issues.

Michael Shuler - County Attorney – Report (12:18 PM)

Attorney Shuler had no report for the Board.

Commissioner Sanders asked Attorney Shuler to contact Bobby Sapp and update him on grading his road.

Commissioners and Public Comments (12:19 PM)

Commissioner Putnal asked Attorney Shuler if a letter should be sent to the State regarding out of state seafood workers moving into the County to work the Bay and Attorney Shuler said it would be appropriate to communicate economic concerns to the Governor.

Chairman Parrish suggested listing previous impacts on the Bay and the depletion of the natural resources in the wording of the letter.

Motion by Putnal, seconded by Lockley, to send a letter to the Governor and Legislative Delegation to include specific wording from Chairman Parrish; Motion carried 5-0.

Commissioner Lockley and Chairman Parrish discussed the impacts of the oil spill.

Commissioner Sanders commended Weems Hospital and their partnership with Tallahassee Memorial Hospital after recently utilizing their services when she was diagnosed with appendicitis and had to have surgery. She said because of this experience she does see a need for a third ambulance in the County but wanted it to be discussed at a later date. The Commissioner thanked everyone for the kind words, cards and especially the hugs.

Jay Abbott, of St. George Island VFD, would like to schedule another meeting on adding a third ambulance and asked for figures to back up the claim of what it will cost to add a third ambulance. The Board suggested that Mr. Abbott contact the Hospital Board for this information. Mr. Pierce said he would inquire as to obtaining the financial information.

There was further discussion concerning funding of the ambulance service between the one cent sales tax and Ad valorem taxes.

Commissioner Jackel said there was documentation stating that there was approval in previous years to operate a third ambulance and Commissioner Sanders read the documentation to the Board.

The Board decided to continue this discussion at a future meeting.

Adjourn (12:36 PM)

There being no further business, Chairman Parrish adjourned the meeting.

Joseph Parrish – Chairman FCBCC

Attest:

Marcia M. Johnson – Clerk of Courts