

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
CITY OF CARRABELLE COMMISSION MEETING ROOM
DECEMBER 17, 2013
10:00 AM**

MINUTES

Commissioner's Present: Cheryl Sanders – Chairman, William Massey – Vice Chairman, Pinki Jackel, and Joseph Parrish

Commissioner Absent: Noah Lockley

Others Present: Marcia Johnson – Clerk of Courts, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Morón – Deputy Clerk to the Board

Call to Order (10:00 AM)

Chairman Sanders called the Meeting to order.

Prayer and Pledge (10:00AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes (10:01 AM)

Motion by Massey, seconded by Parrish, to approve the Minutes of the November 5 and December 3, 2013 Regular Meetings; Motion carried 4-0.

Payment of County Bills (10:02 AM)

Motion by Massey, seconded by Parrish, to approve the payment of the County's Bills as presented; Motion carried 4-0.

Department Supervisors Report

Howard Nabors –Superintendent of Public Works (10:02 AM)

Mr. Nabors had no items for Board actions.

Fonda Davis– Solid Waste Director (10:03 AM)

Mr. Davis was not in attendance due to illness. He had no items for Board actions.

Nikki Millender- Parks & Recreation (10:03 AM)

Mrs. Millender was on vacation.

Pam Brownell- Emergency Management (10:03 AM)

Mrs. Brownell presented her report to the Board.

Action Items: None

Information Items:

- 1. Inform the Board that Mrs. Jennifer Daniels is the new office administrator /Special Needs coordinator for the Emergency Management office.*
- 2. I have scheduled my vacation from December 23-January 6, 2014. I will response to my cell phone, but Mrs. Dameron will be at the office and her cell number is 850-370-6576. I have taken a look at our schedule and include in this report my office's upcoming activities, because I will be on vacation at the deadline to submit the January 7, 2014 report to the Board.*
- 3. Tress Dameron will be attending the G400 class in Wakulla County from January 7-8, 2014, in order to keep my office in NIMS compliance.*
- 4. I will be attending the last planning session for the Health Department Multi County Exercise on January 8, 2014 in Liberty County. The exercise is schedule for January 24, 2014 in Liberty County. My office will be participating in this exercise in order to fulfill scope of work requirements for our state and Federal grants.*
- 5. I wish each one of you a Very Merry Christmas and a Happy New Year!*

Anne Birchwell – Franklin County Librarian – Update (10:04 AM)

Ms. Birchwell updated the Board on upcoming events and hours of operation at County libraries. She stated some of the community services being offered at the County's Libraries and that interviews for the part-time position will be in January.

The Board thanked Ms. Birchwell and spoke in support of Library activities.

Advisory Board of Adjustment Consent Agenda (10:07 AM)

Mr. Pierce presented the ABOA report for Board action.

1 - Approved by the ABOA - a variance request to build a house 25 feet into the Critical Habitat Zone and 15 feet into the front setback line off of Lake View Drive on Lots 98, 99, Southern Dunes Subdivision, Alligator Point, Franklin County, Florida as requested by Stan Brown, agent for Xin Chen, and Judith Fournier, buyer and seller. (Applicant has agreed to limit house footprint to 1,000 square feet)

The Board and Mr. Pierce discussed this item further.

Motion by Jackel, seconded by Massey, to approve the variance request as presented; Motion carried 4-0.

Marcia M. Johnson- Clerk of Courts- Report (10:09 AM)

Mrs. Johnson had no items for Board action.

Alan Pierce – Director of Administrative Services – Report (10:09 AM)

Mr. Pierce presented his report.

1- Inform the Board of a new federally mandated program for which the Board must provide a representative. According to a Dec. 8 letter from the Big Bend Homeless Coalition, a federal act, called the HEARTH Act, has created a planning and oversight body for the homeless. This oversight board, called the Continuum of Care Facilitating Group, is “necessary for the continued federal HUD funding exceeding \$1M that helps address homelessness in the Big Bend.” Per the Governance Charter of the Continuum of Care (CoC) Board, each of the 8 county commissions in the Big Bend is a required member of the CoC Board.

The letter from the Big Bend Homeless Coalition closes with a request that the Franklin County representative be appointed by Friday Dec. 20. The representative does not have to be a county commissioner. It could be anyone in Franklin County who has an interest in solving homelessness.

Commissioner Jackel stated that she would like to be involved with this program.

Commissioner Parrish spoke in favor of Commissioner Jackel’s appointment to this Board.

Motion by Massey, seconded by Parrish, to appoint Commissioner Jackel as the County representative and Mrs. Sandi Hengle, as a citizen advocate if available, to the Continuum of Care (CoC) Facilitating Group; Motion carried 4-0.

Motion by Parrish, seconded by Massey, to approve the payment of travel and expenses for Commissioner Jackel to attend the CoC meetings; Motion carried 4-0.

2- Inform the Board that the ARPC has sent the Board a letter requesting verification of the county appointment to the ARPC. The meetings are 4 times a year, with the next one being Jan. 31, 2014. Unless another commissioner is willing to attend the Chairman will be appointed.

Chairman Sanders stated that she would continue to serve on the ARPC until the Board decides to appoint another member.

3- Inform the Board that MediaCom will be notifying its customers of a rate increase effective in January. Several years ago the state of Florida stopped local governments from having any voice on franchises or services provided by telecommunication companies. Any complaints from customers need to be made to MediaCom or their state legislators.

4- Commissioner Jackel would like to appoint Mr. Rick Watson to the Weems Hospital Board as the representative of District 1. Board action.

Motion by Parrish, seconded by Jackel, to approve the appointment of Mr. Rick Watson to the Weems Hospital Board as Districts 1 representative; Motion carried 4-0.

5- Mr. Shuler may have reported on this, but the FDEP has issued a permit to the Corps of Engineers for river snagging. The Corps has not said when it would begin.

The Board commented on this matter.

6- Inform the Board that the 3rd and final round of proposed NRDA early restoration projects have been announced by the state of Florida. Franklin County has several projects on the list. The full list will receive 60 days of public comment, a final vote of the NRDA Trustees, and then agreement from BP. The final approval of the list will probably not happen until early summer 2014. But on the current list is \$1.7M for a variety of boat ramp improvements around the county, \$470,000 for improvements at Bald Point State Park, \$700,000 for a living shoreline project in the Cat Point area; and then the county will receive the largest share of a \$5.3M oyster restoration project. The county's share involves the placement of 18,000 cubic yards of shell on 90 acres of natural oyster bars. Franklin County will also receive a share of a \$2.3M sea grass bed restoration project. Franklin County's allocation of funds in this list of project, including the pro-rata share of the regional projects, is between \$5-6M.

If the proposed list of projects is approved in May-June, 2014, then a decision will have to be made by the state whether they will manage all the projects themselves, including bidding and selection of contractors, or whether some projects will be delegated to counties through funding agreements with the state. At a meeting I attended on Thursday, Dec. 12, to discuss the future of projects and funding it was generally thought that the state would handle all regional projects, such as the oyster restoration project and the sea grass bed project, but that the "human use" projects- being the boat ramp improvements would probably be turned over to the counties for implementation with oversight by the state.

The meeting on Thursday also provided some additional information. This 3rd and final round of NRDA essentially uses up Florida's \$100M allocation of early restoration money. There is still some \$300M worth of unallocated funds in NFWF (National Fish and Wildlife Foundation) but local governments cannot apply directly for NFWF funds. In an agreement approved by the court, the states and other federal agencies will be responsible for receiving and administering NFWF projects. By everyone's acknowledgement NFWF is moving very slowly as they have never had this much money and are being extremely cautious in approving projects. The Board may recall that in the summer of 2013 it was announced that Franklin County would be receiving funds to help with sea turtle disorientations caused by lighting problems. That program is still not off the ground in Franklin County, or any other county, because NFWF is debating some internal issues. It is hoped that that program will be under way by May, 2014, which would be a year after it was initially announced.

Another large allocation of funds, those approved under the RESTORE Act, is not yet available for 2 reasons. One, there has not been a final settlement with BP on the amount of the fine. Two, US Treasury has not completed rule development. It is expected that final rules will be approved by June 2014. At this time many counties are unable to move forward with any planning or design work on projects because the current rules do not allow for reimbursement of expenses prior to the rules being approved. This lack of reimbursement is stalling the counties, as well as the Consortium, of which Franklin County is a member, in the development of any plans for projects. Chairman Sanders will be attending another Consortium RESTORE meeting in late January.

On Monday, the county Finance Office did receive a letter from US Treasury that said that in the expectation of receiving RESTORE funds, US Treasury plans to "perform a risk analysis of internal controls of each Gulf Coast State and local government that will receive funds under the RESTORE Act." The letter went on to cover details of what the risk analysis would include. Ms. Linda Phillips, County Finance Director, also received a phone call from the Treasury's auditor who verified that this internal control audit has to be done, and that if all goes well the county would be in the position of applying for some RESTORE funds by next summer.

The Board and Mr. Pierce discussed seeking funds from NFWF via a State agency.

Chairman Sanders updated the Board on discussions at the Consortium RESTORE meetings and the problems with government 'red tape' relating to this type of funding.

Mr. Pierce stated that the amount of funding is overwhelming so they are taking their time in allocating these funds.

Chairman Sanders addressed some statements as it relates to the City of Carrabelle and project funding. She discussed the possibility of acquiring the land at Island View and Ell's Court in Carrabelle.

The Board and Mr. Pierce discussed funding for projects that were submitted.

7- At the last meeting, the Board approved a change in the county SHIP plan to allow \$60,000 of SHIP funds to be spent on delinquent mortgage payments for qualified individuals. The SHIP plan has now been approved by Florida Housing so Ms. Lori Switzer will be able to start

processing applications. Several commissioners have received requests from constituents for the SHIP plan to be expanded to include rent and utility payments. I have discussed this revision with Ms. Switzer and she has advised me that there are additional funds going to be announced that will allow for rent and utility payments for qualified individuals. So it is our recommendation that we let the SHIP plans stand as presently revised, and let the new charitable program cover rent and utility payments. The new charitable program is supposed to have between \$80 and \$100K of funds for rent and utility payments.

8- Provide Board with update that oyster shells from the mine on CR 67 are being used to restore oyster bars in the Chesapeake Bay. The press release said that the state of Maryland has purchased 112,500 tons of fossilized shell from a quarry in Carrabelle, Florida, to support the restoration of a 377 acre oyster habitat in the Harris Creek sanctuary. The National Fish and Wildlife Foundation (NFWF) negotiated an agreement with CSX railroad to transport the shell at cost. "Under the agreement, CSX will transport approximately 50 train cars of fossilized shells every 10 to 14 days between now and Sept., 2014." The shells will be trucked from the mine to Telogia where they will be put on the railroad.

Mr. Pierce stated that this will increase traffic on CR 67.

Chairman Sanders suggested that the County should get some of this trucking work for the local truckers. She asked Mr. Pierce to contact the mine owners about this request, Commissioner Jackel expressed her concerns with NFWF spending funds on the bay in Maryland and not Franklin County.

Chairman Sanders agreed and directed Mr. Pierce to contact Lynn Bannister and the Legislative Delegation concerning this project.

Commissioner Parrish stated the importance of discussing this issue as soon as possible and that he has been working on this issue for some months and provided additional information. He stated that there are no other shells available for Franklin County and expressed his concerns that the County isn't obtaining these materials. He discussed how the industry has transitioned and no longer has shells from shucked oysters as in the past.

9- Board action to approve a 2nd Amendment to the DEP Consent Order for the relocation of Gulf Shore Blvd. On Dec. 16, I signed the revised FEMA PW authorizing the relocation and now we need to submit a time extension to DEP to allow us to complete the project by April 30, 2014. I have spoken to Jim Martinello, DEP, and he supports the request.

Mr. Pierce and Attorney Shuler discussed this matter further.

Motion by Jackel, seconded by Massey, to approve the 2nd Amendment to the DEP Consent Order for the relocation of Gulf Shore Blvd; Motion carried 4-0.

10- Board action to approve Life Flight as the Certificate of Need (CON) for the air ambulance service, contingent upon approval by Weems Hosp. Mr. Craig Darling contacted me Monday to say that Life Flight had noticed that the CON for the air ambulance service is still in the name of

Life Net, which was what Life Flight used to be called before they re-organized. I have contacted Mr. Brownsworth to make sure there is nothing else going on, but it appears that it is just a name change. Life Flight has been providing air ambulance services at Weems for the last several years. The county was contacted as the owner of Weems Hospital.

Chairman Sanders verified with Mr. Pierce and Attorney Shuler that the CON would not be exclusive to Life Flight.

Motion by Massey, seconded by Jackel, to approve a Certificate of Need (CON) for Life Flight for air ambulance service in the County, contingent upon approval by Weems Hospital; Motion carried 4-0.

Mr. Pierce stated that insurance companies are requiring fire departments to get physicals for all firefighters.

Motion by Parrish, seconded by Massey, to waive the Health Department's fees to allow the County's volunteer firemen to get physicals; Motion carried 4-0.

Michael Shuler- County Attorney- Report (10:42 AM)

Attorney Shuler had no items for Board action.

Commissioners and Public Comments (10:42 AM)

The Board members and Clerk of Court wished all County residents Season Greetings.

Chairman Sanders recognized Mayor Messer and the Commissioners of the City of Carrabelle and thanked them for the use of the meeting room.

Tamara Allen, of Franklin's Promise, stated that funds have been located to assist with rent and utility payments for some of the seafood workers, some of which were received via the Gulf Coast Workforce. She discussed the distribution schedule for the County's Toy Project, which will be this Thursday at 10:00 AM at the Carrabelle Firehouse.

She also stated that Children and Families will have a full-time person in the County to serve the residents.

David Butler invited the Board to visit the Camp Gordon Johnston Museum.

Adjourn (10:49 AM)

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

Cheryl Sanders, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts