

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
AUGUST 16, 2011
9:00 AM**

MINUTES

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

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

Call to Order (9:01 AM)

Chairman Lockley called the meeting to order.

Prayer and Pledge (9:02 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes – Regular Meetings – July 19, 2011 & August 2, 2011 (9:03 AM)

Motion by Sanders, seconded by Parrish, to approve the Minutes of the July 19, 2011 & August 2, 2011 regular meetings; Motion carried 5-0.

Payment of County Bills (9:04 AM)

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

Presentation of Medallions by the FCBC for Boys Baseball Team that went to State (9:05AM)

Van Johnson invited Coaches Bob Eddy, Rhonda Newell and April Rester to introduce their team members and present them with their awards. The Coaches thanked the Board for their support of these leagues.

Chairman Lockley congratulated the players.

Joe Shields & Mark Berrigan – DACS – Discuss license fees (9:18 AM)

Mark Berrigan, of DACS, explained that the oyster license fee and trust fund originated after Hurricane Elena and has been in effect since 1989. He said since then the number of licenses sold each year has ranged from 630 to 1,909. Mr. Berrigan said the funding and revenue sources were created to help the oyster industry in Apalachicola and explained the different funding sources for relaying over the years. He explained that the trust fund which was established the same time as the oyster license fee was eventually swept clean by the State. He stated that \$3.5 million has been spent in Franklin County since 2005 and explained how this money was spent.

Mr. Berrigan explained that all of the funds go into the general inspection trust fund and salaries are paid out of that.

Commissioner Sanders questioned the funding that was spent in the County and Mr. Pierce explained how much of that funding was actually spent through the Board versus what was spent elsewhere in the County.

Mr. Berrigan stated that from 2005 to 2009 about \$102,000 was spent as administrative funds to the Seafood Workers Association.

Commissioner Putnal asked why other Counties received relaying money but Franklin County received none. Mr. Berrigan explained that Franklin County already gets more funding for relaying than the other Counties combined and then stated the funding source for work being done in Panama City and Pensacola.

Chairman Lockley and Mr. Berrigan discussed why funding from Franklin County was being spent to pay State employees.

Commissioner Putnal asked Mr. Berrigan to make contact with the new President of the Seafood Workers Association so he could provide him with more information to keep them up to date with the issues.

Commissioner Sanders and Mr. Berrigan discussed the administrative funding received by the Seafood Workers Association and to what extent the Association was audited.

Commissioner Jackel and Mr. Berrigan discussed where the fees received from licenses are used for salaries for the State employees working in this division. He stated that the oyster lab is not funded from these license fees.

Commissioner Jackel thanked Mr. Berrigan for attending the meeting and she asked for a copy of the report with the amounts and funds that were discussed today. She said she believes Franklin County is the engine for the oyster industry. She also asked for numbers that is being spent in other counties for seafood and stated that there should be more funds spent in Franklin County for the seafood workers and would like more of the license fees spent for the seafood workers, especially in their later years.

Commissioner Putnal and Mr. Berrigan discussed the fairness of the license fees being used for State workers who support other Counties.

The Board and Mr. Berrigan discussed this funding and its use further. Mr. Berrigan explained the problems with the current use of trust funds.

Commissioner Parrish explained the balancing act that the County has to deal with funding State employees verses what benefits the County gets from this department.

Commissioner Jackel and Mr. Berrigan discussed possible problems for the County to continue receiving the grants that it does if the license fees are diverted from paying for the State positions. Chairman Lockley and Commissioner Sanders also discussed this matter further. Commissioner Sanders and Mr. Berrigan discussed the influence that Franklin County could have since the funding is coming from Franklin County. Commissioner Sanders stated that legislation is needed so that Franklin County has more "say" regarding the funding for the seafood industry.

Commissioner Jackel asked Mr. Berrigan if he could find a way to get Dept. of Agriculture Commissioner Adam Putnam to the County. She said a Board Meeting would be the best place for a meeting with Mr. Putnam.

The Board thanked Mr. Berrigan for attending the Meeting and updating the Board on this matter.

Mr. Pierce asked Mr. Berrigan to update the Board on any information he had on the funding for restoration projects. Mr. Berrigan suggested that Mr. Pierce contact Mr. Martin May. The Board and Mr. Berrigan discussed the type and time frame of restoration projects on the Gulf Coast.

Shannon Hartsfield, President of the Franklin County Seafood Workers Association, stated that the beds and bars are in a bad situation and the areas where DACS is dumping the shells is deep water, which makes it harder for the seafood workers to work the areas. Mr. Berrigan stated that his department is willing to work closer with the members of the FCSWA to make things better for the seafood workers.

Mr. Hartsfield distributed information to the Board regarding the FCSWA.

Chairman Lockley and Mr. Hartsfield discussed the due requirements to join the association and be allowed to relay.

The Board and Hartsfield discussed the problem and of the association not having any funding currently and the need for dues to join the association.

Commissioner Jackel asked Mr. Berrigan if the association can restrict relaying to members only if using State funding.

Mr. Berrigan stated that there can be no exclusions or discrimination for relaying. He explained a process that could be used to help pay any interest on money borrowed for these associations.

Commissioner Parrish explained that since the County is funding the relay project there is no need to repay any funding.

Mr. Berrigan also explained that a license is not required for relaying. He provided additional information on this matter and stated that the Board could create criteria for the relaying program.

Mr. Pierce and Mr. Hartsfield discussed how much funding is needed for the association.

The Board and Mr. Hartsfield discussed what the association will have to do with funds already collected.

Chris Millender, of the FCSWA, discussed this matter further with the Board. He discussed the reasons for collecting the \$25 dues and explained that the new FCSWA Board was not aware that they could not require seafood workers to pay the dues in order to be able to relay. Commissioner Parrish explained that he would encourage all seafood workers to join the association but there can be no discrimination or exclusion for relaying if they are not members.

Commissioner Sanders and other Board members provided additional information on this matter.

Commissioner Putnal asked if the County could front some of the administrative funds to the association.

Commissioner Parrish asked that the association advertise the date for relay sign up and Mr. Hartsfield stated that they have been advertising the date and the next FCSWA Meeting is the second Monday in September.

The Board and Mr. Hartsfield discussed this matter further.

The Board decided to have Mr. Pierce devise a plan to help the association with their current administrative needs.

Department Supervisors Report

Hubert Chipman – Superintendent of Public Works (10:50 AM)

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

Mr. Chipman discussed the condition of his equipment, the availability of inmate labor and his staff.

Mr. Pierce updated the Board concerning additional inmate labor from the work camp.

Mr. Chipman updated the Board on projects throughout the County.

Commissioner Parrish informed Mr. Pierce about the ongoing problem with tall grass and ditch problems from the Two Mile area up to the airport access road on Highway 98 and asked that Mr. Pierce contact the State and request that the FDOT contractor address these problems in this area as soon as possible.

Motion by Parrish, seconded by Sanders, to contact Transfield regarding a contract to mow the grass on the West end of the County; Motion carried 5-0.

Commissioner Jackel asked Mr. Pierce to send another letter to the State regarding removing the grass on the bridges in the County.

Dorothy Inman-Johnson – Federal budget cuts to CAP office (10:57 AM)

Mrs. Inman-Johnson, Director of CAP, along with other staff members, updated the Board on the services that will be reduced in Franklin County due to Federal budget cuts. She stated that Franklin County received over \$1.2 million of stimulus funding over a two year period for many CAP housing rehab projects. Mrs. Inman-Johnson stated that there will be a reduction in office hours due to budget cuts and asked for Board support to the Federal Legislature explaining how the budget cuts are affecting the Big Bend counties. She also discussed the creation of jobs and projects which resulted from stimulus funding.

Commissioner Jackel stated that she prefers that local contractors are used for local projects. Mrs. Inman-Johnson stated that her agency schedules contractor meetings every year but the Federal funding has specific requirements for the projects and they cannot discriminate if Franklin County contractors do not bid on projects.

Commissioner Sanders and Mrs. Inman-Johnson discussed the availability of funding for Franklin County projects, such as rent assistance, that are offered in neighboring counties. Mrs. Inman-Johnson said the funding is determined by the County's population. The Board discussed this matter further.

Mrs. Inman-Johnson discussed the Head Start programs in Franklin County and said these programs are now nationally accredited.

Motion by Putnal, seconded by Sanders, to send a letter to Federal Legislative Delegation in support of no more cuts to CAP funding and that funding for Franklin County is increased based on statistics and the conditions of the residents; Motion carried 5-0.

Commissioner Jackel left meeting at 11:25 AM.

Patricia Carroll, of the local CAP Office, asked the Board to send residents to the local office for assistance.

Department Supervisors Report – continued

Van Johnson – Solid Waste Director (11:27 AM)

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

Commissioner Putnal asked Mr. Johnson to look at a problem with a light at the Old Ferry Dock Boat Ramp.

Commissioner Putnal also asked for extra Sheriff's Office patrols in the area of the pavilion in Eastpoint because of the problems at this location.

Chairman Lockley suggested that signs are erected at this location regarding the Ordinance.

Motion by Putnal, seconded by Sanders, to ask Sheriff Shiver to enforce the Ordinance at the Eastpoint pavilion location; Motion carried 4-0.

Commissioner Sanders asked that Mr. Johnson keep a log of all animals that are received from the Humane Society to be euthanized.

Commissioner Parrish asked that signs are erected at D. W. Wilson Park stating that dogs must be kept on a leash at all times.

Recess (11:32 AM)

Chairman Lockley called for a recess.

Reconvene (11:49 AM)

Chairman Lockley reconvened the meeting.

Commissioner Jackel rejoined the meeting. (11:49 AM)

Ms. Duke George – Bay Cares (11:49 AM)

Ms. George, of Bay Cares, distributed information regarding the Bay Cares program in Franklin County and discussed services which have been offered to patients in Franklin County.

Commissioner Jackel and Ms. George discussed the declining number of patients versus the increased services being provided in Franklin County.

Chairman Lockley and Ms. George discussed eligibility requirements to receive care from Bay Cares.

Commissioner Putnal and Ms. George discussed a problem with a local resident who was denied service at Bay Medical because they were from Franklin County.

Ms. George explained that the Hospitals have separate requirement qualifications and stated that any patient that has problems with hospitals should come back to Bay Cares for further assistance.

The Board and Ms. George discussed using other hospitals in Bay County and an agency that might provide the same type of services in Leon County.

Department Supervisors Report – continued

Pam Brownell – Emergency Management Director

Mrs. Brownell had to leave the meeting to attend another appointment.

Action Items: None

Information Items:

1. *The Emergency Management held an ESF 15 and Red Cross meeting on August 10, 2011 to discuss the roles and responsibility of each agency and how they support each other in a disaster.*
2. *Emergency Management scheduled the company Pictometry to conduct a training class on August 11, 2011 for the Sheriff's office and the Property Appraisers office on the new software that we acquired through a grant with other counties two years ago for damage assessment and law enforcement.*
3. *Emergency Management has a meeting scheduled with the company Whelen to discuss helping put together a siren notification system for the county with grant funding.*
4. *Emergency Management has a Public Information class scheduled for August 24-26, 2011 starting at 8:30 A.M. located at the EOC for the different agencies in the county.*

Bill Mahan – Extension Office Director (12:05 PM)

Mr. Mahan discussed the following items from report.

ISSC Biennial Meeting – The 2011 ISSC Biennial Meeting is scheduled for October 1 – 7 in Seattle, Washington. Should I begin making plans to attend? Roundtrip airfare is currently about \$500.

Mr. Mahan asked the Board if they wanted him to attend the ISSC meeting in Seattle. Commissioner Parrish recommended that Mr. Mahan go ahead and make arrangement at this time in order to save money on airfare.

Motion by Sanders, seconded by Putnal, to authorize travel and expenses for Commissioner Parrish and Mr. Mahan to attend the ISSC meeting in Seattle, Washington; Motion carried 5-0.

Ms. Kim Bodine – Approval for Workforce Board Amendment for services

Ms. Bodine was not able to attend this Meeting but will be at the September Meeting.

Advisory Board of Adjustment – Consent Agenda (12:09 AM)

Mr. Pierce presented the variance request.

The Board discussed this item further.

1. CONSIDERATION OF A REQUEST FOR A VARIANCE TO CONSTRUCT A SINGLE FAMILY DWELLING 5 FEET INTO THE SIDE SETBACK OF THE ADJOINING PROPERTY LINE ON PROPERTY DESCRIBED AS A 1.10 ACRE TRACT, PARCEL NUMBER 18-07S-04W-0000-0031-0040 FURTHER DESCRIBED AS 578 RIVER ROAD, FRANKLIN COUNTY, FLORIDA. REQUEST SUBMITTED BY DAN GARLICK, GARLICK ENVIRONMENTAL ASSOCIATES, INC., AGENT FOR WILLIAM LAWLER.

THE ADVISORY BOARD OF ADJUSTMENT RECOMMENDS THE BOARD OF COUNTY COMMISSION APPROVE THE REQUEST AS SUBMITTED.

Motion by Putnal, seconded by Parrish, to approve a request for a variance to construct a single family dwelling 5 feet into the side setback of the adjoining property line on property described as a 1.10 acre tract, parcel number 18-07s-04w-0000-0031-0040 further described as 578 River Road; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report (12:11 PM)

Mrs. Johnson presented items for discussion.

1-For information, the hospital's operating bank balance at the end of July was \$371,993.34 and there are certificates of deposit and a money market account totaling \$351,794.58. The hospital's capital fund has a balance of \$425,484.88.

2-As a reminder, we have budget public hearings scheduled for Tuesday, Sept. 6th at 5:15 p.m. and Monday, September 19th at 5:15 p.m.

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

Mr. Pierce presented his report to the Board.

1. Update on Health Insurance Survey- The Finance Office has received responses back from all county employees. At this time 11 employees indicated a preference for receiving a cash waiver in lieu of county health insurance, but of those 11 only 5 actually have another policy in place. Even with 5 employees opting out it will save the county approximately \$17,000 a year.

In order to allow the other 6 employees time to get another health insurance policy in place the county will probably have to allow open enrollment in the subsidy this year. I will provide more information on how to accomplish this at the next meeting.

Commissioner Jackel asked Mr. Pierce to look into the County insurance being the supplemental insurance rather than primary insurance for any employee who can.

2. Board action to close Millender Street in Eastpoint on Friday, Sept. 23, from noon until 6 PM for the Research Reserve to hold its Activity Day. They plan to have activities in Millender Park and with a lot of children expected they do not want people driving in the area. The closure of the street will not affect access to any house or business.

Commissioner Parrish asked that the road closure is properly marked.

Motion by Jackel, seconded by Parrish, to approve the temporary closure of Millender Street in Eastpoint on Friday, Sept. 23rd, for the Research Reserve to hold its Activity Day; Motion carried 5-0.

3. Mr. Curt Blair is here to seek approval for some TDC items. I was out of town last week and I failed to get him on the agenda before I left.

Mr. Blair asked for Board action to approve the public hearing for the TDC development plan.

Motion by Sanders, seconded by Jackel, to schedule a public hearing for the TDC plan; Motion carried 5-0.

Mr. Blair then asked for Board Action on change orders to the BP spending plan.

Chairman Lockley and Mr. Blair discussed making the projects and funding available to more vendors.

Motion by Sanders, seconded by Jackel, to approve change order #2 of the BP spending plan, which amends buy schedules 1 & 2, to add a line item for production in three of the four categories; Motion carried 4-1, Lockley opposed.

Mr. Blair explained Change order #3, which asks to modify buy request #2 to provide for a total of \$25,000 to be spent on St. George Island Press Tours within the second media buy, to increase the Monthly Promotion by \$7,500 for the Florida Seafood Festival entertainment within the second media buy request, and adjust the ad agency fee accordingly.

Commissioner Jackel asked that the wording of the request state Eastpoint/St. George Island instead of just St. George Island.

Commissioner Jackel and Tami Ray Hutchinson discussed who will receive this approved funding and the process that will have to be followed.

Commissioner Jackel asked that the contract for the Eastpoint/St. George Island area states that these funds will be shared between both areas and to have two signatures, one from Eastpoint and one from St. George Island.

Commissioner Sanders stated that she would like all areas to be listed in alphabetical order when funding is ready to be encumbered.

The Board discussed their preferences for the execution of the contracts and disbursement of funding.

Motion by Sanders, seconded by Putnal, to approve change order #3 of the BP spending plan; Motion carried 5-0.

Commissioner Jackel forwarded a card to Mr. Blair, which she received in the mail, promoting another area.

Commissioner Jackel stated that she saw a Franklin County "We're Salty" billboard on Interstate 75 in Marietta and it looked good.

Commissioner Sanders stated what the TDC will do to fund the H'Cola event in February of 2012.

4. Inform the Board that the Planning and Zoning Commission has failed to have a quorum in its last two efforts to hold a meeting. Several regular members have developed conflicts in their schedules and have asked to be replaced. At this time Chairman Lockley needs to appoint an at-large member to replace Mr. Bill Laine and an alternate to replace Mr. Arnold Tolliver.

Commissioner Bevin Putnal needs to replace both his appointments, being Mr. Jim Ward and Mr. Sid Winchester.

Commissioner Sanders needs to replace Mr. Roy Mcleod.

Commissioner Sanders stated that she will speak to Mr. Mcleod before replacing him, especially since he has been ill. She explained that a lack of meetings has been slowing down the construction industry in the County.

The Board and Mr. Pierce discussed the problem with meeting a quorum.

5. Board action to approve Amendment to Task Order No. 2 for work that has been approved by Airport Committee and done by GAC contractor. This change order was submitted in May but was misplaced. Change order is for \$12,335. Grant funds will pay for change order.

Motion by Putnal, seconded by Parrish, to approve amendment to Task Order No. 2 for work that has been approved by the Airport Committee and done by GAC contractor; Motion carried 5-0.

6- Board action to approve JPA to re-mark the runway at the airport to be consistent with the proper compass reading. There has been a shift in the earth's magnetic field and runway 36 is no longer 36 on the compass so it has to be re-marked.

Motion by Parrish, seconded by Putnal, to approve signing JPAs for airport restriping; Motion carried 5-0.

7- Board action to approve Ted Mosteller to re-bid cutting trees that are interfering with the FAA regulations regarding glide slope to some of the runways at the airport. The tree removal came up during the FAA site inspection that occurred just a few hours ago on Tuesday morning, Aug. 15.

Motion by Parrish, seconded by Sanders, to rebid the tree removal project at the airport; Motion carried 5-0.

The Board discussed this matter further.

8- Board action to approve contracts for solar panel grants on Courthouse, Sheriff's Office, Weems Hospital, etc, contingent upon County Attorney approval of contract. Mark Curenton has informed me that the Allied Global of Cape Coral, Inc. has speeded up their inspections on prospective buildings. They will be here on Sept. 5 to inspect buildings.

Motion by Sanders, seconded by Jackel, to approve contracts for the solar panels contingent upon Attorney Shuler's approval; Motion carried 5-0.

9- Inform Board that Ms. Robin Trindell, USFS, has contacted me about an increase in turtle disorientations on St. George Island. I will be meeting with Ms. Trindell to discuss the problem. There has been little building activity in the last two years on the Island so there is not an easy explanation for why there is now an increase in turtle disorientations.

10- Provide Board with copy of letter from Agriculture Commissioner Putnam in response to the Board's request on recall insurance for oyster product.

Commissioner Jackel stated that Bruce Millender did not receive any response from the State regarding his seafood product.

11- Board direction on advertising a Request for Qualifications for landfill operation. Provide Board with draft created from the Gulf County example.

Commissioner Jackel asked that Attorney Shuler look at this letter and stated that the County is interested in a partnership not privatization. She said it is a matter of saving money and not getting rid of employees.

Motion by Jackel, seconded by Sanders, to forward letter from Gulf County to Attorney Shuler for his review before putting out RFQs; Motion carried 5-0.

Mr. Pierce stated that the light at Indian Creek Park has been replaced by Progress Energy. Chairman Lockley asked Mr. Pierce to notify Progress Energy of a light that is out on 9th Street & Avenue M.

Commissioner Jackel asked Mr. Pierce to follow up on the contracts for the Boating Improvement Programs for Lombardi and St. George Island.

Commissioner Sanders asked for an update on the selection of the FBO at the airport and Mr. Pierce updated the Board. He said there is an upcoming meeting scheduled to finalize this matter.

Commissioner Sanders stated that she wants the Airport Committee to make sure that any of the companies bidding have the funding to support their bid. She also had concerns of one of

the companies that responded submitting additional information after the bids were already opened and also another company that did not submit a proposal but has been asked to be considered at this time.

The Board discussed both of these concerns and wanted to make sure that there were no improprieties on behalf of the Airport Committee.

The Board and Ted Mosteller discussed using AVCON to help with the selection of the proposals.

Chairman Lockley stated that there are problems at the Hospital where hourly employees are being sent home and are being told that there are not enough patients to support the staff. He said he believed the Board should tell them they can't send people home because they aren't bringing home a paycheck and can't pay their bills.

Mr. Pierce stated that this was a policy adopted by the Hospital Board and the CEO has implemented this rule.

Commissioners Sanders and Putnal suggested doing a campaign to promote the Hospital.

Commissioner Jackel stated that the Board needs to be more involved in the decisions at the Hospital and the by-laws should be reviewed and adjusted or revised.

Commissioner Sanders stated that this idea should apply to all entities affected by the Board and the residents.

The Board discussed this matter further.

Michael Shuler – County Attorney – Report (1:10 PM)

Attorney Shuler had no items for Board action and/or approval.

NON-ACTION ITEMS:

1. Larry Troy and Angela Troy Verified Complaint

Attached is the verified complaint served by the Troy's upon Franklin County alleging that their neighbor, Joanna McCall, is violating certain county environmental regulations. The complaint speaks for itself. Alan and I will investigate this matter and report back to the Board with a recommendation.

Commissioner Jackel asked that the Board receives a recommendation from Attorney Shuler and Mr. Pierce on this matter.

Commissioner Jackel commented on some of the actions at the Eastpoint pavilion and Commissioner Putnal stated that he had already addressed this issue.

2. Roscoe Daly House

The advertisement soliciting bids for the purchase and sale of this property located in Lanark Village will be published September 1st and 8th. The minimum bid is \$50,000.00. The bids will be opened September 16, 2011 at 11 :00 a.m. (ET)

3. Funeral Service for unclaimed bodies and transportation

The advertisement soliciting bids for the purchase and sale of this property will be published September 1st and 8th. The bids will be opened September 16, 2011 at 11:05 a.m. (ET).

Commissioner Putnal stated that there is a problem with a house that has been sold and the owners need some information to close the sale.

Attorney Shuler provided some information on this matter.

Commissioner Sanders stated that she had received some calls about the \$.25 surcharge between Apalachicola and Carrabelle, now being charged on cell phones. She asked Attorney Shuler to look into this matter.

Commissioners and Public Comments (1:18 PM)

Chairman Lockley asked for Board action to review the Hospital's policy to send employees home if there are not enough patients in the Hospital.

The Board, Mr. Pierce and Attorney Shuler discussed this matter.

Motion by Jackel, seconded by Sanders, to request the Hospital Board members to attend the next meeting and discuss the de-staffing policy; Motion carried 5-0.

Motion by Sanders, seconded by Parrish, requesting Attorney Shuler to verify that the contract with the new emergency group has been executed; Motion carried 5-0.

The Board and Attorney Shuler discussed this matter further.

Adjourn (1:25 PM)

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

Noah Lockley, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts