

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
CITY OF CARRABELLE COMMISSION ROOM
DECEMBER 20, 2011
5:00 PM**

MINUTES

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

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

Call to Order (5:01 PM)

Chairman Jackel called the Meeting to order.

Prayer and Pledge (5:02 PM)

Pastor Don Carroll, of the Carrabelle Christian Center, said a prayer which was followed by the Pledge of Allegiance.

Approval of Minutes - December 6, 2011 Regular Meeting (5:02 PM)

Motion by Sanders, seconded by Putnal, to approve the Minutes of the December 6, 2011 Regular Meeting; Motion carried 5-0.

Payment of County Bills (5:03 PM)

Motion by Putnal, 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 (5:03 PM)

Mr. Chipman had no items for Board action.

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

Commissioner Putnal and Mr. Chipman discussed employee issues at the Road Department.

Mr. Chipman reminded the Board of the Road Department's Christmas luncheon tomorrow at 11:30 am.

Bill Mahan – County Extension Director (5:08 PM)

Mr. Mahan discussed the following items from his report.

Franklin - UF IFAS Updates

- 1. Deepwater Horizon Natural Resource Trustees Call for Public Input on Early Restoration of the Gulf - Sixty-day public comment period for Draft Phase I Early Restoration Plan – The Deepwater Horizon Natural Resource Damage Assessment (NRDA) Trustees (Trustees) today released the Deepwater Horizon Draft Phase I Early Restoration Plan & Environmental Assessment (DERP/EA) for formal public comment. It is the first in an anticipated series of plans to begin restoration of the Gulf of Mexico to compensate for natural resource injuries, including the loss of human use of Gulf resources, from the Deepwater Horizon Oil Spill. The DERP/EA describes the initial projects proposed to receive funding from the \$1 billion Early Restoration agreement announced by the Trustees and BP on April 21, 2011, called the Framework Agreement. The Trustees will hold 12 public meetings in January and February 2012 throughout Gulf Coast communities and in Washington, D.C. to solicit formal public comment on the DERP/EA. The DERP/EA describes eight proposed projects for the initial round of Early Restoration, two each in Alabama, Florida, Louisiana and Mississippi. These projects reflect the ideas and input received by the Trustees through project solicitation and outreach efforts. The proposed projects include shoreline marsh creation, coastal dune habitat restoration, near shore artificial reef creation, oyster cultch restoration and construction of boat ramp facilities. The total estimated cost of the proposed initial suite of projects is more than \$57 million. The projects in the Florida Deepwater Horizon DERP/EA are: • Florida Boat Ramp Enhancement and Construction - Escambia County, Florida; four boat ramp facilities; benefitting human use in Escambia County, Florida; estimated cost: \$4,406,309. & • Florida (Pensacola Beach) Dune Restoration - Escambia County, Florida; 20 acres of coastal dune habitat; benefitting coastal dune habitat in Escambia County, Florida; estimated cost: \$585,898. Visit www.gulfspillrestoration.noaa.gov to view the DERP/EA, access public meeting details, and view additional details of the proposed Early Restoration projects and ways to submit public comment. The public comment period will end Feb. 14, 2012.*

2. *University of West Florida, Innovation & Entrepreneurship Fund Grant Program – The University of West Florida has received \$30-million from the State to administer to disproportionately affected counties impacted by the BP Oil Spill over the next 3-years.*

The funds will be distributed in three consecutive \$10 million annual appropriations.

The initiative comprises two grant programs: the Industry Recruitment & Expansion Fund (IREF) and the Innovation & Entrepreneurship Fund (IEF). The IREF will supplement state and local economic incentives for medium and large enterprises locating or expanding operations in the eight-county region. The IEF will target funds to businesses that expand or locate in the eight-county region which are likely to serve as catalysts for growth of existing industry or significantly affect the regional economy.

SELECTION CRITERIA

In making grant awards, the following factors will be considered:

- A. *Ability of project to promote and support research and development, commercialization of research, economic diversification, and job creation within one or more Disproportionally Affected County.*
- B. *Economic significance of the expected outcomes from activities to one or more Disproportionally Affected County.*
- C. *The cumulative amount of investment to be dedicated to the project within a specified period in a Disproportionally Affected County.*
- D. *Number of net new, private sector, full-time equivalent jobs created. Alternatively, this criterion may be satisfied by estimating commercialization potential of proposed research and development activities.*
- E. *Sustainability (i.e., permanence) of net new, private sector, full-time equivalent jobs created.*
- F. *Return on investment.*

3. *Living in the Panhandle Live Field Trips 2012 – Attached, please find a flier announcing the dates of a new program being sponsored by the NW Extension District Natural Resource Program Implementation Team. The program comprises of a series of day-long educational field trips to see first-hand many of the outstanding natural resource areas we have in the FL Panhandle. The tour has several stops in our immediate area and includes a stop in Tate’s Hell Forest on October 11, to view wildflowers. The first is on January 18 – Leon Sinks.*

Van Johnson – Solid Waste Director (5:

Fonda Davis presented the following item for Board action.

2012 FRANKLIN COUNTY DIXIE SOFTBALL STATE TOURNAMENT:

FOR BOARD ACTION: *As you know this year’s 2011 Dixie State Tournament held at Will S. Kendrick Sports Complex was a huge success. The success would not have been realized without the support of the Franklin County Commission, TDC, Volunteers, local businesses, and our Parks & Recreations Staff. The Tournament brought a large amount of revenue into Franklin County*

and had a positive impact on our youth. Our Department prides itself on making positive impact on the children of Franklin County. Because of this, the opportunity has presented itself for us to once again bid on hosting the 2012 State Tournament and if it's the Board's desire, we are requesting permission to do so. REQUESTED ACTION: Board Approval for Parks & Recreation Department to bid on hosting the 2012 State Tournament at Will S. Kendrick Sports Complex with monetary support from Parks & Recreation Youth Program Line Item Budget.

The Board and Mr. Davis discussed the cost along with the benefits of hosting this Tournament. Marcia Johnson, Clerk of Courts, suggested the County consider sharing in the ticket sales to offset some of the costs incurred by the County.

The Board discussed this matter.

Commissioner Parrish suggested that funding come from Reserves for Contingency rather than negatively affecting the Parks & Recreation budget, which funds maintenance of all of the County's Youth League Parks.

Motion by Sanders, seconded by Putnal, authorizing the Parks & Recreation Department to bid on hosting the 2012 State Tournament at Will S. Kendrick Sports Complex; Motion carried 5-0.

Commissioner Putnal suggested that other departments be included in working overtime during the Tournament.

Marcia Johnson – Clerk of Courts – Report (5:19 PM)

Mrs. Johnson presented the following item for Board information.

1 - For information, the balance in the hospital's operating account at the end of November was \$24,409.63. At that time, they also had \$204,930.28 in CDs, \$150,376.42 in a money market account, and \$77,739.84 in a grant account. Since that date, the money market account has been closed and the funds transferred to the hospital's operating account. I spoke to Cindy Drapel on Friday, and the operating account has a balance as of 12/16/11 of \$102,878.00 and she felt assured the financial situation was looking better now. The hospital has a balance of \$492,494.94 in the Capital Fund.

Commissioner Lockley stated that Dr. Miniat not being on Weems Medical Staff could present a problem when there are issues with Weems because Dr. Miniat was very supportive during the time when Weems Hospital had issues.

Commissioner Parrish agreed with Commissioner Lockley and said he would like Dr. Miniat back on staff at Weems Hospital. He said he was not in favor of the disenfranchisement of Dr. Miniat from the Hospital.

Chairman Jackel stated that the CEO at the time told the Board that Dr. Miniat was okay with his removal from the Hospital Staff but she now feels like the Board made a decision based on information that wasn't true.

The Board discussed this matter further and discussed the possibility of him serving on the Hospital Board.

Commissioner Parrish suggested that the Board research this matter and discuss it at the next meeting.

Alan Pierce – Director of Administrative Services – Report (5:27 PM)

Commissioner Putnal asked Mr. Pierce if he is aware of the mold and mildew problem at the Health Department building in Carrabelle. Mr. Pierce stated that he was told the Health Department was taking care of this matter.

Commissioner Putnal stated that he would prefer if the Board is aware of all of the problems at the Health Department.

Mr. Pierce presented his report to the Board.

1- Inform Board that the first selections have been announced for the NRDA projects. In internal NRDA decision making, it was decided that the first round of projects would consist of only 2 projects for each state. Each state is still assured of receiving \$100M in funding but for some reason the trustee's limited approvals to 2 projects per state. The 2 projects approved for Florida represented \$5M worth of funding, and both projects are located in Escambia County- a \$4.4M Boat Ramp Enhancement and Construction project and a \$585K Dune Restoration Project. None of the other counties received any funds nor was there any announcement of when additional approvals may occur.

Independently, Franklin County's Apalachicola Bay Oyster Industry Restoration did receive some good news. An independent environmental group, The Gulf Future Coalition, did a review of all the 160 NRDA projects that had met the qualifications for early funding. The group, with a website called gulfuture.org, has made a public announcement of their top 6 projects that should be funded and one of their six is Franklin County's oyster project. We can only wait to see if their support will impact future awards.

2- Provide the Board with the final work product from the Community Health Survey process. It is the responses generated at the Dec. 1 community forum. It is a 3 page report summarizing the discussion. The letter thanking NACo has already been sent.

3- Inform the Board that while the residents of the county have been the beneficiary of the Board's involvement in NACo and the NACo drug card program, now the FAC and NACo are discussing a restructuring of the program where participating counties, such as Franklin, may see some financial benefit in promoting the program in the county.

The Board and Mr. Pierce discussed the card and its benefits to the residents.

4- In anticipation of my retirement I am making a switch in planning and zoning duties. For the past several years, Amy Kelly has been preparing the P and Z agenda, and attending the

meetings to take minutes while I made the presentation. Amy would then write up the action and create the consent agenda for the Board meeting. Starting in January I am having Amy now make the presentations, and Rachel Ward will attend and take the minutes. I see this as a step in the development of Amy in the planning and zoning field. In 3 years Rachel will conclude her DROP program and will have to retire, and Roxie Allen will most likely retire in 2 years.

While the state of Florida has minimized the role of comprehensive planning, Franklin County and all other counties still have zoning codes and rules which guide development and need to be followed. In the next few years, while Rachel and Roxie are still working, Amy needs to be given an opportunity to develop her skill of explaining and presenting the zoning code. On complicated issues, the Board will still have Mark Curenton as an employee, and on legal issues, Mr. Shuler.

Mr. Pierce asked that Mrs. Kelly be compensated by a salary increase in the amount of \$1,800. The Board also suggested seeking educational opportunities, pertaining to Planning & Zoning, for Mrs. Kelly.

Motion by Lockley, seconded by Parrish, to accept Mr. Pierce's recommendation to give Mrs. Kelly the duties related to Planning and Zoning and increase her salary by \$1,800 for the current budget year; Motion carried 5-0.

5- Inform the Board that I have submitted a reimbursement to FEMA for \$309K for the cost of acquiring that part of Tom Roberts Road that runs through South Shoal. FEMA has been paying out in about six weeks so hopefully by the beginning of February the Board will know if FEMA has any problems with the reimbursement request. If it goes through then the Board needs to decide if it wants to move on Phase II which would be acquisition of the 4 Secon Village lots just west of South Shoal.

6- Inform the Board that on Friday DOT announced that because of the Legislature's October Revenue Estimating Conference (REC) there has been 2 changes to the DOT work plan in Franklin County. The Oak Street project has been moved back one year to FY 15, and the \$600,000 Airport Taxiway improvement project has been deleted.

7- Airport Update. At the last meeting the Board heard a presentation from ARTIC concerning its interest in using the new hanger at the airport. As the Board is aware the new hanger has also been advertised for use by the FBO, whoever that might be.

There was an Airport Advisory Committee meeting Monday night (Dec. 12) and ARTIC was at the meeting. One of the purposes of meeting was discuss the FBO and the new hanger. I have spoken to Mr. Mosteller, Airport Chairman, who said that no final decision was made by the Committee but that it was represented to them that Mike Ruic was no longer interested in continuing to operate the FBO. Sky Dance said they would bring back their original FBO partner. Based upon the information presented at the meeting it appeared to the Airport Committee that Sky Dance was the only real FBO candidate left. Sky Dance and ARTIC did discuss the possibility of jointly using the hanger.

I have spoken to Mike Ruic since the meeting and he says he was in New York when the meeting took place, but that he has not withdrawn his offer to continue AIATC as the FBO. I have told Mr. Mosteller that. Mr. Mosteller asks for the Board to give them direction on what to do.

I have also spoken to ARTIC. They are still pursuing their funding opportunities so they are still in the hunt for office/hanger space.

Board direction on how to proceed in selecting a new FBO, and in the meantime Board direction to allow AIATC to continue to provide FBO services. It is important that AIATC know they are to stay in business until a new FBO is selected so that they will continue to maintain an inventory of fuel.

Commissioner Parrish suggested, as he did at the last meeting, that the FBO services for the airport be re-bid and explained that there was some confusion when this went out for bid originally.

Attorney Shuler explained that there was language in the advertisement allowing the Board to refuse all proposals.

The Board discussed this matter and problems that are being experienced at the Airport.

Commissioner Parrish suggested advertising the hangar and the FBO as separate proposals.

Ted Mosteller, the Apalachicola Regional Airport Manager, commented on this matter.

Attorney Shuler stated that if the Board was going to extend the lease for AIATC he recommends Board direction as to the conditions and provisions of an extension for the current FBO.

Commissioner Lockley suggested placing time limits on the new proposals.

Commissioner Parrish stated that the current FBO should be reimbursed for any remaining fuel purchased during any extension to the current contract.

The Board discussed this matter further and decided that no changes should be made to the proposals.

Motion by Sanders, seconded by Parrish, to reject all current bids for the Airport FBO; Motion carried 5-0.

Motion by Parrish, seconded by Sanders, to re-advertise for the Airport FBO and Hangar, as separate proposals, with a 30 day limit for submission; Motion carried 5-0.

Motion by Putnal, seconded by Sanders, to agree to a three month extension with the current terms, and also with a thirty day cancellation notice, for the current FBO; Motion carried 5-0.

Commissioner Sanders said that she was informed by Dr. Chapman that there are problems at the Carrabelle Health Dept. building that will need to be taken care of by the Health Department before Mrs. Whaley is moved back to the Carrabelle location. She said she would like the use of Dr. Sanallah's office at the Carrabelle City Complex or some other location in Carrabelle for the Health Department until the main building is repaired. She said there is a real need for Health Department services in Carrabelle.

Motion by Sanders, seconded by Putnal, to direct Staff to contact the Health Department, City of Carrabelle and other parties to discuss a temporary location for the Health Department in Carrabelle; Motion carried 5-0.

T. Michael Shuler – County Attorney – Report (6:00 PM)

Attorney Shuler presented his report to the Board.

Action Items

3. Eastpoint Library Lease Renewal

Last meeting, the Board authorized renewal of the lease for the Eastpoint Library, but desired that the lease be terminable upon completion of the new library in Eastpoint sometime in 2012 so that the county would not pay rent for two library locations there.

However, the landlord has asked for a \$500.00 early termination fee. I have no authority from the Board regarding this last request. The landlord has also asked for thirty days notice of termination, which is not unreasonable and is consistent with your approval of the lease.

Board Action Requested: I request board direction concerning the landlord's request to be paid a \$500 early termination of lease fee if the new Eastpoint library is completed during 2012.

Motion by Sanders, seconded by Parrish, to approve Eastpoint Library lease renewal, including a \$500 early termination fee if the new library is completed during 2012; Motion carried 5-0.

2. Resolution Adopting County Commission District Boundaries

Attached is a proposed resolution adopting county commission district boundaries. Also attached is the 2003 resolution establishing the current county commission district boundaries. The population variation among the districts is outside the bounds of generally accepted safe harbors. However, the resolution I have prepared does not change the county commission boundaries. They remain the same as the boundaries you adopted in 2003.

Board Action Requested: A motion adopting the resolution and authorizing the Chairman to sign it.

Attorney Shuler provided additional information on this matter and discussed the revision of populations within districts.

Commissioner Lockley stated that he would like to have his district reverted to the original 2003 boundaries.

The Board and Attorney Shuler discussed the reduction in County population and how it affects the different districts.

Chairman Jackel asked if this item could be tabled until further information is gathered and Attorney Shuler said the Board could make a decision at the first Meeting in January.

The Board discussed how changes affecting upcoming elections and the resizing of the population in each districts.

Motion by Lockley, to change the boundary line between Commissioner Lockley's and Commissioner Parrish's district back to the 2003 boundaries; Motion failed due to a lack of second.

Motion by Sanders, seconded by Parrish, to adopt the Resolution establishing the current County Commission district boundaries as presented by Attorney Shuler; Motion carried 4-1, Lockley opposed.

Recess (6:22 PM)

Chairman Jackel called for a recess.

Reconvene (6:32 PM)

Chairman Jackel reconvened the Meeting.

Commissioner Lockley left the Meeting.

Public Hearing – Consider Amending Ordinance 99-3 (6:33 PM)

Attorney Shuler discussed the proposed amendment to Ordinance 99-3.

Attorney Shuler presented Item #1 from his report.

1. Ordinance Amending the Eastpoint Water and Sewer Franchise

The proposed ordinance amending the Eastpoint Water and Sewer District ("District") Franchise is attached for your consideration at 6:15 p.m. (ET).

In summary, the proposed ordinance requires that the District obtain from Franklin County a permit before it cuts any roads within the District. They have to get a permit regardless whether the road is a dirt road or a paved road.

The county can require that the District obtain a letter of credit as a condition for issuance of any permit.

The ordinance will allow the District to first try to patch paved roads that it cuts. The patches will have to maintain the road for five years. If the patch fails, then the county can use the letter of credit to reconstruct and repave the road.

Franklin County will adopt a permit application, which is attached to the ordinance as Exhibit "A."

Franklin County will adopt a road patch standard, which is attached to the ordinance as Exhibit "B."

Board Action Requested: A motion adopting the ordinance and authorizing the Chairman to sign it.

Commissioner Sanders and Attorney Shuler discussed the possibility of other districts being affected by the amendment. Attorney Shuler said this Ordinance only pertains to EPWS. Commissioner Sanders and Attorney Shuler discussed if EPWS had presented a letter of credit as was discussed at the last Board Meeting and discussed when the amendment would take effect. Attorney Shuler said he had been in contact with EPWS but there has not been an agreement with them at this time. Commissioner Putnal discussed problems caused for residents by cuts made on a County Road by EPWS.

Chairman Jackel opened the floor for public comments.

There were no comments from the floor.

Mr. Pierce discussed conditions on particular roads in Eastpoint as requested by Chairman Jackel.

Motion by Sanders, seconded by Putnal, to adopt proposed amendment to Ordinance 99-3 and have Chairman Jackel sign it into effect; Motion carried 4-0, Lockley absent.

Non-Action Items

4. Indian Creek Park/Progress Energy Transmission Line Construction

Progress Energy's subcontractor, Rogers Helicopters, Inc., d/b/a Source Helicopters has again asked for permission to make temporary use of a 50'x50' portion of one of the parking lots at Indian Creek Park as a helicopter landing zone. They desired to commence midnight December 15, 2011 and finish midnight December 19, 2011. I consulted with the Chairman who authorized the renewal of this temporary use, subject to obtaining a hold harmless and indemnification agreement, along with insurance coverage, copies of which are attached.

Commissioner Sanders asked Attorney Shuler to continue his efforts on the clean-up of the burnt out apartment in Lanark village. Attorney Shuler discussed different remedies that he has found but asked that he be allowed to continue searching for other possible resolutions.

Department Supervisor Report (continued)

Pam Brownell – Emergency Management Director (6:44 PM)

Mrs. Brownell presented her report to the Board.

Mrs. Brownell asked for Board action on the Homeland Security Grant Contract.

Motion by Sanders, seconded by Putnal, to sign Homeland Security Grant contract; Motion carried 4-0, Lockley absent.

Information Items:

1 - Mike Rundel and I attended the North Florida Regional Domestic Security Task Force Meetings on December 13th in Tallahassee.

2 - December 19th the State EOC Director Bryan Koon visited the Franklin County EOC on his way back from Bay and Gulf county EOC's.

3 - The Emergency Management is in the final stages of finishing the county's disaster housing plan with the help of the disaster housing task force.

4 - Emergency Management, working in conjunction with the Franklin County United Firefighters Association, will be offering a 2 day Emergency Vehicle Operations Course in January to county firefighters and emergency medical personnel. We are looking to certify a minimum of 20 people. This certification is required by insurance companies for any one driving an emergency vehicle.

5 - Mike Rundel and I will attend the Region 2 meeting in Columbia County on December 21, 2011 at 10:00 am.

Commissioner Parrish suggested that Legislative Delegation is contacted to build a new EOC in Franklin County with available grants.

Mrs. Brownell discussed this matter with the Board and stated that she will submit the grant application again this year.

The Board discussed the need for a State of the Art EOC in Franklin County.

Commissioners' & Public Comments (6:52 PM)

The Board wished everyone a Merry Christmas.

Chairman Jackel thanked the City of Carrabelle for hosting the County Commission Meeting.

Adjourn (5:53 PM)

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

Attest:

Pinki C. Jackel, Chairman – FCBCC

Marcia M. Johnson, Clerk of Courts