

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
SEPTEMBER 6, 2011
9:00 AM**

MINUTES

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

Staff: Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Linda Phillips – Finance Clerk, Michael Morón – Board Secretary

Call to Order (9:02 AM)

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

Approval of the Minutes – August 16, 2011 Regular Meeting (9:04 AM)

Motion by Sanders, seconded by Jackel, to approve the Minutes of the August 16, 2011 Regular Meeting; Motion carried 5-0.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:04 AM)

Mr. Chipman had no items for Board action.

Mr. Chipman reported on clean-up projects due to the recent storm.

Commissioner Putnal thanked Mr. Chipman for work on Wilderness & Ridge Roads.

Commissioner Putnal suggested giving Board employees an extra hour of sick leave per pay period to help them out.

Motion by Putnal, seconded by Jackel, to give Board employees an extra hour of sick leave every pay period effective Oct 1, 2011; Motion carried 5-0.

Van Johnson – Solid Waste Director (9:12 AM)

Fonda Davis presented an item for Board action.

RECOVERED MATERIALS ANNUAL CERTIFICATION:

FOR BOARD APPROVAL: I have for the Boards approval and the Chairman's signature, the annual Application for Recovered Materials Certification and Reporting Form. We are required by Florida Statutes to report our recycling activities to the Florida Department of Environmental Protection annually. During the year 2010, the recycling program, recycled 518.70, tons of solid waste. The annual cost for certification is \$50.00.

ACTION REQUESTED: Motion authorizing the Chairman's signature on the FDEP Application for Recovered Materials Certification and Reporting Form and authorizing the payment of \$50.00 for the annual fee.

Commissioner Sanders asked Mr. Davis to find out how much money the recycling program brings into the County each year.

Motion by Parrish, seconded by Sanders, to authorize the Chairman's signature on the FDEP Application for Recovered Materials Certification and Reporting Form and authorizing the payment of \$50.00 for the annual fee; Motion carried 5-0.

Commissioner Parrish stated that the signs at D.W. Wilson Park requiring animals to be leashed are still not up and reminded Mr. Davis about it.

Pam Brownell – Emergency Management Director (9:15 AM)

Mrs. Brownell presented her report to the Board.

Mrs. Brownell stated that her Staff is checking areas of the County after the storm.

Mrs. Brownell stated that she had already contacted Leon County about the dam and she discussed this further with the Board.

Action Items: None

Information Items:

1. *The Emergency Management conducted a Public Information Class for the different agencies in the county on August 24-25 and had great participation.*
2. *Mike Rundel and I will be attending the North Florida Domestic Security Task Force meeting scheduled for September 8th, in Tallahassee.*
3. *Mike Rundel and I will be attending the Region 2 meeting scheduled for September 14th in Tallahassee.*
4. *September 12th I will be attending the Area Contingency Plan revision process in Bay County.*

Commissioner Parrish and Mrs. Brownell discussed this item further. Chairman Parrish stated that he would like to review this plan before it is submitted.

5. *Pam Brownell will attend Benefit-Coast Analysis training at the State EOC scheduled for September 15th-16th.*
6. *The Emergency Management office and its county non-profits agencies will participate in the State's Hurricane Access exercise scheduled for September 29th.*

The Board and Mrs. Brownell discussed an upcoming visit from Steve Southerland and also funding for a new EOC.

Commissioner Putnal and Mr. Pierce discussed grant funding for adding shells to the Bay.

Commissioner Parrish updated the Board on a meeting he attended and also discussed an upcoming NERDA meeting.

Commissioner Putnal discussed the need for re-shelling the Bay.

Motion by Parrish, seconded by Putnal, to authorize Mr. Pierce to attend an upcoming NERDA Meeting; Motion carried 5-0.

Commissioner Putnal and Mrs. Brownell discussed the availability and distribution of sand bags.

Mrs. Brownell and Commissioner Putnal discussed re-entry passes for residents in the event of a storm.

Motion by Putnal, seconded by Sanders, to send a letter to the appropriate State agency and Legislature asking for property donation for a cellular tower in the area of Highway 65; Motion carried 5-0.

Commissioner Sanders, Mrs. Brownell and Mr. Pierce discussed the tower located on the property that the State is selling where the old Highway Patrol Station was located in Eastpoint. It was stated that the tower has already been removed.

Mrs. Brownell discussed the development of storms at this time.

Bill Mahan – County Extension Director (9:33 AM)

Mr. Mahan had no items for Board action but discussed some of the items on his report.

Franklin - UF IFAS Updates

- 1. Franklin County Fisheries Landing Data Summary 2009 & 2010 – Attached, please find a summary of the Franklin County fisheries landing data for 2009 & 2010. As you can see from the table, there were some major changes/shifts to the county's fisheries in response to the BP Oil Gusher. For example we saw a reduction of more than \$2-million in dockside value; more than half of the decrease was as a result of few oysters being harvested \$1.2-million and another \$700,000 reduction in finfish landings.*
- 2. Wild Game Processing: From Field to Table – A program on wild game processing will be held on Saturday, Oct. 8, 2011 • 9 am - 2 pm at the UF Meat Processing Laboratory, 1812 Shealy Drive, Room 156, Gainesville, FL 32611. The program will include information on food safety and hands-on demonstrations including field dressing, skinning and meat processing. The cost of the program is \$30/adult & \$20/youth (≤ 18) if registered by Sept. 30. An additional \$15 late fee will be charged to register after deadline date. Mail your check (payable to UF) with name(s), email address (if applicable) and phone number by Sept. 30 to: Animal Sciences, Attn: Rebecca Matta, PO Box 110910, Gainesville, FL 32611. If you have any questions, please contact Chad Carr at 352-392-2454 or chadcarr@ufl.edu.*

Mr. Mahan discussed a letter, which was a response to Dr. Otwell's letter to the FDA, and distributed a copy to the Commissioners.

Commissioner Parrish discussed what was said at a meeting he attended last week relating to cholera and zero tolerance levels.

Mr. Mahan discussed this matter further with the Board.

Commissioner Putnal asked about Andy Arnold's idea that would help with the oyster situation and request for a lease close to the school property in Eastpoint.

Motion by Putnal, seconded by Jackel, to send a Letter of Support to the State to grant Andy Arnold a lease for property close to the school area in order to cultivate oysters; Motion carried 5-0.

Commissioner Sanders and Mr. Mahan discussed a fisherman that was stung by a Lion Fish.

Commissioner Putnal discussed a type of survey call he received from the National Marine Fisheries.

Ms. Kim Bodine – Gulf Coast Work Force Board – Present Workforce Agreement (9:48 AM)

Gary Ross, Chairman of the Gulf Coast Workforce Board, updated the Board on the actions and efforts of the Gulf Coast Workforce Board.

Ms. Bodine, of the Gulf Coast Workforce Board, explained the challenges faced by the Workforce Board. She explained the present Workforce plan and agreement, which was submitted to each Commissioner. She stated that the plan includes an inter-local agreement and an addendum that they have to follow to be in compliance with State and Federal regulations and also with the County Commission. She said this plan has to be approved by the Board of County Commissioners.

Chairman Lockley and Ms. Bodine discussed the status of the training program that is offered in the County. She explained what types of courses are offered and discussed ideas to create transportation for residents to attend these training programs.

Ms. Bodine discussed possible funding sources for transportation for the Counties that her agency services.

Chairman Lockley asked Ms. Bodine to contact the new Hospital CEO to discuss training for health care since the County is building a new hospital.

Commissioner Sanders asked Ms. Bodine to look into training for employees who were let go from the banks closing in the County and to also look into the possibility of bringing a VA Rehab Center to the area.

Ms. Bodine discussed this item further.

Motion by Sanders, seconded by Jackel, to approve the Gulf Coast Workforce Agreement; Motion carried 5-0.

Open Bids – Airport – Tree Removal, Runway Re-striping, Hanger Rehab & Herbicide Sprayer (10:04 AM)

Mr. Pierce asked the Board to act on these items from his report before opening the bids.

16- Board action to sign JPA for a small grant (\$30,000) for the airport to assist in paying for the re-marking of Runway 13/31. (It will be now known as Runway 14/32). The Board has already approved the main JPA, but the FAA is highly concerned that this runway get properly marked, and it be done expeditiously. Mr. Bill Farris, FAA, has even copied me on an email emphasizing

the importance of the county getting the runway properly marked. The FAA has the authority to shut the runway down if the project is not completely on a timely fashion and this is the main runway for the airport.

If there are additional documents from the FAA, or DOT that need to be signed for this project I recommend Board action to authorize the Chairman to sign any additional documents if they come in after the Board meeting.

Motion by Parrish, seconded by Putnal, to authorize the Chairman's signature on a JPA for a small grant (\$30,000) for the airport to assist in paying for the re-marking of Runway 13/31, (It will be now known as Runway 14/32) and to authorize the Chairman to sign any additional documents if they come in after the Board Meeting; Motion carried 4-1, Lockley opposed.

17- Board action to sign Task Order No. 6 for construction administration, inspection services, and an FAA requested survey of Runway 14/32 for AVCON. Inc.

Motion by Parrish, seconded by Sanders, to authorize the Chairman's signature on Task Order No. 6 for construction administration, inspection services, and an FAA requested survey of Runway 14/32 for AVCON. Inc.; Motion carried 5-0.

Mr. Pierce opened the bids.

Runway Improvements:

*Poloronis Construction – Base Bid \$278,961.71 - Total Bid \$320,961.71 - Bid Bond included.

*Highlite Markings, Inc. – Base Bid \$305,433.46 - Total Bid \$345,833.46 Bid Bond included – there was an error discussed in the final bid which should be \$345,733.46.

Lee Lewis, of Avcon, stated that the committee would review the bids for accuracy and submit the lowest bid to the FAA.

Motion by Parrish, seconded by Sanders, to submit the bids to the Airport Engineer for review and authorize Chairman's signature; Motion carried 5-0.

Tree Removal:

Commissioner Sanders and Ted Mosteller discussed the ad for the timber removal.

*James Fant - \$4/ton - Pine Pulpwood Tree, \$2/ton - Pine Pulpwood Tops, \$8/ton - Pine Super Pulpwood, \$11.55/ton - Pine Saw Timber

*Flint River Timber - \$3/ton - Pine Trees, \$3/ton – Cypress, based on 100 loads at 25 tons per load.

Motion by Putnal, seconded by Parrish, to send bids to Airport Committee for review and recommendation; Motion carried 5-0.

Equipment and Herbicides:

*Flint Equipment Company – \$18,298.00

*Doatmire Sales – \$6,035.00/\$7,298.00/\$2,783.10

*Greensouth (Tallahassee) – \$15,970.00

*Chemical Containers, Inc – \$9,593.00/\$12,596.00/\$2,416.00/\$18,875.00

*Sprayer Specialties – No bid sent. A catalog was enclosed instead.

*Greensouth/Steve Sanders (Gainesville) - \$19,700.00

Motion by Sanders, seconded by Jackel, to send to Airport Committee for review and a recommendation; Motion carried 5-0.

The Board emphasized the importance of protecting the Bay from the herbicides.

Hangar Rehab:

Mr. Pierce determined that all of these bids are on different parts of the rehab.

*Gunn Heating and Air – \$4,700.00

*Cates Electric – \$14,253.48

*Poloronis Construction -
\$51,360/\$13,095/\$1,750/\$3,210/\$16,989/\$1,950/\$1,200/\$1,000/\$14,950

*Pruitt Air Conditioning – \$5,684

*R W Thomas Construction – No base price.

Motion by Parrish, seconded by Sanders, to send bids to the Airport Advisory Committee and Airport Engineers for review and a recommendation; Motion carried 5-0.

Commissioner Sanders asked that AVCON be utilized more for these types of projects and bids since they are being paid as the airport engineers.

Recess (10:44 AM)

Chairman Lockley called for a recess.

Reconvene (11:02 AM)

Chairman Lockley reconvened the meeting.

Ms. Davie Lloyd (Weems Memorial Hospital CEO) and Dr. Karen Chapman (Franklin County Health Department Administrator) – Discussion – Development of County Health Plan (11:02 AM)

Dr. Karen Chapman, Director of Franklin County Health Department, Ms. Davie Lloyd, CEO of Weems Memorial Hospital and Ms. Marcia Lindeman, Administrator of Gulf County Health Department and the Gulf County FQHC, introduced themselves to the Board.

Dr. Chapman discussed some improvements to the Health Department, which included vehicles and repairs to the Carrabelle building. She said the vehicles will be replaced with newer more fuel efficient vehicles. She discussed some recent changes to personnel and also assistance that she is receiving from the main office and other health departments.

Dr. Chapman explained some issues with rural health care, and the idea of a partnership with Ms. Lloyd at Weems Hospital. She said they believe they should work together for the best interest of the Community.

Dr. Chapman explained that offers were made to meet with the two FQHC's that cover the County and only one responded which was Ms Lindeman. She discussed the collaborative experience that each of the three women bring to the County.

Dr. Chapman discussed the Franklin County Rural Health Collaborative that was distributed to each Commissioner. She said they ask for the Board's support and time for them to work together to come up with viable solutions to improve access to health care in Franklin County.

Ms. Lindeman explained her agency's role for residents of Franklin County. She explained that in Gulf County, the FQHC and the Health Department work in partnership with each other.

Ms. Lloyd discussed a proposed health care plan for residents of Franklin County. She stated that it is Weems' desire to provide quality health care and better access to health care in the County. Ms. Lloyd explained that the plan included the need for primary health care, any gaps in health care, extended hours at Primary Care locations, use of NACO Health Care grants, and increased lab services.

Commissioner Sanders asked about an item that indicated a transfer of primary health care from the Health Department to Weems. Dr Chapman explained this matter to the Board.

Ms. Lloyd explained the problems with Medi-pass and Weems.

Commissioner Sanders explained that families in the Carrabelle area are comfortable with the ARNP at the Health Department, so it would be hard for residents to transition to Weems. Dr. Chapman explained that the Health Department needs to start concentrating on other Health items in the County, such as STDs and teen pregnancy. She further explained the need for transition and the importance of using the scarce resources available to the County. Commissioner Sanders further stated problems that residents will have with moving their Primary Care from the Health Department to Weems.

Dr. Chapman said this is an issue that will have to be addressed as time goes on.

Commissioner Putnal explained the economic situation with the seafood workers in the County and how that affects health care in the County.

The Board discussed the importance of residents signing up for the Medicare program.

Ms. Lloyd stated that a primary care physician and qualified nurse practitioners would provide primary care services.

Commissioner Parrish asked if physicians from Weems East would visit the assisted living facility in Carrabelle for patients who cannot leave the facility in order to see a physician.

Ms. Lloyd explained what needs to be done to accomplish this. She said they can set aside time to set this up.

Ms. Lloyd and the Board discussed the problems with the FQHC in Eastpoint and she suggested that the Board contact the Federal Legislative Delegation to assist with these problems.

Commissioner Parrish suggested that the Board use the numbers provided by these ladies to contact the Federal Legislative Delegation.

Dr. Chapman asked the Board for their support and patience during this time of transition and said she understands that change is hard. She said they are committed to making things better for the County.

Chairman Lockley stated that he preferred a doctor providing primary health care in Carrabelle and Dr. Chapman explained how the Staff is being utilized to cover both Health Department locations in the County.

Commissioner Putnal said he agreed with what they are doing but asked that they report back to the Board once a month to let them know the progress of their plan.

Dr. Chapman discussed current staffing at the Health Department.

Ms. Davie Lloyd – Discussion – De-staffing Policy (11:40 AM)

Ms. Davie Lloyd, CEO of Weems Memorial Hospital, discussed the Hospital's current policy and stated that there will be an amended policy in place soon. She stated that an administrative team implements the de-staffing policy.

Chairman Lockley and Ms. Lloyd discussed implementing a fair rotation policy for de-staffing.

Ms. Lloyd explained that not every employee is able to leave the Hospital due to Federal and State regulations.

Marcia Johnson – Clerk of Courts Report (11:49 AM)

Mrs. Johnson was not present and had no report.

Alan Pierce – Director of Administrative Services Report (11:49 AM)

Mr. Pierce presented his report to the Board.

1- Inform Board that DACS has sent out the New Rules for Oyster Harvesting. Ms. Leslie Palmer will be at the Sept. 20 Board meeting to discuss the progress Florida has made in implementing the current rules, and to discuss with the Board the positions that the state will take on matters at the ISSC meeting that occurs a few weeks later.

Commissioner Putnam is committed to coming to Franklin County and he is working to get his schedule clear. He had intended to come to the Sept. 20 Board meeting with Ms. Palmer but there is a Cabinet meeting that day

Commissioner Jackel stated that she has asked for a 60 day extension for the use of the new tags but she has only received approval for a 30 day extension. She also said the department will revisit the issue after 30 days.

The Board discussed this matter further.

Mr. Pierce stated that he will inform Ms. Palmer that this matter will be discussed at the Sept. 20th meeting, which she will be attending.

Mr. Pierce informed the Board that the County receives \$45,902 annually from the recycling program.

2- Inform Board that Mr. Feinberg, Administrator of the Gulf Coast Claims process, has assured Rep. Bembry in writing that “the GCCF will maintain a presence in Franklin County.” Provide Board with copy of letter. This comes as a result of Board’s letter to Rep. Bembry.

3- Board action to appoint two members to the Planning and Zoning Commission at the request of Commissioner Putnal. The names are Dan Rosier, and Skip Frink. Mr. Frink lives one block outside of Commissioner Putnal’s district but Commissioner Putnal would like to appoint him anyway.

Motion by Parrish, seconded by Sanders, to approve the appointments of Dan Rosier and Skip Frink to the Planning and Zoning Commissioner; Motion carried 5-0.

4- Inform the Board that at the last meeting the Board directed that I write a letter to the Sheriff regarding activities at the Eastpoint Pavilion. I spoke directly to Sheriff Shiver and to Under-

Sheriff Norred on several occasions so I did not write a letter. Enforcement is being taken at this time.

5- Board action on proposed Board policy of a waiver to county employees who have other health insurance. The policy and application are attached to this report. At this time, 11 county employees have expressed an interest and appear to have other health insurance. If all 11 accept the waiver it will save the county approximately \$41,000.

Motion by Jackel, seconded by Sanders, to adopt a Board policy of a waiver to County employees who have other health insurance; Motion carried 5-0.

6- Inform the Board that the solar panel company has evaluated all the roofs of county buildings. The company claims that the grant funds are available only to flat roofs open to the sun. Weems Hospital and the Sheriff's Office are flat roofs but were excluded because they have too many air conditioning units on the roof. The only county roof to get free solar panels will be Chapman Auditorium. The ABC School is also going to get solar panels for the old Chapman gym.

7- Inform the Board that DEP is working with the USACOE on a Preliminary Assessment of Camp Gordon Johnston for an EPA Comprehensive Environmental Response, Compensation, and Liability Information (CERCLIS) data base. DEP is working with the Camp Gordon Johnston Museum on this database.

8- Board action to pay \$1,071 out of the Bald Point Trust Fund for services rendered to a consultant on the Alligator Point Road Condemnation.

Motion by Sanders, seconded by Jackel, to approve payment, in the amount of \$1,071 out of the Bald Point Trust Fund, for services rendered to a consultant on the Alligator Point Road Condemnation; Motion carried 5-0.

9- Board action for Chairman to sign Community Rating System (CRS) form. The CRS program has been successfully implemented by the county Planning Office for a number of years, and provides a 10% reduction in flood insurance premiums to property in the county. This year, as part of the review, Ms. Rachel Ward was asked by the CRS for documentation related to federal and state ownership. Of the 348,000 acres in the county, 248,000 acres owned by the state, and 23,000 acres are owned by the federal government. That leaves approximately 77,000 in private ownership. Of that, approximately 30,000 acres is owned by the St. Joe Company. So, 77% of the county is in public ownership, 9% owned by St. Joe, and then only about 14% of county is in other ownership, which is all the rest of us. Show map of distribution.

Motion by Sanders, seconded by Parrish, to approve the Chairman's signature on the Community Rating System (CRS) form; Motion carried 5-0.

10- Present Board with draft Subcontract between Franklin County and Franklin County Seafood Worker's Association for the implementation of the shelling program. I have consulted with FWC and they have no objection to the county proceeding with an allocation of funds upfront to the Association so long as there is a signed contract between the county and the Association. I have proposed a \$1000 advance, and the Association understands that the re-shelling program must be open to anyone. Board discussion.

Shannon Hartsfield, President of the Franklin County Seafood Worker's Association, stated that he has reviewed and agrees with this subcontract.

Commissioner Jackel asked about a no discrimination policy.

Commissioner Parrish would prefer that there is language stating when and who decides the starting of the project.

The Board discussed and agreed that the Board should still determine when the re-shelling program begins.

Mr. Hartsfield asked if their BP funding is still tied in with the RiverKeepers and the Board recommended that Mr. Hartsfield contact Riverkeepers concerning this matter.

Motion by Putnal, seconded by Sanders, to approve the draft Subcontract between Franklin County and the Franklin County Seafood Worker's Association for the implementation of the shelling program, contingent upon Attorney Shuler's review and approval; Motion carried 5-0.

11- Inform Board that while one of the trees vulnerable to falling on the US 98 near the intersection of Woodill Road has been removed by DOT, the vegetation growing up on private property on the west side of intersection is worse than ever. I have been approached by individuals asking the Board to direct the County Attorney to see if there is any legal remedy to have the vegetation cut back on private property. There is an issue with seeing cars coming from the west. VMS says they have done all they can do.

Commissioner Putnal stated that this is causing safety issues for the school bus while picking up kids.

Motion by Sanders, seconded by Jackel, to direct Mr. Pierce to contact FDOT and discuss these problems and come back to the Board with a solution; Motion carried 5-0.

12- Inform Board that Commissioner Parrish went to Pensacola on August 31 to meet with Senator Bill Nelson, and representatives of the 8 counties, to try and reach some resolution of the formula that will be used to allocate BP funds, if and when they become available.

Commissioner Parrish updated the Board on items discussed at this meeting. He also explained some of the details of Senator Nelson's Resolution.

Motion by Putnal, seconded by Parrish, to send a letter supporting Senator Nelson's Resolution and to authorize the Chairman to sign the Resolution when completed and send Representative Southerland and other House Members a copy of the Resolution; Motion carried 5-0.

13- Update on turtle disorientations. This year there has been an extraordinarily high number of turtle hatchling disorientations. Last year a number of nests were relocated because of the threat of BP oil so we did not have a full year of hatchings on the beach. I met with Dr. Robin Trindell, FWC turtle permit holder, and with several of the property managers on St. George Island to try and understand why this year there is such a high rate of disorientations.

The good news is that this is a very good year for nests on St. George Island. We have had almost no new construction on beach front lots so there has not been an increase in construction, but there appear to be more lights affecting more turtles. The property managers were very cooperative in offering to contact renters about offending lights from existing houses. In the past two weeks the county has sent out over 50 letters to property owners regarding improper lighting.

One aspect that I noticed, and that we did discuss, is that it has been a number of years since the Island has been affected by a hurricane and in that time the profile of the beach has built up so that the beach is higher. A turtle hatchling is able to see more lights from more houses. To what degree this is increasing the disorientation is unknown.

14- Inform the Board that the Division of State Lands has contacted the Board with a Notice of Intent to Sell Surplus Land, and the land involved is the old Highway Patrol Station on US 98 in Eastpoint.

This item was discussed earlier in the Meeting.

15- Inform the Board that Dr. Chapman is using her influence with the state to have the state pay for 4 new vehicles for the County Health Department and removing 7 old vehicles from inventory. While the county puts the vehicles on county insurance, the Health Department will reimburse the county for the cost of the insurance, and will Health Department will pay for the operation and maintenance costs of these vehicles out of state funds.

16- Board action to sign JPA for a small grant (\$30,000) for the airport to assist in paying for the re-marking of Runway 13/31. (It will be now known as Runway 14/32). The Board has already approved the main JPA, but the FAA is highly concerned that this runway get properly marked, and it be done expeditiously. Mr. Bill Farris, FAA, has even copied me on an email emphasizing the importance of the county getting the runway properly marked. The FAA has the authority to shut the runway down if the project is not completely on a timely fashion and this is the main runway for the airport.

If there are additional documents from the FAA, or DOT that need to be signed for this project I recommend Board action to authorize the Chairman to sign any additional documents if they come in after the Board meeting.

This item was discussed earlier in the Meeting.

17- Board action to sign Task Order No. 6 for construction administration, inspection services, and an FAA requested survey of Runway 14/32 for AVCON. Inc.

This item was discussed earlier in the Meeting.

18- Report from the August 25 Weems Hospital Board meeting.

A) The USDA application is now complete and being reviewed by USDA.

B) Medicare reimbursements are staying the same for Hospitals which means the daily rate the Hospital anticipates in its revenue will stay the same.

C) At the encouragement of Chairman Lockley, the Hospital Board is restructuring the Finance reports so that the county commission will be provided a current update of critical numbers and information.

Mr. Pierce stated that Scott Shiver has asked for support on a project with the school system for the Fellowship of Christian Athletes.

Commissioner Jackel explained the project further.

Motion by Jackel, seconded by Putnal, to support the project; Motion carried 5-0.

T. Michael Shuler – County Attorney Report (12:30 PM)

Attorney Shuler suggested deferring his report until the next meeting. The Board agreed.

Action Items

1. Chapman Building Lease

Attached is the lease I prepared and signed by Dr. Sanaullah, which I received on August 23, 2011. The lease is for a three year term, beginning June 22, 2011, with a six month termination period; however, it can be terminated sooner if the rent is unpaid. Rent for the three year period is \$66,000.00 (\$1,833.00 per month), plus sales tax and utilities.

Board Action Requested: Motion authorizing the Chairman to sign the lease.

2. Larry Troy and Angela Troy

On or about August 9, 2011, the Troy's hand delivered to me a verified complaint alleging that their neighbor, Angela McCoy, is in violation of certain county ordinances. Their complaint was filed pursuant to 403.412 Florida Statutes and requires a response from the County within thirty days to review the complaint and respond to the allegations. Mrs. McCall was immediately notified by certified mail of the Troy's complaint. To date, she has not contacted me and her representative has informed me that she is going to wait to see what action, if any, is taken by the County.

The Troys' specific allegations follow:

- a. *Erection of a fence within fifty feet of the shoreline in violation of the critical shoreline ordinance.*
 - i. *The fence in question consists of 4x4's less than three feet tall connected by rope. Staff does not consider this to be development in violation of the critical shoreline ordinance.*
- b. *Mowed or sprayed chemicals within the critical shoreline.*
 - i. *There is no evidence of mowing or spraying.*
- c. *Erected a pole on which they have placed a "No Trespassing Sign."*
 - i. *There is a pole with a "No Trespassing Sign." Staff does not consider this to be development in violation of the critical shoreline ordinance.*
- d. *Underwater lights affixed to her dock which are on dusk to dawn.*
 - i. *There are underwater lights which are not allowed by the dock ordinance. Staff considers this to be a violation.*
- e. *Installation of an unshielded security light which is on dusk to dawn.*
 - i. *The light is in fact shielded and placed on a Florida Power pole in the right of way. Staff does not consider this to be development in violation of the critical shoreline ordinance or the Turtle Ordinance.*
- f. *A "fire pit" on non-vegetated ground surrounded by rocks.*
 - i. *There is a fire pit, but Staff does not consider this to be development in violation of the critical shoreline ordinance.*
 - ii. *DEP previously addressed a similar complaint previously filed by the Troys' and they also did not require removal of the fire pit from the property.*
- g. *That non-native vegetation and rocks have been placed on the McCall's property in violation of the critical shoreline ordinance.*
 - i. *There are non-native vegetation and rocks along the boundary of the McCall's property where it meets the road right of way, but Staff does not consider this to be development in violation of the critical shoreline ordinance.*
 - ii. *DEP previously addressed a similar complaint previously filed by the Troys' and they also did not require removal of the rocks or vegetation.*

Mr. Pierce and I have reviewed the allegations and make the following joint recommendation to the Board that the facts and ordinances support a finding that the McCall's underwater lights violate the dock ordinance. A copy of the dock ordinance is attached.

We do not find the remaining allegations to merit action by the county either because there are no facts to support them or because the act alleged does not violate a county ordinance. Regarding fences, the county does not require building permits for their construction

If the Troy's disagree with the County, they have the right to file a lawsuit and the prevailing party in any such suit shall be entitled to reasonable attorney fees and costs.

Board Action Requested: Motion adopting staff's recommendation that the underwater lights violate the dock ordinance, but that the remaining allegations are denied and directing staff to take such action is reasonably necessary, including litigation, to remove the underwater dock lights.

3. Adams Contract

Attached is the contract with Adams that USDA informs me had to be re-executed by Franklin County as part of the hospital loan application. I was told that Mr. Colvert had signed the contract originally, but that USDA required the county to sign the contract. The Chairman executed the contract between meetings (on or about August 10, 2011) to meet the application deadline. Adams is a consulting company hired by the hospital to process the loan application.

Board Action Requested: Motion Ratifying the Chairman's signature.

4. Resolution for Reimbursement of Certain Hospital Costs

Franklin County presently is expending part of its capital outlay portion of the hospital surtax on the hospital's USDA loan application.

The bond attorney, 10linda Herring, has informed me that IRS regulations require the county to adopt a resolution stating its intent to seek reimbursement of the surtax funds from the USDA loan. The resolution she prepared is attached.

Board Action Requested: Motion Adopting the resolution.

5. Alligator Point/Franklin County Health Department

In 2005, Franklin County adopted an ordinance requiring that Aerobic Septic Units are required for all future installations, but allowed existing units to remain in place so long as they were operational. Your ordinance allowed the repair of existing drain-fields without requiring purchase of a new Aerobic system, provided that the septic tank was operational and the drain field was outside of the critical habitat zone.

Attached is a letter from the Franklin County Health Department seeking clarification of the County's ordinance. The drainfield has failed, but is outside the critical habitat zone and may be replaced under your ordinance without requiring the landowner to purchase an aerobic system.

However, although the existing septic tank, installed in the 1950's, is operational, the state is requiring that it be replaced with a larger tank because the present operation septic tanks is too small under current state standards.

Their question is if the county is going to require the homeowner to obtain an aerobic system or if they can replace current undersized septic tank with a larger septic tank.

In my opinion, since the your ordinance will allow the failed drain field to be replaced and as the present tank is operational, that the landowner can replace the septic tank with another septic tank. Mr. Pierce agrees with this interpretation. However, it is the Board's privilege to render final interpretations of its ordinance.

Board Action Requested: Does the Board accept staff's recommendation or does the Board interpret the ordinance to require the landowner to purchase an aerobic system.

6. Bridge Clean-Up Contract

The present Bridge Clean-Up contract expires at the end of September 2011. The Board reserved the right to extend the contract for up to an additional six months, subject to the availability of State Funds.

Board Action Requested: Motion authorizing the extension of the Bridge Clean-Up Contract for up to an additional six months, subject to the availability of State Funds. The Contract will expire when State funds are no longer available to fund the clean up.

Non-Action Items

7. Capital City Bank

Attached is a copy of their Answer and Affirmative Defenses, along with a copy of my Reply to their Affirmative Defenses.

8. Alligator Point Fire Department

Attached are two emails, totaling four pages, I received from a fire investigator requesting a fire report from the Alligator Point Fire Department. As you can see, the fire chief has "suggested" a \$500 donation to the new fire station as a condition of providing the report.

The fire report is a public record and must be produced. The fire department can charge a statutory fee for the report, but unless the report is extraordinarily long, it should not cost anymore than \$5.00 or \$10.00.

I am going to contact the fire department to discuss their public record responsibilities.

9. Alligator Point Water Resources District

Attached is an August 30, 2011 letter addressed to Commissioner Sanders requesting County Commission support of their renewed efforts to expand the boundaries of their district. The attachment speaks for itself.

The District is formed by and exclusively governed by the State. Franklin County can take no action to expand its boundaries, and, as I recall, the last time a vote was taken a few years ago to expand the boundaries, the voters rejected the request.

I see no need to take action on this item for the reasons stated.

10. House Bill 45 Regarding the State's Total Preemption of Fire Arm Regulation and Ammunition

A copy of the memorandum is attached for your review. I will schedule a future public hearing for you to consider repealing local regulation of firearms and ammunition.

Lee Lewis, of AVCON, suggested awarding the bid to Polaronis Construction for the runway re-striping project.

Motion by Parrish, seconded by Putnal, to award the bid to Polaronis Construction, in the amount of \$278,961.71, for the runway re-striping project subject to FAA Grant Approval; Motion carried 5-0.

Ted Mosteller, of Apalachicola Airport, recommended awarding the tree removal bid to Fant's Timber, as it is part of the Airport rehab project.

Motion by Putnal, seconded by Parrish, to award the bid to Fant's Timber, for the tree removal project at the Airport; Motion carried 5-0.

Commissioners' & Public Comments (12:37 PM)

There were no Commissioners' or Public Comments.

Adjourn

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

Noah Lockley, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts