

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MARCH 19, 2013
9:00 AM**

MINUTES

Commissioners Present: Cheryl Sanders – Chairman, William Massey – Vice Chairman, Noah Lockley, Joseph Parrish, Pinki Jackel

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

Call to Order (9:01 AM)

Chairman Sanders called the Meeting to order.

Prayer and Pledge (9:02 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes (9:02 AM)

Motion by Lockley, seconded by Massey, to approve the Minutes of the March 5, 2013 Regular Meeting; Motion carried 5-0.

Payment of County Bills (9:03 AM)

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

Presentation by SWAT Students (9:03 AM)

The SWAT students introduced themselves and asked the Board to pass a Resolution declaring tomorrow, March 20, 2013 as Kick Butts Day.

Motion by Jackel, seconded by Massey, to adopt the Resolution declaring March 20th as National Kick Butts Day; Motion carried 5-0.

Brooke Pittman –Students Against Plastic Pollution – Discussion – Informational Kiosk at Boat Ramps (9:05 AM)

Ms. Pittman asked for Board action to place an informational kiosk at each County boat ramp and parks that would provide information about plastic pollution.

Motion by Massey, seconded by Jackel, to approve a request to install plastic pollution informational kiosks at County boat ramps and County parks, with Attorney Shuler’s review of this request; Motion carried 5-0.

Department Supervisors Report

Hubert Chipman – Superintendent of Public Works (9:08 AM)

Mr. Chipman had no report for the Board.

Commissioner Jackel and Mr. Chipman discussed a project in the Gorrie street area.

Chairman Sanders thanked Mr. Chipman for work he did in the mitigation area.

Fonda Davis – Solid Waste Director (9:09 AM)

Mr. Davis had no report for the Board.

Commissioner Massey told Mr. Davis that he will get the contact information regarding the truck that his department needs by the end of the week.

Commissioner Jackel thanked Mr. Davis for his assistance with Ms. Polous and the container.

Nikki Millender – Parks & Recreation Director (9:10 AM)

Mrs. Millender wasn’t in attendance due to illness.

Pam Brownell – Emergency Management Director (9:10 AM)

Mrs. Brownell had no items for Board action.

Action Items: None

Information Items:

- *The Emergency Management Office has sent out request for qualifications for Emergency Management Contractual Services which include our training and exercises plans for the county. This contractor is paid out of a Homeland Security Grant. The deadline is March 22, 2013 and will be opened by the Board on April 2, 2013.*

- *Attended the midterm planning webinar for the State Hurricane Exercise which is scheduled for May 20th-23rd. The county will participate in the exercise on the 20th and 21st starting at 8:30 am and ending at 4:30pm both days.*
- *Attended the Region 2 meeting on March 14, 2013 at 10:00am in Madison County.*
- *Attended the North Florida Domestic Security Task Force meeting on March 18, 2013 in Tallahassee.*
- *Joyce Durham has scheduled an outreach program for the ABC school's third graders for March 20, 2013 to teach the importance of having a disaster plan.*
- *The Management Experts, the counties training contractor, will be conducting a training workshop at the ABC School March 26, 2013 on school shootings. We will also be meeting with the Hospital and EMS to start looking for a scenario for a full functional exercise.*

Mrs. Brownell and Mr. Pierce discussed issues with Project Worksheets for Tropical Storm Debby between State and Federal Governments. The Board members also commented on this issue.

Bill Mahan – Extension Office Director (9:12 AM)

Mr. Mahan had no action items but discussed the following items from his report.

Franklin - UF IFAS Updates

- 1) *UF IFAS – Moving Florida Forward- The “Moving Florida Forward – Cultivating Healthy People, Healthy Communities, Healthy Environments” publication in your packet is a new UF IFAS fact sheet publish in part to celebrate the 150th anniversary of the Land Grant Colleges in the US. It highlights the unique three-pronged mission of Land Grant colleges of teaching, research and Extension programs. All colleges and universities have teaching as part of their mission and many also have research as part of their mission. However, only federally designated Land Grant universities have Extension as an official part of their official mission. Without the Extension component to UF's and FAMU's mission, many of the research results that can help people and businesses would “stay” on campus. Extension's role is to get the results of research-based studies into the hands of people who can use it at home or at their businesses. Extension also acts as a local doorway allowing local residents access to UF and FAMU resources as well as a doorway for university researchers and programs to access the local community. Excellent examples in Franklin County include: the UF Oyster Recovery Team, Healthy Gulf/Healthy Communities, UF Arts in Medicine Program; the Natural Resource Leadership Institute and the Wedgworth Leadership Institute.*

Commissioner Massey and Mr. Mahan discussed like projects in Lanark Village.

- 2) *Community Traffic Safety Team Meeting – The next meeting of the Community Traffic Safety Team Meeting is scheduled for noon, March 18th at the Carrabelle City Service Complex. The meetings are open to the general public and they are encouraged to attend to discuss traffic and pedestrian safety issues.*

- 3) *FDACS Oyster Dealer Education Planning Meeting – I will be attending an “Oyster Dealer Education Planning Meeting” with DACS in Tallahassee on March 22nd. The meeting is to discuss the new National Shellfish Sanitation Program requirements that all shellfish dealers receive two-hours of “continuing” education every two years. The initial plan was to begin the education program this year as part of the dealer’s annual plant certification/recertification process.*
- 4) *Beekeeping in the Panhandle Workshops for 2013 – The final advanced Beekeeping in the Panhandle Workshop was held last week on Monday March 11th. The topic of the last workshop was the “History and Theory of Honey Production.” As part of the last workshop, we had a honey tasting “party” for the local workshop participants. We had 8 varieties of honey to sample. In total, 210 people registered for the workshops.*

Gulf of Mexico Fishery Management Council (GMFMC)

- 5) *GMFMC Names New Executive Director – The GMFMC has announced the selection of Doug Gregory as its new Executive Director. Gregory will take the helm May 20, 2013. He replaces Dr. Stephen Bortone, who is retiring in May. Gregory has earned a B.A. in Zoology, M.S. in Wildlife and Fisheries Ecology, and B.S. in Statistics. Gregory is leaving his post at the Florida Sea Grant Monroe County Extension Office in Key West, where he manages the office and supervises educational programs.*

Marcia M. Johnson – Clerk of Courts – Report (9:15 AM)

Mrs. Johnson had no report for the Board.

Alan Pierce – Director of Administrative Services – Report (9:15 AM)

Mr. Pierce presented his report to the Board.

1- Inform Board that FWC did respond to the letter opposing sea trout and redfish becoming classified as gamefish. FWC has tabled the idea indefinitely.

2- Inform Board that FDACS has responded to the Board’s letter requesting 7 day harvesting. DACS has forwarded the letter to FWC for a response.

3- Inform Board the Chairman has called an organizational meeting for the Franklin County RESTORE Council for March 28, at 10 AM, at Carrabelle City Hall.

Mr. Pierce and the Board members discussed this item further and setting up a class on the Sunshine Laws.

4- Inform Board and public that St. George Island and Alligator Point fire departments have contacted the Supervisor of Elections, Ms. Ida Elliot, for a special election by property owners in those two fire districts only to determine if the property owners will approve a rate increase

from \$50 to \$95 on houses. The assessment on vacant land will not change. The election will be mail-out ballot, with the ballots counted on May 14th. The fire departments are paying for the election. The ballots should be mailed out April 25.

Mr. Pierce and the Board members discussed this item further.

Chairman Sanders wanted it to be clear to property owners that no matter how the vote goes it will be binding to the Board and also that it will be two years before another ballot can be cast for an increase.

Commissioner Jackel asked that everyone keep Mrs. Elliott, the Supervisor of Elections, in their prayers as she is going through some health issues.

5- Inform Board that the Planning and Building Dept. held a public workshop on March 13 for the purpose of informing builders, contractors, and interested citizens of the proposed changes to the National Flood Insurance Program (NFIP). As the Board is aware, the county must participate in the program in order to be eligible for federal flood insurance. The Flood Insurance Program is undergoing two major changes which are going to substantially affect some people. FEMA is redrawing the flood maps and the NFIP is changing the rate structure. The county will hold a public hearing to consider adopting the new floodplain management ordinance on June 18.

6- Board action to accept the Affordable Housing Advisory Committee 2013 report. The report is a state requirement and is put together by Ms. Lori Switzer and reviewed by the county's Housing Committee. The Housing Committee recommends acceptance, and so do I. The report covers any changes in making housing affordable. The report essentially says that there were no local governmental actions related to affordable housing in 2013. Board action to accept report.

Motion by Lockley, seconded by Parrish, to accept the Affordable Housing Advisory Committee 2013 report; Motion carried 5-0.

Motion by Lockley, seconded by Massey, to send a letter to Governor Scott and Legislative Delegation asking that the SHIP Program be funded again; Motion carried 5-0.

7- Board action to allow Eastpoint Sewer and Water District to cut C.C. Land road at a time approved by the county to allow for several sewer connections. As the Board is aware, C.C. Land Road is under design for widening and resurfacing. The sewer force main that serves the eastern end of the District is under the asphalt. There are 3 known customers that need to be connected to sewer and the time to do that is before the road is re-surfaced. George Allen has met with Clay Kennedy in the field and has spoken to me on the telephone so I am aware of the location of the cuts. The 3 cuts will serve the Gulfview Trailer Park that is currently on septic tanks, the new RV Park under construction, and property owned by the Madsen family. There may be one or two additional cuts that need to be made in this same area, but these cuts will be done before the road is re-surfaced.

If the Board approves, Eastpoint will be responsible for making the cuts, patching and compacting the base material in accordance with DOT standards, and then the county will pave the road and the cuts all at the same time. The county will not let Eastpoint cut the road until after the Board opens the bids for paving as Preble-Rish wants to make sure that there is not a problem with the bids, and to minimize the time there is an open cut. The one exception for this will be the new RV Park, if it is ready to go on-line before the county opens the bids. The new RV Park must have sewer to open and with the force main under the road the road must be cut in order to make the connection. Board action.

Commissioner Jackel and Mr. Pierce discussed paving CC Land Road and the demolition of the abandoned septic tanks.

Motion by Massey, seconded by Lockley, to approve cuts on CC Land Road, based on Mr. Pierce's recommendation; Motion carried 5-0.

8- Inform the Board that I am in receipt of a letter from Eastpoint Sewer and Water District to Sheriff Mock and Landfill Director Fonda Davis advising them of the severely degraded condition of the sewer lift station that serves the jail and the landfill. The District is taking the position that the lift station is a county responsibility. The letter includes the statement, "The District has continued to help service and make minor repairs to your dedicated lift station, however, the EWSD is not in a financial position to make the necessary repairs your station needs..." The letter includes a quote for some \$34,000 in repairs needed on the lift station. I have discussed this matter with George Allen in the past and I have advised him that the lift station is a part of the Eastpoint system, just like any other lift station, and the District is responsible for the operation and maintenance of its system. The District has yet to provide me with any documents indicating the county agreed to maintain the lift station.

Mr. Pierce and the Board discussed possible options of how to deal with this issue.

9- Board action to accept the recommendation of the committee reviewing the economic consultants. There were 2 applicants and the committee ranks Stantec first and PMG second. The committee recommends the Board negotiate with Stantec first and if that fails then move to PMG. The committee recommends Stantec because of their familiarity with the county. Stantec, formerly known as Wilson-Miller, is currently working with Carrabelle on an economic analysis of their downtown and has worked extensively with the county in the past. The DEO is providing all the funds and has structured the work products. Board action.

Motion by Parrish, seconded by Lockley, to accept Stantec as the recommendation of the committee reviewing economic consultants; Motion carried 5-0.

10- Health Insurance update. The Board's health insurance committee recommends the Board, as part of the retiree health insurance subsidy, require the election of Medicare Part B and offer a group Medicare Advantage Plan. The Finance Office will work with retirees one on one to the enrollment accomplished by March 31. Board action.

Mr. Pierce explained the plan further and stated that this will be a benefit to the retirees. Chairman Sanders provided additional information on the plan and stated that there will be a monthly fee but no deductible and she gave more information concerning the plan.

Motion by Lockley, seconded by Massey, to approve the election of Medicare Part B and offer a group Medicare Advantage Plan; Motion carried 5-0.

Commissioner Massey asked for a discussion regarding a pay increase for County employees using the money that will be saved using this new insurance plan. The Board agreed to discuss this matter at the pre-budget workshop discussed at the last Meeting.

11- Board direction on purchase of property in Eastpoint from Centennial Bank. The Bank is holding firm to their price of \$40,000 cash for the property we have previously discussed. I inspected the property with Mark Curenton and we believe it can contain a parking lot that will hold 15-20 spaces for truck and trailers combined. The current tax value is \$36,000 and I have spoken to Ms. Skipper, Property Appraiser, and she agrees that if the property is cleaned up it will easily have a value of \$40,000. I recommend the Board direct the Attorney to complete the sale for \$40,000 cash. Board action.

Commissioner Jackel stated that she was comfortable with the purchase of this property now that Rhonda Skipper, Property Appraiser, stated that once it is cleaned up, the property will easily be worth \$40,000.

Motion by Jackel, seconded by Massey, to approve the County's purchase of the property in Eastpoint; Motion carried 5-0.

12- St. George Fishing Pier update. Inform the Board that the contractors and Preble-Rish have had a pre-construction meeting on-site and things are moving forward. The test piles have been cast, and the barge is en route to begin construction. The barge should arrive here by April 15. All work will be done from the barge so it will not interfere with the boat ramp.

Commissioner Jackel and Mr. Pierce discussed the timeline and budget for this project.

13- Inform the Board that now we have received approval from DOT to design the Alligator Point multi-use trail we will now advertise for engineering design services. We have to go through this process because of new DOT requirements for LAP projects. The Board will open up RFQs for the Alligator Point project on April 16.

Commissioner Jackel asked that Board members are registered for Legislative Days and the FAC Annual Conference in June.

Commissioner Jackel asked for an update on the St. George Island and Abercrombie Boat Ramps.

Mr. Pierce updated the Board on projects at the Airport.

Michael Shuler – County Attorney – Report (9:42 AM)

Attorney Shuler presented his report to the Board.

Action Item

1. Franklin County and CGA vs. BP — Federal Court litigation

This litigation involves a suit to obtain payment of approximately \$400,000.00 for an oil skimmer staged in Franklin County by CGA under it's "at risk" contract. This pending in federal court in Tallahassee, Florida. Our contract with CGA requires Franklin County to assist CGA in obtaining payment from BP. Trial is scheduled for August 2013.

The Court has ordered that the parties mediate this case prior to trial. Mediation is scheduled for April 5, 2013 in Ft. Lauderdale, Florida. I need board approval to travel to mediation. Estimated travel expenses are less than \$1,000.00.

Action Requested: Motion to authorize travel to attend court ordered mediation in Ft. Lauderdale, Florida.

Commissioner Parrish stated that he was in favor of mediation rather than litigation in Federal Court.

Commissioner Jackel and Attorney Shuler discussed funding responsibility.

Motion by Lockley, seconded by Parrish, to authorize travel for Attorney Shuler to attend court ordered mediation in Ft. Lauderdale, Florida; Motion carried 5-0.

Informational Items

2. Alligator Point Revetment

Correspondence from the Alligator Point Tax Payers Association is attached. The correspondence speaks for itself regarding their concerns over the recent court order requiring that Franklin County remove the debris from the revetment in front of the old KOA. As you will recall, DEP sued Franklin County after DEP was first sued by Capital City Bank to require Franklin County to remove the debris. The debris had been placed there intermittently since 2000, with no meaningful enforcement action by DEP prior to the bank's lawsuit.

At this time, I recommend that the board first consider how to comply with the court's order to remove the debris and, thereafter, evaluate the condition of the revetment.

3. Lanark Village

A. As of March 15, 2013, Rachele Bennett, the owner of apartment 5-4 Parker Avenue, has not pulled her construction permit. She has obtained the asbestos inspection and cleaned the asbestos. However, it has been several months, the time she said she needed, and she still does not have a construction permit. I recently advised Ms. Bennett that if she did not obtain a

permit, or apply for one, by March 19, 2103, I would consider that a violation of the offer to hold in abeyance the county's enforcement action against her. Accordingly, unless the board has contrary instructions, I intend to proceed with a lawsuit against her to enforce ordinance 97-17. The board has previously authorized the lawsuit.

Attached is recent correspondence with Ms. Bennett, which speaks for itself concerning this matter.

B. Attached is a final warning letter to the owners of apartment 19-6 Oak Street giving them final notice.

4. Apalachicola Application With The Gulf Coast Consortium

Re-attached is a copy of the resolution adopted by Apalachicola. I now attach the resolution adopted by Carrabelle. To my knowledge, only Apalachicola has filed an application seeking admission into the Gulf Coast Consortium.

One can view the city of Apalachicola's adoption of this resolution as a stratagem to bolster their efforts to establish that they are entitled to receive, and control, funding from the Restore Act independent of Franklin County.

I recommend that the board consider asking the Gulf Coast Consortium to direct the City of Apalachicola to work through Franklin County, instead of becoming a member of that consortium.

5. Apalachicola Restore Lawsuit

Attached is a copy of the March 3, 2013 letter from FACT denying coverage for the lawsuit filed by the City of Apalachicola against Franklin County. That lawsuit seeks a court order requiring Franklin County to attend public meetings with it for the purpose of dividing RESTORE monies between the two cities and the county.

6. Franklin County Restore Council

An organizational meeting has been scheduled in Carrabelle for March 28, 2013. I will attend the meeting and have information provided to the board regarding their ethical obligations, especially regarding the Sunshine Law and the Public Records Law.

7. Highway Patrol Building

A copy of the school board's renewal of their lease is attached. The renewal extends the school's lease until 2017.

8. STOLI letter

Attached is the letter the board directed to be sent to the legislative delegation opposing the practice of STOLI. (stranger originated life insurance).

9. TDC Tax Increase Proposal

I have received notification from Mr. Blair, the TDC Administrator, requesting my assistance with the procedure for increasing the TDC Tax from 2% to 4%. I understand, they plan to bring this to you for board consideration at the meeting in mid-April 2013.

Recess (9:44 AM)

Chairman Sanders called for a recess.

Reconvene (10:18 AM)

Chairman Sanders reconvened the Meeting.

Commissioners and Public Comments (10:08 AM)

Commissioner Jackel and other Board members wished everyone a Happy Easter.

Rev. John Sink stated that today, March 19th, is National Veteran's Military Appreciation Day.

Chairman Sanders discussed a letter she received from a Purple Heart recipient from Baker, Florida. She stated that he was inquiring to see if the County would be interested in installing signage since Franklin County has most of the Purple Heart recipients in the State of Florida and stated that she will look into this item further.

Mr. Pierce updated the Board on an apartment owner in Lanark Village who recently pulled a permit for repairs to the apartment.

Commissioner Jackel updated the Board on the DEP dredging project for the Eastpoint Channel. Mr. Pierce provided additional information regarding the disposal of the slush and creating a 26 acre marsh area, which will help stabilize the vegetation and be more protection for the harbor during storms.

Public Hearing – Consider Ho-Hum RV Park Re-Zoning Request (10:15 AM)

Mr. Pierce explained the request for re-zoning at the Ho-Hum RV Park in Lanark Village. He stated that the request had been sent to adjoining landowners.

Chairman Sanders opened the floor for public comment.

Hubert Scott, a neighboring land owner, expressed his concerns of possible early morning noise and diesel fumes from any RV that might use the park. He also asked if it would affect his property value.

Mr. Pierce provided additional background information on this request.

Commissioner Jackel asked for specific background information on this request. Mr. Pierce showed her the map of the campground and the proposed land use change. He explained that this area is zoned as mixed use.

Chairman Sanders suggested imposing some restrictions on the project.

Mr. Scott suggested imposing a restriction that only travel trailers are allowed in the new addition to the park.

Mr. Pierce suggested that restrictions are limited to the site plan.

Attorney Shuler explained what type of restrictions the Board can consider. He suggested a vegetative buffer between the RV Park and Mr. Scott's property.

Commissioner Parrish and Mr. Scott discussed some of the changes that have been made over the years.

Mike Hughes, Owner of Ho-Hum RV Park, provided some information on the request. Commissioner Parrish provided some information on the history of this property and suggested a vegetative buffer to help with the concern of the neighbors.

Mr. Hughes explained where the transient renters would be located versus the longer staying renters. He described how he manages the property and the success of his business.

Commissioner Lockley and Mr. Pierce discussed how many spots could be in the park.

Motion by Lockley, seconded by Massey, to adopt site change, with a thick vegetative buffer as agreed to by the Board and property owner; Motion carried 5-0.

Commissioners and Public Comments (continued)

Motion by Jackel, seconded by Massey, to approve the purchase of printers that can be used with the Commissioners' iPads at their homes; Motion carried 5-0.

Adjourn (10:35 AM)

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

Cheryl Sanders, Chairman – FCBC

Attest:

Marcia M. Johnson, Clerk of Courts