

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MAY 7, 2013
9:00 AM**

MINUTES

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

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

Call to Order (9:01 AM)

Chairman Sanders called the Meeting to order.

Prayer and Pledge (9:01 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of the Minutes (9:03 AM)

Motion by Lockley, seconded by Massey, to approve the Minutes of the April 16, 2013 Regular Meeting; Motion carried 5-0.

Payment of County Bills (9:03 AM)

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

Department Supervisor Report

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

Mr. Chipman had no items for Board action.

Fonda Davis – Solid Waste Director (9:04 AM)

Mr. Davis had no items for Board action.

Commissioner Jackel thanked Mr. Davis for his assistance in her district.

Nikki Millender – Parks & Recreation (9:05 AM)

Mrs. Millender had another appointment and will meet with the Commissioners after the Meeting.

For Board Information: Repairs to Vrooman Park in Eastpoint began Monday, April 29th. The repairs to the dugouts and buildings should be complete by the end of next week, if the weather permits. I received the okay on May 1st from the Insurance Adjuster to begin repairs to the fences. The fence company will begin repairs to the fences on Wednesday May 8th; they are anticipating the project's completion the middle of the following week if weather permits.
REQUESTED ACTION: None

Pam Brownell – Emergency Management Director (9:05 AM)

Mrs. Brownell was out of town attending a hurricane conference.

Action Items: None

Information Items:

- 1. The Emergency Management office conducted a Special Needs workshop on April 24, 2013 with health care providers and had a great turn out.*
- 2. The Emergency Management office and the State conducted Points of Distribution (POD) training at the Carrabelle City Complex on April 30, 2013 and asked our local food pantries to attend.*
- 3. Mike Rundel and Pam Brownell are attending the Governor's Hurricane Conference from May 6-10, 2013.*
- 4. The Management Experts and the Emergency Management met with Weems Hospital to start the planning process for scheduling an active shooter table top exercise.*
- 5. The Emergency Management office will participate in the State Hurricane Exercise on May 20th, 2013 from 9am-4:30pm.*

Bill Mahan – County Extension Director (9:05 AM)

Mr. Mahan presented his report to the Board.

Franklin - UF IFAS Updates

- 1) FL Boater Registration, Fishing & Hunting License Automatic Increases – In December I reported to the Board that a Bill passed in 2008 set the stage for automatic increases to boat registration fees, fishing & hunting licenses on July 1, 2013 and every other year thereafter. As required in FL Statutes the FWC submitted a report to the Senate President in February on how the new revenues would be used. FWC filed the required report and also*

requested that due to the current state of the economy that the registration and license increases be delayed until 2015. In response, both the Senate and the Legislature filed bills that would reverse/delete the scheduled increases. As of May 1st, this is what has been proposed.

The Conference Committee Amendment for HB 5503, relating to the Fish and Wildlife Conservation Commission, provides for the following:

- *Deletes subsections 328.72(1)(b) and 379.354(1)(b), Florida Statutes, eliminating the Consumer Price Index adjustments to vessel registration fees and recreational hunting and fishing license fees which would have taken effect July 1, 2013.*
 - *Removes the requirement for the Fish and Wildlife Conservation Commission to submit a report detailing how the increase in fees would be used within the agency.*
 - *Provides an effective date of July 1, 2013.*
- 2) *Annual 4-H Tropicana Public Speaking Program – The teacher guides and student materials have been distributed to the schools for this year’s Annual 4-H Tropicana Public Speaking Program.*

FL Fish & Wildlife Commission (FWC)

- 3) *Experience Alligator Hunting; Apply Now for Permits- The FWC has more than 5,000 permits available to participate in this year’s 11-week alligator season, which runs Aug. 15 – Nov. 1. The application process is conducted in three phases and begins by submitting a no-cost application at any tax collector’s office, license agent or online at <http://license.myfwc.com>. During the Phase I application period, alligator permits are issued by random drawing. Phase I ends May 12, and applicants are limited to being drawn for only one permit. If selected, applicants have until June 3 to pay the cost of the permit. Phase II is on a first-come, first-served basis beginning at 10 a.m. June 7 and continuing through June 12. Those who received a permit in Phase I and paid for it cannot apply during Phase II. Phase III is on a first-come, first-served basis beginning at 10 a.m. June 14 until all are sold. Anyone can apply during Phase III – despite having already bought a permit in Phase I or Phase II.*

Alligator trapping licenses and two hide-validation tags costs \$272 for Florida residents and \$1,022 for nonresidents. Each permit enables you to take two alligators from whichever county or body of water you were awarded during a specific harvest period. To purchase a permit, you must be at least 18 years old by opening day, Aug. 15.

Visit MyFWC.com/Alligator and click on “[Statewide Alligator Harvest Program](#)” for more information on these gator-hunting opportunities.

Ray Brownsworth – Weem’s CEO – Hospital Update (9:08 AM)

Mr. Brownsworth presented his report and explained why there was no financial report available at this meeting.

1. *HB711 - Between now and Mid-May, I will need to conduct a public hearing to comply with HB711 in which I solicit public comment on the operations, quality and service of the hospital*

as compared to leasing or selling the hospital. I would like to have some members of the board present and will set up the time over the next week including the necessary publication of the hearing for mid-May. I will provide some overview of comparative data and a time for public comment will need to be provided. The law is vacant of specifications for the format of the meeting except as follows thus allows greater flexibility:

In the course of evaluating the benefits of the sale or lease, the board shall:

–Conduct a public hearing to provide interested persons the opportunity to be heard on the matter.

–Publish notice of the public hearing in one or more newspapers at least 15 days before the hearing is scheduled to occur.

–Contract with a certified public accounting firm or other firm that has substantial expertise in the valuation of hospitals to render an independent valuation of the hospital's fair market value.

–Consider an objective operating comparison between a hospital operated by the district and other similarly situated hospitals, both not-for-profit and for-profit to determine whether there is a difference in the cost and quality of operation using publicly available data. The comparison must determine whether it is more beneficial to taxpayers and the affected community for the hospital to be operated by a governmental entity, or whether the hospital can be operated by a not-for-profit or for-profit entity with similar or better cost-efficiencies or measurable outcomes. The comparison must also determine whether there is a net benefit to the community to operate the hospital as a not-for-profit or for-profit entity and use the proceeds of the sale or lease for economic development and the provision of indigent care.

- 2. Swing Bed Reimbursement – Over the last several months, I have touted the strategic importance of our swing bed program based on increasing volumes and a healthy per diem rate. This past week, I realized something that I know but for some reason had not thought of. My remembrance is that as a Critical Access Hospital our Medicare and Medicaid are cost based and that you cannot evaluate the reimbursement in light of volumes alone. The more volume you have, the smaller your per diem rate becomes at the end of the year. But, this does not mean you cannot impact the bottom line by increasing utilization. But the marginal increase is much smaller. The upside is that as you grow your Medicare and Medicaid proportions the more the costs you can be reimbursed for on a proportional basis. Additionally, with this cost based reimbursement you can support the expansion of necessary costs such as capital equipment, staffing, supplies, etc. through the cost report. This ties in directly with our plan to build a new facility. I mention this due to the receipt of our Debt Capacity Study and the beneficial impact of cost based reimbursement on our ability to fund such an effort. Costs associated however with the Clinic and EMS are not included in the cost report.*
- 3. Dr. Spurgeon – Based on the above information in item #2 and discussion with Dr. Dean Watson of TMH, I have withdrawn by request to engage Dr. Spurgeon as Medical Liaison for the Swing Bed Program. I have offered to consider other opportunities such*

as community relations, EHR implementation, or Program Director when he relocates to the area.

4. *Becky and Craig Gibson attend the Worm Grunting festival in Sopchoppy and are scheduled (along with Beth Klein) to attend the Riverfront Festival in Carrabelle. In addition to being present at such events including our Foundation's "Butts and Clucks", we are sponsoring more community events in Franklin County providing for a positive presence in the communities we serve.*

Commissioner Lockley and Mr. Brownsworth discussed the Swing Bed Program.

Open Bids for resurfacing and widening CC Land Road (9:15 AM)

Mr. Pierce opened and read aloud the bids.

Capital Asphalt – Tallahassee, Florida – \$883,376.00 – Bond

North Florida Construction – Clarksville, Florida – \$737,760.99 – Bond

C. W. Roberts – Tallahassee, Florida – \$681,222.60 – Bond

Motion by Lockley, seconded by Parrish, to forward bids to the County Engineer for a recommendation; Motion carried 5-0.

P & Z Consent Agenda (9:18 AM)

Mr. Pierce presented this item.

Recommended Approval- Unanimous Vote: Consideration of a request for Commercial Site Plan review to locate an Ice Vending Machine at 95 Highway 98 (the NW Corner of Highway 98 and North Bayshore Drive), Eastpoint, Franklin County, Florida. Request submitted by John Pritchard, agent/applicant. Approval based on having a site plan that required a one way entrance and exit off of North Bayshore Drive with a permanent type of fencing or bollard system to keep traffic from entering off Highway 98 and a clearly defined driving surface made of shell, lime rock or type of base.

Commissioner Jackel and Mr. Pierce discussed the amount of board members present at the meeting and if any public comments were made.

Motion by Parrish, seconded by Lockley, to approve request to locate an ice vending machine at the NW corner of Hwy. 98 & North Bayshore Drive in Eastpoint; Motion carried 5-0.

Marcia Johnson- Clerk of Courts (9:20 AM)

Mrs. Johnson had no report for the Board but discussed the Clerk's court budget action during the Legislative process.

Alan Pierce- Director of Administrative Service (9:20 AM)

Mr. Pierce presented his report to the Board.

1- Inform the Board and public that there will be a new CPR class on May 13th at the SGI Fire Station, starting at 6 PM. And then for those interested in becoming 1st Responders there will be 1st Responder training immediately following the May 13th CPR class.

2- Board action to waive the Armory rental fee for a fundraiser on Oct. 19 to raise money for breast cancer awareness and mammography screenings.

Motion by Jackel, seconded by Lockley, to approve request to waive the Armory rental fee for a breast cancer awareness fundraiser on October 19, 2013; Motion carried 5-0.

3- At the last Board meeting I was asked to investigate a semi parked in the ROW on Harbor Circle, Alligator Point. I did write the owner and received in reply a copy of a Franklin County Sheriff's Office Incident report, dated March 29, 2013, where a deputy had investigated the same complaint and concluded, "The semi was not parked in the roadway and did not appear to be obstructing traffic." The officer reported that he took photographs for the file. Based upon the investigation of a law enforcement officer, I am not going to take any further action on the issue.

4- Board action to sign Amendment #1 to DEP Consent Order 12-1542, which extends the time the County has to relocate Gulfshore Blvd on Alligator Point. The new timeline is Nov. 30, 2013, I have advised DEP that I would recommend the Board sign the Amendment, but that in my opinion an extension to Nov. 30 will still not be long enough as state lands has still not approved the new ROW, and FEMA still has not approved the change from a repair project to a relocation project.

The Board discussed this item with Mr. Pierce.

Motion by Massey, seconded by Parrish, to authorize signature to sign Amendment #1 to DEP Consent Order 12-1542; Motion carried 5-0.

5- Inform the Board that the USACOE has indeed received a permit from the State of Florida to dredge the Eastpoint Channel. This is the first permit to dredge the channel to be issued since the breakwater was built in 1984. The permit allows for disposal of the spoil behind the existing breakwater. Commissioner Jackel was very dogged in following the permit through its lengthy review process, and every time there was a slow down she was on the phone to Congressman

Southerland or DEP Secretary Vineyard to keep the project moving. The next step will be for the USACOE to find the funds to do the dredging.

Commissioner Jackel commented on a meeting with Congressman Southerland and the USACOE regarding the timeline on the dredging project.

Motion by Lockley, seconded by Massey, to contact USACOE about a maintenance dredge in the main channel, as described by the Board; Motion carried 5-0.

Commissioner Massey and Mr. Pierce discussed adding some material on a small piece of property owned by the County in front of the Eastpoint Channel.

The Board and Mr. Pierce discussed the permit and possible extensions.

6- Board action to name the county park on 9th St., St. George Island, the Boy Scout Troop 22 Regatta Park. There will be a dedication of the Park and its new pavilion that was built by volunteers from Galloway Construction on May 11. Details will be forthcoming. The Park will be the permanent location for the annual Troop 22 Sailing Regatta that Larry Hale puts on every year.

Commissioner Parrish would like to have a proclamation for Mr. Hale included in the motion.

Motion by Jackel, seconded by Massey, to approve naming the County park on 9th Street on St. George Island the Boy Scout Trooper 22 Regatta Park, along with a proclamation; Motion carried 5-0.

7- At the last meeting, the Board tabled any action on the revised county SHIP Plan pending further explanation of two items. One, the Board wanted a discussion regarding the change in the terms of loan forgiveness, and the Board wanted an explanation of how the administrative costs would be pro-rated if the SHIP plan was only partially funded. Rev. Sink is here to discuss the terms of forgiveness with the Board. The administrative costs are set in the rules the SHIP program at 10% of the program funds. So, if the SHIP program is fully funded at \$350,000, there would be \$35,000 in administrative costs. If the SHIP program did not receive any additional program funds, but only had to rely on the current program income of some \$18,000, then there would only be \$1800 of allowable administrative costs.

The Board will need to approve the SHIP plans before the county can receive any additional funds, if allocated by the state.

Rev. Sink discussed the current status of the SHIP program.

Rev. Sink explained that the reason for the extended forgiveness plan was to allow funds to be returned so that other residents could benefit from the funding.

The Board discussed this item with Rev. Sink and Mr. Pierce.

Motion by Lockley, seconded by Massey, to change SHIP policy to 10 years at 10% for forgiveness; Motion carried 5-0.

Motion by Parrish, seconded by Lockley, to approve the SHIP plan with changes; Motion carried 5-0.

8- At the last Board meeting, the Board opened up bids for engineering and design services for the multi-use path on Alligator Point. Two engineering firms responded. DOT requires there be 3 responses so the Board must reject the two proposals and re-advertise. According to DOT guidelines, the Board must re-advertise in a paper of regional circulation and if that fails to generate 3 responses then the Board is allowed to proceed with reviewing the 2 proposals. Board action to reject 2 proposals and re-advertise according to DOT directions.

Motion by Jackel, seconded by Massey, to reject all bids for the multi-use path on Alligator Point and re-advertise; Motion carried 5-0.

9- Board action to sign contract with Stantec to do the work outlined in the DEO economic diversification grant. DEO has approved of the scope of work. The grant will pay all costs.

Motion by Jackel, seconded by Massey, to approve to sign contract with Stantec to do work outlined in DEO economic diversification grant; Motion carried 5-0.

10- Inform the Board that the airport passed its annual FDOT inspection on April 26. We have a few trees along the perimeter that need to be dealt with but otherwise the inspector said the airport looked good. I want to thank Daryl McKinley for assisting the FBO in getting the airport ready for inspection. His volunteer services have been very valuable to me. I am providing the Board a copy of the form that I sent in to renew the airport license.

Motion by Jackel, seconded by Lockley, to send letter of thanks to Daryl McKinley; Motion carried 5-0.

The Board and Mr. Pierce discussed the status of the Airport, including the status of equipment used for maintenance.

11- Board action to sign amended JPA with FDOT for \$70,000 worth of additional funds for improvements at the airport. These funds will be spent on security or drainage improvements as approved by FDOT.

Motion by Parrish, seconded by Lockley, to approve signature on amended JPA with FDOT for \$70,000 worth of additional funds for improvements at the Airport.

12- Board action to approve Task Order #7 as recommended by Airport Advisory Committee. Task Order #7 involves the alterations of the hanger leased by Mr. Randall Terry. Mr. Terry took

possession of the hanger May 1, and has paid the county 6 months' rent in advance. Board action on Task Orders.

Motion by Parrish, seconded by Jackel, to approve Task Order #7, as recommended by the Airport Advisory Committee; Motion carried 5-0.

13- At the last Board meeting, there was a motion by the Board to award an employee the \$500 incentive given to inmate supervisors. Upon review of the county policy that created the \$500 incentive, only employees of the Road Department are eligible for the incentive. Unfortunately, the employee mentioned at the last meeting is an employee of Mosquito Control and under the current policy is therefore not eligible to receive the \$500 incentive.

The Board discussed making changes to this policy.

Mrs. Johnson commented on work she has done on the policy with Lucy Turner, County Personnel Attorney.

Motion by Jackel, seconded by Lockley, to schedule workshop on changing personnel policy to include the County Personnel Attorney with copies of the draft policy, submitted to the Board well in advance of the workshop; Motion carried 5-0.

14- Board action to submit a technical assistance grant application to DEO for the purpose of creating an online GIS-based planning map. An on-line GIS map would be an invaluable tool for the planning department and would help in public information dissemination.

Motion by Jackel, seconded by Massey, to approve submission of a technical assistance grant application to DEO for the purpose of creating an online GIS-based planning map; Motion carried 5-0.

Commissioner Jackel asked for an update from the Property Appraiser's Office on the current status of the GIS system.

15- Inform the Board that I will be out of the office next week, May 13-18.

16- Board action to put Ms. Aimee DiPalma Sapp on the Library Advisory Board. She will fill an existing vacancy.

Motion by Parrish, seconded by Lockley, to approve the appointment of Aimee DiPalma Sapp on the Library Advisory Board; Motion carried 5-0.

17- Inform Board that Ms. Kim Bodine and the SMARRT team are still working on the county SMARRT project. They are attempting to incorporate another county into the project so it will have a regional approach.

The Board and Mr. Pierce discussed this issue.

18- Inform the Board that the Governor's Office has released its recommendation for additional projects to be funded out of the NRDA early restoration money. Franklin County is listed in four projects- Oyster Reef Restoration, Scallop Enhancement, Bay Seagrass Bed Recovery, and Cat Point Living Shoreline. Because there is still a public comment and review period, final approval of the projects and then subsequent administrative steps to get the money allocated means the projects will not start until 2014.

Commissioner Parrish and Mr. Pierce discussed the Cat Point Living Shoreline and possible problems with some of these projects.

Commissioner Lockley and Mr. Pierce discussed other projects, which were submitted but not funded, that would have been beneficial to Franklin County.

Chairman Sanders discussed a project from Shell Point that received funding and asked Mr. Pierce to look at their application.

Commissioner Parrish explained the differences in early restoration and average NRDA projects. The Board and Mr. Pierce discussed a few of the other funded projects.

19- Board action to approve Resolution recognizing St. George Sizzler Race for its benefit to the community as it raises money for the Franklin County Humane Society. The Sizzler is a US Track and Field certified race that brings in hundreds of runners from around the Southeast.

Motion by Parrish, seconded by Lockley, to approve a Resolution recognizing the St. George Sizzler Race; Motion carried 5-0.

20- Board action to approve a modification to 2 TDC contracts for advertising at the Tallahassee airport. As the Board may recall, several meetings ago there was a contract amendment for the Panama City airport to allow for additional advertising that would reserve advertising space for a 10 year period. The TDC recommends a similar length of time at Tallahassee airport. So the Board action will be to extend 2 existing TDC contracts for advertising at the Tallahassee airport for 7 years and 3 months. One contract has an annual cost of \$360 per year, and the other is for 2657.40 per year. The TDC marketing budget allotted funds for these contracts. Board action to extend contracts and to pay 2 existing invoices associated with these two contracts.

The Board discussed this matter with Mr. Pierce.

Motion by Jackel, seconded by Massey, to approve modification to 2 TDC contracts for advertising at the Tallahassee Airport; Motion carried 5-0.

21- Board action to re-submit a sidewalk grant for North Bayshore that was previously submitted in 2010. The Board has previously submitted this grant for funding, but now DOT has changed their internal method tracking grants and they have asked us to re-submit this grant.

None of the parameters or details of the project has changed but DOT wants a new Resolution and a new application.

Motion by Jackel, seconded by Massey, to approve re-submission of a sidewalk grant for North Bayshore that was previously submitted in 2010; Motion carried 5-0.

Commissioner Jackel asked Mr. Pierce for an update on the fishing pier project on St. George Island. Mr. Pierce stated that the contractor is in place and removing debris at this time. He discussed a derelict vessel that needs to be removed.

Commissioner Massey and Mr. Pierce discussed increasing the number of bumpers for the additional boats at the St. George Island Boat Ramp.

Commissioner Jackel and Mr. Pierce discussed an update of the bathroom project for Lombardi's.

Commissioner Jackel asked about the public hearing for the golf cart Ordinance for Eastpoint. Attorney Shuler stated that it will be at the next FCBOCC Meeting in May.

Commissioner Jackel and Attorney Shuler discussed the purchase of the Centennial Bank property in Eastpoint.

Commissioner Jackel asked Mr. Pierce to send Heath Galloway and his company a letter of thanks for the construction of the pavilion at the 9th Street Park Regatta dedication.

Commissioner Jackel asked for a letter of thanks for Ted Mosteller for his years of service at the Airport. The Board discussed this matter.

T. Michael Shuler- County Attorney Report (10:09 AM)

Attorney Shuler had no report for the Board.

Commissioner Lockley asked about an email regarding an increase in fees for Attorney Shuler's services.

Commissioner Jackel stated that her concerns with the increase are that Attorney Shuler is asking for \$10 more than he recently bid and she also wanted to wait until the County could provide a raise for the County employees and then consider his request.

Motion by Lockley, seconded by Massey, to authorize an increase for Attorney Shuler's services from \$80 per hour to \$100 per hour, as of today; Motion carried 3-2, Jackel and Sanders opposed.

Commissioners' & Public Comments (10:14 AM)

Commissioner Jackel commented on the Eastpoint Library fundraiser that she attended this past weekend.

Commissioner Jackel discussed her attendance and participation at the Senate Committee meeting regarding SB1024. She stated that there were other portions of the Bill that concerned her and she would like to discuss this item with the Governor. She further explained the possible negative effects this Bill would have on Franklin County.

Chairman Sanders commented on the accompanying HB7007 and agreed with Commissioner Jackel's comments.

Commissioners Lockley and Jackel discussed representation at these meetings.

Motion by Parrish, seconded by Massey, to send a letter to Legislative Delegation and Governor Scott regarding concerns with SB1024 and HB7007; Motion carried 5-0.

Toni Riordan, of St. George Island, thanked the Commissioners for their effort in Tallahassee regarding this matter.

Ms. Riordan discussed the possible availability of grant funding that can be used for certain projects instead of using local Restore Act funding.

Mr. Pierce responded to Ms. Riordan's comments and stated that the funding will not be given to the Board; it will go to the individual projects that are submitted.

Commissioner Parrish provided additional information regarding the funding that will be coming to Franklin County.

Commissioner Lockley expressed his concerns with this issue.

Mr. Pierce stated that there will be a presentation and an honorarium display for Bobby Howell at the Courthouse.

Mr. Pierce stated that the advertisement for the janitorial service position at the Courthouse will be advertised in public as there were no in-house applications.

Mr. Pierce asked for direction for interviewing the position for Superintendent of Public Works. The Board discussed.

Chairman Sanders reminded the public of Nurse's Day, Corrections Officers Week and Florida Teacher Week.

Adjourn (10:33 AM)

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

Cheryl Sanders, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts