

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
OCTOBER 4, 2011
9:00 AM**

MINUTES

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

Commissioner Absent: Joseph Parrish (representing the Board at the ISSC conference)

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

Call to Order (9:05 AM)

Chairman Lockley called the meeting to order.

Prayer and Pledge (9:05 AM)

There was a prayer followed by the Pledge of Allegiance.

Presentation of Recognition (9:05 AM)

Alan Pierce introduced Ms. Isobel Odegaard and recognized her upcoming 90th birthday. Commissioner Jackel read a Resolution wishing Ms. Odegaard a Happy 90th Birthday and thanked Commissioner Sanders for bringing this to the Board's attention.

Approval of the Minutes: Sept. 6, 2011 & Sept. 20, 2011 Regular Meetings (9:08 AM)

Motion by Sanders, seconded by Putnal, to approve the minutes of the September 6, 2011 & September 20, 2011 regular meetings; Motion carried 4-0.

Payment of County Bills (9:08 AM)

Motion by Putnal, seconded by Sanders, to approve the payment of the County's Bills, with the exception of any funds to the Health Department; Motion carried 4-0.

Commissioner Sanders asked that the funds allocated to the Health Department be withheld until the situation is resolved with the Health Department in Carrabelle.

Department Supervisor Report

Hubert Chipman – Superintendent of Public Works (9:11 AM)

Mr. Chipman had no items for Board action.

Commissioner Putnal asked Mr. Chipman to do some repairs at Beacon Street and Highway 98 because there are some big potholes on the corner where there is parking for the beach.

Commissioner Sanders and Clay Kennedy, of Preble Rish, discussed possible grants to repair Highway 67.

Commissioner Putnal and Mr. Kennedy talked about repairing the skirt at Woodill Road and Highway 98.

Mr. Pierce stated that he received a call that DOC will be changing to a 4 day work week. The Board discussed this matter.

Van Johnson – Solid Waste Director (9:17 AM)

Mr. Johnson had no items for Board action.

Commissioner Sanders asked Mr. Johnson to contact Ms. Joan Matey at Lanark Village and discuss dumping of household garbage and a small recreation area in Lanark Village.

Mr. Pierce presented this item from his report.

8. Board action to approve advertising for architects to draw up specifications for improvements at the Armory "Convention Center" to be funded by the TDC. The order of business will be to fix the leaking roof, upgrade the wiring, and then deal with air-conditioning. The bathrooms also need to be upgraded as they currently do not meet ADA requirements. It is possible that the architect will recommend that the bathrooms be upgraded before the air conditioning.

The Board discussed this matter further.

Motion by Sanders, seconded by Putnal, to approve advertising for architects to draw up specifications for improvements at the Armory "Convention Center" to be funded by the TDC; Motion carried 4-0.

The Board discussed using BP funds to renovate the armory.

Pam Brownell- Emergency Management Director (9:23 AM)

Mrs. Brownell had no items for Board action.

Information Items:

1. Mike Rundel and I will be attending the 2011 State Of Florida's Current Issues in Emergency Management Session (CIEM) at the State EOC in Tallahassee, October 11th-13th. The purpose and goal of the CIEM is to give an overview of State Emergency Response Team operations, the Division's programs. This is also part of this office's scope of work for the year.
2. The Emergency Management Office and the county's state holders that deal with the seniors in our county participated in the States Hurricane Access exercise on September 29.
3. There is a 911 meeting scheduled for October 5th starting a 9:00am located at the Franklin County Sheriff's office training room.

Commissioner Jackel thanked Mrs. Brownell for inviting Congressman Southerland to her office and also the presentation made by Mrs. Brownell regarding funding for a new EOC.

Bill Mahan – County Extension Director (9:25 AM)

Mr. Mahan was at the ISSC Meeting.

Open RFQ's for Landfill Operation (9:25 AM)

Mr. Pierce read the names of the companies that responded to the RFQ advertisement:

Waste Pro, USA – Midway, Florida
Jones Edmonds – Gainesville, Florida
Waste Management – Panama City, Florida

Mr. Pierce explained that this item is to find a company who can give the Board an analysis on the solid waste situation and how the County can make improvements.

Motion by Putnal, seconded by Sanders, to table any further action or discussion on this item until all Board members are present; Motion carried 4-0.

Marcia Johnson – Clerk of Courts Report (9:30 AM)

Mrs. Johnson had no items for Board action.

Alan Pierce – Director of Administrative Services (9:30 AM)

Mr. Pierce presented his report to the Board.

1. Board action on Resolution of Appreciation to Ms. Isobel Odegaard.

This item was addressed earlier in the Meeting.

2. Inform Board that the company proposing to install free solar panels has declared bankruptcy and has gone out of business.

Mr. Pierce and the Board discussed the other solar panel and energy efficient project. Commissioner Jackel expressed concerns of losing funds for this project and asked Mr. Pierce to follow up on this item.

3. Inform the Board the insurance company has reimbursed the county some \$2,600 for the missing tiller.
4. Inform the Board that DOT is allowing Progress Energy to use the causeway between Eastpoint and Apalachicola as a staging area for the replacement of the power line across the bay. A helicopter will be working in that area as well as numerous trucks and equipment.
5. Inform the Board that DOT has determined that the bridge over the Apalachicola River needs to be re-painted. The work will occur in 2012.
6. Board action to approve a minor amendment to the county's energy grant. Evidently the Governor's Office has been re-organized and the Energy Office has been moved to the Dept. of Ag and Consumer Services, as the grant modification is to change the office responsible for monitoring the grant, change the grant number, and change the grant manager.

Motion by Sanders, seconded by Jackel, to approve modification of the County's energy grant; Motion carried 4-0.

7. Board action to approve advertising for a new AC condensing unit for the Annex. This is the unit that serves the State Attorney's Office.

Motion by Sanders, seconded by Jackel, to approve advertising for a new AC condensing unit for the Annex; Motion carried 4-0.

8. Board action to approve advertising for architects to draw up specifications for improvements at the Armory "Convention Center" to be funded by the TDC. The order of business will be to fix the leaking roof, upgrade the wiring, and then deal with air-

conditioning. The bathrooms also need to be upgraded as they currently do not meet ADA requirements. It is possible that the architect will recommend that the bathrooms be upgraded before the air conditioning.

This item was addressed earlier in the Meeting.

9. Update from Hospital Board meeting of Sept. 29.
 - a. The Hospital Board will start providing the County Commission a complete Board packet from each Hospital Board meeting including minutes. I have provided it to Mr. Moron.
 - b. The Hospital Board is moving its monthly meeting to 3:30 PM to facilitate Mr. Marxsen's schedule.
 - c. Mr. Mark O'Brien, TMH CEO, will be at the Oct.18 Board meeting along with Ms. Davie Lloyd, Weems CEO, and Board representatives.

The Board discussed these items further.

Chairman Lockley introduced Nathan Tatum, who has experience with the billing process at hospitals.

Mr. Tatum discussed some of the problems and issues he has encountered with Weems, including the outsourcing of a lot of services.

Commissioner Sanders asked Mr. Tatum to come to the October 18, 2011 Meeting and present his suggestions.

Commissioner Sanders, also acknowledged Mr. Lanier, who also had some comments and suggestions for Weems.

10. The NACo Community Health Survey is coming up, and will take place in two parts, a public town hall meeting on Nov. 3, and a public town hall meeting on Dec. 1. NACo recommends a lunch time meeting to encourage community leaders to attend to discuss the healthcare system in the county. NACo encourages between 20-30 people in attendance. Because both courtrooms are busy and the Armory has been rented out for the Seafood Festival, I recommend that the Nov. 3 meeting take place at the Carrabelle City Hall, and the Dec. 1 meeting take place in the side room at the Armory, unless the Board desires a different location. Board authorization for me to spend a limited amount of money to purchase food for the two town hall meetings.

Motion by Sanders, seconded by Putnal, to approve meetings, locations, and advertisement expenses for two NACo town hall meetings; Motion carried 4-0.

Mr. Pierce asked for approval to sign the grant for approaches at the Pine Log Bridge.

Motion by Sanders, seconded by Putnal, to approve the Chairman's signature on the grant for approaches at the Pine Log Bridge; Motion carried 4-0.

Commissioner Sanders discussed the concerns of Lanark residents regarding the burnt out buildings in that neighborhood. She asked Mr. Pierce and Attorney Shuler to move forward with cleaning up these properties.

Commissioner Putnal asked if the County could offer tax credits to property owners whose lots are being or have been foreclosed on or are not interested in keeping their lots anymore, especially for affordable housing.

The Board discussed this matter further.

Motion by Sanders, seconded by Jackel, to authorize Staff to write a letter and move forward with this item and offer tax credits if they would consider donating the property to the County for tax credits; Motion carried 4-0.

Commissioner Jackel and Mr. Pierce discussed contracts for grants for the bathrooms and dock extension on St. George Island. Mr. Pierce stated that he has not received these grants and would check into it.

Commissioner Jackel stated that the Eastpoint Boat Ramps need replacement lights.

Commissioner Jackel referred to a discussion she had with Congressman Southerland regarding the County's applying for additional BP funds. She stated possible reasons for applying for funds.

The Board discussed this matter further.

Motion by Jackel, seconded by Putnal, to direct Staff to research other reasons or options for applying for BP funds; Motion carried 4-0.

Commissioner Putnal stated that a resident, who is disabled, had a problem accessing the pavilion in Eastpoint. He said that both of the handicapped parking spaces for the pier are being used and asked Van Johnson to remedy both situations.

Commissioner Putnal stated that there was a problem with someone blocking the boat ramp and not allowing others to use it.

The Board suggested installing signs at all public boat ramps restricting time limits on blocking or accessing boat ramps.

The Board discussed the Ordinance relating to boat ramps.

Update from US Special Operations Command (10:11 AM)

Wayne Colbin, of United States Special Operations Command, distributed and reviewed a handout. He asked for Board action to conduct Realistic Urban Training (RUT) from February 17th to March 12th, 2012.

Commissioner Putnal discussed problems hunters have with the noise of overhead jets during training.

Commissioner Sanders stated that she received complaints during last years training regarding live fire exercises in residential areas and would prefer that these types of exercises be done in non-residential areas.

Mr. Colbin stated some of the efforts that will be in place to notify the public of the exercises. The Board asked that appropriate agencies in the County be contacted and that there is proper advertising prior to the start of the training.

Motion by Putnal, seconded by Jackel, to authorize written training invitation for the Realistic Urban Training in February and March, subject to Attorney Shuler's review; Motion carried 4-0.

Recess (10:33 AM)

Chairman Lockley called for a recess.

Reconvene (10:53 AM)

Chairman Lockley reconvened the Meeting.

T. Michael Shuler – County Attorney Report (10:53 AM)

Attorney Shuler presented his report to the Board.

Attorney Shuler distributed and discussed a compensation package for the new CEO at Weems. Commissioner Sanders asked Attorney Shuler to review this document and report back to the Board on this document.

Attorney Shuler asked for board action to allow the Calhoun County Attorney to cover the October 18, 2011, meeting during his absence.

Motion by Sanders, seconded by Putnal, to authorize the Calhoun County Attorney to cover the October 18, 2011 Meeting for Attorney Shuler; Motion carried 4-0.

1. Capital City Bank Condemnation

On September 22, 2011, I, Alan Pierce and David Theriaque met in a court ordered mediation. The parties have almost reached agreement on the concept for settling the case, but as of the date of this report (9-30-11) nothing has been signed. Time is of the essence because the hearing on the county's Declaration of Taking is scheduled for October 27, 2011, so if we are going to settle, it will have to be next week or not at all. Therefore, I am asking you to authorize

me to schedule a chapter 286.011 (8) executive session with me on October 8, 2011 to discuss settlement negotiations and litigation expenses. Only the Board, I and a court reporter will be present during the session. Nothing else may be discussed and no votes or motions may be made during this meeting. The statute requires that I request permission for the session during a public meeting in advance of the session. If we do not reach a written agreement with the Bank for the Board to consider, then no session will be held.

The mediation is confidential at this point and cannot be discussed publicly. Any agreement reached at mediation is not final as to the county until and unless the Board approves of it in a public meeting.

If we reach any signed agreement with the bank, then an executive session would be held October 7, 2011. No motion or vote may occur during the session, but you would be informed of the terms of the possible settlement and can then discuss the settlement and the expenses of litigation as a Board. Nothing else can be discussed. If the Board is not inclined to act on the settlement, then it remains confidential and is not discussed publicly. If the Board is inclined to act on the agreement, we would reconvene in a public meeting that day during which the terms would be publicly discussed and the Board can vote either to accept or reject the settlement.

Board Action Requested: I request that the Board authorize me to schedule an executive session on October 7, 2011.

The Board discussed this matter further.

Motion by Sanders, seconded by Jackel, to authorize an executive session and a public meeting on October 7, 2011 at 9:00 AM; Motion carried 4-0.

2. Unclaimed Body Services and Transportation Charges

Only one bidder, Kelly Funeral Home, submitted proposals in response to your request. Essentially, they bid the same costs that they charge now.

The County is required to pay for the services. Therefore, I recommend approval of the Kelly Funeral Home bid in the following amounts:

- a. \$825 on unclaimed body burials;*
- b. \$350 for transportation of bodies to Tallahassee;*
- c. \$350 for transportation of bodies back to Franklin County;*
- d. \$105 for body bags*

Board Action Requested: If the Board agrees, I request a motion accepting the bid of Kelly Funeral Home in the amounts state above.

Commissioner Putnal and Attorney Shuler discussed the possibility of cremations.

The Board and Attorney Shuler discussed the details of this matter.

Warren Yeager, Gulf County Commissioner, stated that Gulf County has a cremation policy.

Motion by Sanders, seconded by Putnal, to accept bid from Kelley Funeral Home and direct Attorney Shuler to look into less expensive options, such as cremations; Motion carried 4-0.

3. Franklin County Seafood Workers Association (FCSWA)

The proposed subcontract between Franklin County and the FCSWA is attached. I am told that it is the same contract used for the last shelling program. I have added the provisions directed by the Board requiring that there shall be no discrimination, that participants shall be at least 16 years of age, all boats must be at least twenty feet long, and that the shelling program only commences upon further action of the Board authorizing it to commence and paying \$1,000.00 to the FCSWA

Board Action Requested: If the Board agrees, I request a motion approving the contract, authorizing the chairman to sign and authorize the payment of \$1000.00 to the FCSWA out of the \$7,500.00 administrative fee.

The Board discussed continued complaints of restrictions on signing up for this program.

Motion by Putnal, seconded by Jackel, to approve contract, authorizing the Chairman to sign and authorize payment of \$1,000 to the FCSWA out of the \$7,500 administrative fee; Motion carried 4-0.

4. Florida Association of County Attorneys

The County Attorneys Association is having its mid-year conference in Fort Walton on November 16-18, 2011.

I am on the Board of Directors of the association and will also attend that meeting.

Board Action Requested: If the Board agrees, I request a motion authorizing travel to the conference.

Motion by Putnal, seconded by Jackel, to authorize travel and expenses for Attorney Shuler to travel to the County Association of County Attorneys and for Board members to attend the Legislative Conference in Walton County, November 16 – 18, 2011; Motion carried 4-0.

5. Daly House

At the last meeting the Board asked that I provide information concerning the amount of SHIP funds Mr. Daly received. Following that meeting, I received a phone call from a person interested in bidding on the house. She is to go view the property and contact me. If she makes a bid, we will have to re-advertise before the Board can decide whether to accept her bid.

Board Action Requested: None

6. Calvin-Giodorno and Associates (CGA}

CGA is the company that you hired to represent you during the 2010 BP oil spill. They hired a subcontractor firm named "Unified" to stage a skimmer in Franklin County. The

approximate amount for staging the skimmer is \$500,000.00. BP ultimately denied the claim for the skimmer.

CGA's lawyer has sent a notice to the county EOC stating that they may file a claim against Franklin County for the cost of the skimmer. The Clerk's office has placed a copy of that demand letter in your mailboxes.

Board Action Requested: None

Commissioners' & Public Comments (11:10 AM)

Commissioner Sanders stated that she had been informed of the closing of the Health Department in Carrabelle by someone other than County Staff and requested that, in the future, Staff notify the Board of any similar situations as soon as possible. She said she doesn't like the position that the State agency put the Staff and the Board in and would rather have them request a special meeting to make such announcements. She stated the importance of informing the Commissioners before the general public is notified when these type of situations occur.

Commissioner Sanders stated that she will do everything possible to keep the Carrabelle Health Department open and discussed some of her efforts to immediately try and rectify this situation. She asked for Board action to send a letter to the State's Surgeon General stating the importance of the Carrabelle Health Department remaining open and asked that it is reopened and services are reinstated, as it was before Dr. Chapman came to this County.

Commissioner Sanders stated that she hopes no one on County Staff had previous knowledge of this closing. She said it is a sad thing when services are cut out for people who are in need of them.

Chairman Lockley explained the events as he found out about the closing of the Carrabelle Health Department.

Chairman Lockley and Commissioner Sanders discussed the details of the meeting with Dr. Chapman.

Commissioner Putnal stated that both sides of the County should be treated the same regarding health care. He stated what was done to help with health care over in Apalachicola and the same efforts should be done in Carrabelle.

Commissioner Jackel stated that it seems that this decision was made prior to Dr. Chapman meeting with Chairman Lockley and Mr. Pierce. She stated that Franklin County is one of the few rural counties that provide funding to assist with its Health Department. She discussed the overall problems with health care in the County, including Weems and the Health Department, especially with leadership and said there is a lot of work to do to achieve better health care in the County. She said it will take a lot of work but it needs to be done in order to come up with resolutions to the problems.

The Board discussed this matter further.

Commissioner Sanders asked Attorney Shuler to look at the contracts between the County and the Health Department and she what the Board can do legally.

Mr. Pierce explained how the closure of the Carrabelle Clinic was presented to him and how it was handled. He said he was caught completely off guard and apologized for the way things were handled.

Motion by Sanders, seconded by Putnal, to authorize sending a letter to the State's Surgeon General regarding the closure of the Carrabelle Health Department; Motion carried 4-0.

Nathan Tatum commented on the health care issues in the County.

Adjourn (11:40 AM)

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

Noah Lockley, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts