

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
NOVEMBER 2, 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 Morón – Board Secretary

**Call to Order (9:01 AM)**

Chairman Parrish called the meeting to order.

**Prayer and Pledge (9:03 AM)**

There was a prayer followed by the Pledge of Allegiance.

**Payment of County Bills (9:03 AM)**

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

**Department Supervisor Report**

**Hubert Chipman – Superintendent of Public Works (9:03 AM)**

Mr. Chipman had no items for Board action.

Commissioner Jackel informed Mr. Chipman about needed repairs on Hickory Dip Road.

**Van Johnson – Solid Waste Director (9:04 AM)**

Mr. Johnson had no items for Board action.

Chairman Parrish asked Mr. Johnson to look into an issue with a deer carcass at the airport location and asked that the container be replaced at that location for the upcoming hunting season.

**Pam Brownell – Emergency Management Director (9:05 AM)**

Mrs. Brownell presented her report to the Board.

Mrs. Brownell asked that the Board approve reimbursement from BP for EOC Staff for working during the BP oil spill.

**Motion by Putnal, seconded by Sanders, to approve reimbursement for EOC Staff during BP emergency; Motion carried 5-0.**

1 - Emergency Management is hosting a **Weather Spotter Class**, presented by the National Weather Service, November 15, 2010 at the Emergency Management Office from 5:00 pm till 6:30 pm. Anyone in the county interested in attending this class, please call the Emergency Management Office at 653-8977 to schedule.

2 - The Red Cross is offering a **Community Coping Class** at the Emergency Management office on Nov.12, 2010 starting at 1:00 pm until 5:00 pm.

3 - There will be a **911 Communications Group** meeting at the Franklin County Sheriff's Office on Nov 10, 2010 to be held in their training room starting at 10:00 am.

4 - **Franklin County United Firefighters Association** meeting will be tonight at 6:00 pm at the Lanark Volunteer Fire Department.

5 - The Emergency Management Office will participate in a conference call with the State Emergency Management Office on Nov 18, 2010 to discuss the updated County **Comprehensive Emergency Management Plan**.

6 - This office is actively working to petition the State Division of Emergency Management in Tallahassee to **secure cellular phone service** for areas historically left without said service (State Route 65 north and County Rout 67 north). Franklin County Emergency Management will be working in conjunction with both Liberty and Wakulla Counties on this project.

Alan Pierce stated that BP has scheduled a meeting in the County next Wednesday, November 10, 2010 at 6:00 PM in the Courthouse Annex in Apalachicola. BP will be updating the public on operational activities and other oil spill related items.

Commissioner Lockley asked for an update on payment for contractors during the BP response.

Mrs. Brownell discussed problems with processing payments. She said BP is asking for a lot of additional documentation in order to reimburse CGA.

Mr. Pierce discussed beach monitoring on St. George Island and said he asked that their schedule be organized so that monitoring is done within two days per week instead of spreading it out to cover an entire week.

Commissioner Jackel asked how long the beach monitoring will continue and Mr. Pierce said the County could take over the monitoring but he doesn't want the County to be first ones on the scene in the event of oil discovery.

Mrs. Brownell said the company is transitioning into a monitor and maintenance stage and is in the process of putting information together to present to the County.

The Board discussed this matter further.

### **Bill Mahan – County Extension Director (9:13 AM)**

Mr. Mahan presented his report to the Board.

#### *Franklin - UF IFAS Updates*

*Seafood Safety Still Oil Gusher Issue – Consumers are still concerned about the safety of Gulf seafood as a result of the BP oil gusher. In an effort to assure consumers that commercially available seafood from the Gulf is safe, a joint FDA, NOAA Fisheries and EPA have produced a “Seafood Safety” brochure to educate consumers about what is being done to insure that Gulf Seafood is safe to eat. Please see attachment.*

#### *Gulf of Mexico Fishery Management Council*

*Gulf of Mexico Fishery Management Council to Convene a Workshop to Explore Sector Separation – The Gulf of Mexico Fishery Management Council has scheduled a workshop on sector separation for November 8 – 10, 2010, in Tampa, Florida. The workshop will be held at the Crowne Plaza Hotel, 5303 West Kennedy Boulevard, and will serve as a platform to exchange information and discuss issues relative to sector separation and allocation, such as the legal framework for making allocation decisions; constituent perceptions; and potential benefits and challenges of sector separation. Currently, Gulf of Mexico fisheries are divided into two sectors for management purposes; a commercial sector and a recreational sector. For-hire charter and head boat operations, along with the private recreational anglers, are all part of the recreational sector. Sector separation could allow the splitting of the recreational sector into two or more sectors. For example, instead of a single recreational sector, that sector could be divided into a private recreational sector and a for-hire sector. Further separation could occur by also dividing the for-hire sector into a charter boat sector and a head boat sector. Copies of the agenda and other related materials can be obtained by calling the Council office at 813-348-1630.*

*NOAA Fisheries Continues Progress In Re-Opening Federal Waters Close By the Oil Spill – Effective October 15, 2010 at 6 p.m. eastern time (5 p.m. central time), NOAA reopened 6,879 square miles (17,816 sq km) of area it had previously closed to commercial and*

*recreational fishing in the Gulf of Mexico in response to the BP/Deepwater Horizon oil spill. The area closed to all fishing now measures 16,481 sq mi (42,686 sq km) and covers about 7% of the Gulf of Mexico exclusive economic zone. All commercial and recreational fishing including catch and release is prohibited in this closed area. Transit through the closed area is allowed. The next federal re-opening priority is a 7,037-square mile area located about 80 nautical miles south of the Florida panhandle.*

Charles Carroll, Jr. expressed his concerns about FWC stopping the use of Butcher Pen Landing located just south of Gardner's Landing, which is off of State Road 65. He said he has used the boat ramp all of his life.

Commissioner Putnal expressed his concerns with this issue, saying some kayakers had decided they didn't want people launching their boats or hunting in this area. He said the local residents have been using this ramp for their entire lives and didn't believe it was right for this landing to be taken away. Commissioner Putnal said the County accommodates its boat ramps so that kayakers can utilize the waterways.

**Alan Pierce – Director of Administrative Services – Report**

*8- Inform the Board that I have contacted Colonel Louis Roberson on behalf of Commissioner Putnal regarding the FWC changing the use at Butcher Pen Landing which is a small landing just south of Gardner's Landing, which is off SR 65. The FWC is concerned with erosion of the shoreline by boats launching in an area where there is no boat ramp. They want to restrict the use to kayaks and canoes and this is causing a major problem for the hunters who have traditionally launched small boats at Butcher Pen. I spoke to Colonel Roberson Monday afternoon. The FWC is evaluating the possibility of putting in a small primitive boat ramp. They will let me know something after Nov. 9.*

Mr. Pierce discussed this matter further, saying that FWC was more concerned of campers using the area for an extended basis.

Commissioner Putnal expressed his concerns regarding this and other camping areas in the County.

Commissioner Sanders provided some history on this matter, was against the State actions regarding this property, and asked Pierce to contact Colonel Roberson and request that everyone is allowed to use the property in the manner that they have been for all of these years.

Chairman Parrish suggested asking that this area be designated as a campsite.

The Board discussed this matter further.

**Motion by Sanders, seconded by Putnal, directing Mr. Pierce to contact and send a letter to Colonel Roberson requesting that Butcher Pen Landing is allowed to be used as it has been traditionally and designate it as a camping area; Motion carried 5-0.**

**Marcia M. Johnson – Clerk of Courts – Report (9:29 AM)**

Mrs. Johnson presented her report to the Board.

*1- I have some resolutions for adoption on unanticipated revenue. This is revenue that wasn't included in the budget last year initially because we didn't know it was going to be received. The resolutions need to be adopted in order for the money to be appropriated and expended for the purposes it was received to comply with Florida Statute 129. This is part of the end-of-the-year bookkeeping being completed by the Finance Department. **The First Resolution** deals with \$326,238.00 received from Florida Coastal Northwest for the Seafood Days Promotional Event. We put the funds in the Tourist Development Fund into account 130.33.552.4802, BP Seafood Days Promo. **The Second Resolution** deals with \$42,768.42 received from the Tax Collector for the MSBU. We put the funds in the MSBU Fund into the following account numbers: 160.50.522.9122 Transfer Out Eastpoint \$8,256.31; 160.50.522.9123 Transfer Out St. George Island \$8,247.87; 160.50.522.9124 Transfer Out Carrabelle \$5,234.90; 160.50.522.9125 Transfer Out Dog Island \$3,064.15; 160.50.522.9126 Transfer Out Alligator Point \$7,311.47; and 160.50.522.9127 Transfer Out Lanark Village \$10,653.72. These were funds received when the MSBU rates increased and they were transferred out to the various fire departments. **The Third Resolution** deals with \$247,798.80 received from BP for EOC Support to Calvin, Giordano & Associates, Inc. We put the funds in the General Fund into account 001.48.525.3400 Other Contract Services.*

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

*WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and*

*WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and*

*WHEREAS, Franklin County has received unanticipated revenues in the amount of \$362,238.00 from FLORIDA COASTAL NORTHWEST for the SEAFOOD DAYS PROMOTIONAL EVENT, and*

*WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2009-2010, and*

*WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and*

*WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:*

130.33.552.4802

BP SEAFOOD DAYS PROMO

\$362,238.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$362,238.00 in the TOURIST DEVELOPMENT FUND in order to comply with FS 129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 2nd day of November 2010.

**Motion by Sanders, seconded by Lockley, to approve \$326,238.00 received from Florida Coastal Northwest for the Seafood Days Promotional Event to be put in the Tourist Development Fund into account 130.33.552.4802, for the BP Seafood Days Promo; Motion carried 5-0.**

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$42,768.42 from the TAX COLLECTOR for the MUNICIPAL SERVICE BENEFIT UNIT (MSBU), and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2009-2010, and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

160.50.522.9122	TRANSFER OUT EASTPOINT	\$ 8,256.31
160.50.522.9123	TRANSFER OUT ST GEORGE ISLAND	\$ 8,247.87
160.50.522.9124	TRANSFER OUT CARRABELLE	\$ 5,234.90
160.50.522.9125	TRANSFER OUT DOG ISLAND	\$ 3,064.15
160.50.522.9126	TRANSFER OUT ALLIGATOR POINT	\$ 7,311.47
160.50.522.9127	TRANSFER OUT LANARK VILLAGE	\$10,653.72

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$42,768.42 in the MSBU FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 2nd day of November 2010.

Mr. Pierce explained that Apalachicola had received over compensation initially, which is why they are not included in this distribution.

**Motion by Sanders, seconded by Lockley, to approve funds in the amount of \$42,768.42 received from the Tax Collector for the MSBU to be put in the MSBU Fund into the following account numbers: 160.50.522.9122 Transfer Out Eastpoint \$8,256.31; 160.50.522.9123 Transfer Out St. George Island \$8,247.87; 160.50.522.9124 Transfer Out Carrabelle \$5,234.90; 160.50.522.9125 Transfer Out Dog Island \$3,064.15; 160.50.522.9126 Transfer Out Alligator Point \$7,311.47; and 160.50.522.9127 Transfer Out Lanark Village \$10,653.72; Motion carried 5-0.**

**RESOLUTION  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS**

*WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and*

*WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and*

*WHEREAS, Franklin County has received unanticipated revenues in the amount of \$247,798.80 from BP for EOC SUPPORT (CALVIN, GIORDANO & ASSOCIATES, INC.), and*

*WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2009-2010, and*

*WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and*

*WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:*

<i>001.48.525.3400</i>	<i>OTHER CONTRACT SERVICES</i>	<i>\$247,798.80</i>
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*NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$247,798.80 in the GENERAL FUND in order to comply with FS129(2)(d).*

*THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 2nd day of November 2010.*

**Motion by Putnal, seconded by Lockley, to approve \$247,798.80 received from BP for EOC Support to Calvin, Giordano & Associates, Inc; Motion carried 5-0.**

**Alan Pierce – Director of Administrative Services – Report (9:34 AM)**

*1-Board action to approve a contract time extension till June 30, 2011 for the purpose of giving DOT time to finish their Ochlockonee Bridge project and for the county to extend and repair the floating dock at the Ochlockonee Boat Ramp.*

**Motion by Sanders, seconded by Lockley, to approve a contract time extension till June 30, 2011 for the purpose of giving DOT time to finish their Ochlockonee Bridge project and for the County to extend and repair the floating dock at the Ochlockonee Boat Ramp; Motion carried 5-0.**

*2- Inform Board that DOT Traffic Operations is evaluating the intersection of SR 65 and US 98 for improvements. I am waiting that report.*

*3- Inform Board that DOT has requested the county move the Stop Bar on Woodill Road forward by 15 feet to assist in visibility at Woodill Road/US98 intersection. I am waiting for C.W. Roberts to tell me when they can move the Stop Bar as they installed it when Woodill was recently paved.*

*I have also informed DOT that moving the Stop Bar is not going to solve the visibility problem. Transfield Services agrees there continues to be a visibility issue. Commissioner Putnal described the situation at the last meeting as vehicles trying to turn east onto US 98 are travelling down the shoulder of the road of the west bound lane till they get far enough away from the curve they can see back to make sure no traffic is approaching. I repeated the message to DOT that vehicles are driving down the shoulder of US 98 the wrong way because they cannot see to turn left at the intersection.*

Commissioner Lockley stated that the County has no more funding for paving in District 3. He said any further paving would have to be done by the City of Apalachicola.

*4- Inform Board that I have spoken to Ms. Pat McWhinnie, 911 Coordinator, and Sheriff Shiver regarding the response being given when people call 911 from a cell phone. The reason for the problem is not with the Sheriff's Office, or with 911. The problem is with some of the cell phone providers in the area. According to Ms. McWhinnie, there has been a lot of merging and selling of wireless providers in the area and some have not upgraded their systems to take into account 911 calls from cell phones. These companies without the upgraded relay system turn a 911 call into a hard line going to the Sheriff's Office dispatch. The hard line going to Franklin Co. Sheriff dispatch is 670-8500. That line is answered 24 hours a day, seven days a week. The dispatcher sees the call as an 8500 phone call and answers it appropriately, "Franklin Co. Sheriff's Office." The dispatcher has no way of knowing that the call originated as a 911 call on a cell phone because it is the cell phone company equipment that is turning a 911 call into a hard line 670-8500 call.*



*Anyone getting this problem should not hang up, but should continue to explain the emergency because it is the same dispatcher at the Sheriff's Office answering the 911 line and the 8500 line. Mr. Shuler and I have both advised Ms. McWhinnie and the Sheriff that we support and encourage them to inform the state 911 coordinator of this situation to see if the state can put pressure on the cell phone companies to correct the problem at their end. According to Ms. McWhinnie, "If you have wireless with Nextel at this time you will get a hard line when you dial 911. I have called Fairpoint and we working to get Sprint (the new owner of Nextel) to change the way Nextel customers route their calls.*

*If you have a cell phone you should check with your provider and see where your 911 call will be directed to."*

The Board discussed this matter further.

Commissioner Sanders asked Mr. Pierce to forward this information to Mr. Baker of Lanark Village.

**Motion by Sanders, seconded by Putnal, to send letters to Nextel and any other cell phone providers in the County asking them to rectify this 911 issue; Motion carried 5-0.**

*5- Inform Board that the Dept. of Agriculture and Consumer Services will be holding a public hearing here in the Annex on Tuesday, Nov. 23, from 3 to 5 PM to take input on a sanitation survey of shellfish harvesting areas. To quote from the Public Notice, "Recall that a workshop for industry members was held June 1, 2010, at the Franklin County Courthouse Annex by the Division of Aquaculture where we discussed Apalachicola's routine sanitary survey. This is a regular process conducted at least once every 12 years for every shellfish harvest area. Closure frequencies are expected to slightly decrease for shellfish harvesting areas undergoing these proposed management changes, which is a positive outcome. Your participation at this upcoming hearing is both appreciated and encouraged."*

*6- Board action to amend the DACS contract for \$10,000 to complete the Eastpoint Pavilion project currently under construction on Patton Drive. Heath Galloway is constructing the open pavilion. Construction should be complete in 60 days.*

**Motion by Jackel, seconded by Sanders, to amend the DACS contract for \$10,000 to complete the Eastpoint Pavilion project; Motion carried 5-0.**

*7- Inform the Board the DACS contract for \$112,000 to provide the county with re-shelling funds will be presented at the Nov. 16 Board meeting. This contract will provide the Board with the funds for re-shelling through June 30, 2011 so the Board has flexibility when to initiate the program. DACS is still waiting for a resolution of the issue of whether the Franklin Seafood Task Force will continue in effect or whether the members want to disband or re-organize. Mr. Bill Mahan has been assisting in trying to figure out what the members want to do and will report on this at a later date. The Task Force is a legitimate 501(c) 3 recognized by the IRS so as long as the Task Force remains someone has to be responsible for reporting to the IRS.*

The Board discussed this matter further.

*8- Inform the Board that I have contacted Colonel Louis Roberson on behalf of Commissioner Putnal regarding the FWC changing the use at Butcher Pen Landing which is a small landing just south of Gardner's Landing, which is off SR 65. The FWC is concerned with erosion of the shoreline by boats launching in an area where there is no boat ramp. They want to restrict the use to kayaks and canoes and this is causing a major problem for the hunters who have traditionally launched small boats at Butcher Pen. I spoke to Colonel Roberson Monday afternoon. The FWC is evaluating the possibility of putting in a small primitive boat ramp. They will let me know something after Nov. 9.*

This item was discussed earlier in the meeting.

Mr. Pierce discussed the next scheduled 911 Committee meeting on November 10, 2011 at 9 AM at the FCSO.

Commissioner Sanders said Lake Morality Road needs some attention where rocks are located at the Highway 98 intersection and asked Mr. Pierce to contact Transfield about this matter.

Commissioner Jackel asked for an update on project at the turn around at the St. George Island Bridge and boat ramp.

Mr. Pierce said he had received plans several weeks ago and said they would probably start within the next thirty days.

Commissioner Jackel expressed concerns for project completion before the start of tourist season and the Chili Cook Off.

Commissioner Jackel discussed a letter received from FDOT regarding the Highway 98 and Island Drive project. She said they are conducting a signal warrant analysis and they are also changing the speed limit from the East end of the bridge all the way to the other side of Eastpoint to 35 MPH.

#### **T. Michael Shuler- County Attorney – Report (9:51 AM)**

Attorney Shuler presented his report to the Board.

*1. Proposed Ordinance Banning Alcohol Consumption At Public Boat Ramps and Docks. A draft ordinance is attached for your review.*

Commissioner Jackel discussed the need to address this item as soon as possible.

**Motion by Jackel, seconded by Putnal, to direct Attorney Shuler to schedule a public hearing for the proposed Ordinance Banning Alcohol Consumption at Public Boat Ramps and Docks; Motion carried 5-0.**

- 2. Newspaper RFP: The Committee requests guidance from the Board concerning the circulation of the two newspapers who submitted RFP's. A copy of the two RFP's are attached for your review. As you can see, generally speaking, one paper has a little less than one-half the circulation of the other paper and charges about one-half the price for ads. The other paper has slightly more than twice the circulation and charges slightly more than twice the price for ads. The committee requests guidance from you at your November 16, 2010 meeting.*

### **Commissioners' & Public Comments (9:54 AM)**

Commissioner Sanders discussed a letter to the Board from the Wakulla County Tax Collector commending Mark Curenton for a job well done in helping her with an issue.

Commissioner Sanders discussed an email that stated the "Liberty Belle" B17 Flying Fortress will be in Franklin County on Nov 14, 2010. She said this is an honor for Franklin County and that it will be a great time to coincide with Camp Gordon Johnston activities.

Ted Mosteller, Airport Advisory Committee, commented on this matter and told Commissioner Sanders she is invited to ride in the Liberty Belle.

Commissioner Jackel discussed a zoning matter regarding trash service in Eastpoint and stated that Eastpoint residents are not in favor of having this trash service in that area.

John Spohrer, Owner of Forgotten Coast TV, stated that Mediacom has informed them that the station is no longer allowed to have commercials or sponsorships and Mediacom will turn off the station on November 12, 2010.

George Coon, resident of Apalachicola, discussed Progress Energy's proposed projects for new poles located in the City of Apalachicola and would like to have the poles located somewhere else. Mr. Coon presented photos of these poles and discussed his opposition.

Commissioner Sanders suggested presenting this to the City of Apalachicola.

The Board discussed this matter further.

### **Motion by Lockley, seconded by Jackel, to support the City of Apalachicola on the efforts regarding Progress Energy's new pole location issue; Motion carried 5-0.**

Rev. John Sink thanked Commissioner Jackel for her support with lowering the speed limit in Eastpoint.

Rev. John Sink discussed a project regarding November as Native American Month and a Native American museum that will be located at the schools tomorrow, which is sponsored by the Franklin Soil and Water Conservation District.

David Mills, The Chronicle, verified that the RFP for legal ads will be on the agenda at the, November 16, 2010 meeting.

Lois Swoboda stated that Progress energy planned to remove a lot of trees in the COA including one in a historic cemetery

Michael Allen discussed what was done to the trees in Eastpoint by Progress Energy. He said the trees have been mangled.

Mr. Pierce and the Board discussed this matter further.

Commissioner Jackel stated that Forgotten Coast TV is an asset to the County and discussed this matter further. She said it does a lot of good in the community and hoped that the problem with Mediacom could be resolved.

**Adjourn (10:20 AM)**

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

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**Noah Lockley Jr., Chairman - FCBC**

**Attest:**

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**Marcia M. Johnson – Clerk of Courts**