

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
AUGUST 5, 2014
9:00 AM**

MINUTES

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

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

Call to Order (9:00 AM)

Chairman Sanders called the Meeting to order.

Prayer and Pledge (9:00 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of the Minutes (9:01 AM)

Motion by Lockley, seconded by Massey, to approve the Minutes of the July 16, 2014 Regular Meeting; Motion carried 5-0.

Payment of County Bills (9:01 AM)

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

Department Supervisor Report

Howard Nabors – Superintendent of Public Works (9:02 AM)

Mr. Nabors had no action items.

He stated that they are still working on grass cutting throughout the County.

Chairman Sanders, Mr. Nabors, and Mr. Pierce discussed a drainage project in Carrabelle.

Commissioner Jackel and Mr. Nabors discussed a project on North Bayshore Drive.

Commissioner Lockley and Mr. Nabors discussed some landscaping work that is needed at the Hospital.

Commissioner Jackel, Mr. Pierce, and Mr. Nabors discussed a project on St. George Island.

Fonda Davis – Solid Waste Director (9:05 AM)

Mr. Davis had no items.

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

Mrs. Millender was not in attendance due to illness.

Betty Sasnett, of Franklin County Youth Soccer League, discussed the upcoming soccer season and the soccer field improvement project.

Mr. Pierce updated the Board on the advertisements for the soccer field improvement project.

Mr. Pierce asked for clarification on what should be included in the advertisement for the soccer field and basketball court project. Board discussed.

The Board and Mrs. Sasnett discussed participation and what would be necessary to have functional soccer fields throughout the County so it will operate along the lines as baseball and softball.

Chairman Sanders discussed the success of the Dixie Belles, who represented Franklin County and the State of Florida at the World Series.

Pam Brownell – Emergency Management Director (9:14 AM)

Mrs. Brownell was not in attendance, as she was recovering from surgery.

Mr. Pierce presented an item for Board approval.

Action Items:

1. *Open Bid packets submitted for the EOC Wind Retrofit.*

Mr. Pierce opened and read the bid information.

Garrison Design & Construction, Tallahassee, FL, \$86,102.00

Streamline Roofing & Construction, Tallahassee, FL, \$123,800.00

2. Request Bid Review Committee consist of Pam Brownell, Alan Pierce and Traci Buzbee of Management Experts the consulting firm that will manage the contract.

Motion by Parrish, seconded by Lockley, to send the bids to the review committee, as described by Mrs. Brownell, for a recommendation for EOC Wind Retrofit; Motion carried 5-0.

Information Items:

- 1. Tress and Jennifer attended a Mass Fatalities Class hosted here in Franklin County at the EOC. It was very successful with attendees from Gulf, Gadsden and Leon County.*
- 2. Tress attended the MYTEP conference call on June 29, 2014.*
- 3. Tress and I will be assisting in an Exercise on the August 11th, with Franklin's Promise Circles.*

Dewitt Polous – Mosquito Control (9:16 AM)

Mr. Polous will attend the next Meeting.

Erik Lovestrand – Extension Agent (9:16 AM)

Mr. Lovestrand discussed items on his report, and informed the Board that he hired Mrs. Jamie Johnson as his office manager. He discussed Mrs. Johnson's qualifications.

Commissioner Jackel and Mr. Lovestrand discussed his plans to meet with the seafood dealers in Eastpoint. She also asked him to stay at the Meeting for the 'Leave No Trace' Ordinance discussion.

TDC Presentation on Annual Contracts (9:21 AM)

Diana Prickett, of the Franklin County Tourist Development Council, discussed the TDC sustaining grants and the annual contracts presented for renewal. She stated that there was unanimous approval from the TDC members on the renewals.

Motion by Jackel, seconded by Massey, to approve TDC sustaining grants; Motion carried 5-0.

Commissioner Lockley expressed concerns with the public not being aware of the renewal of the service contracts. Commissioner Jackel and Attorney Shuler explained that the Board isn't required to advertise these bids.

Mrs. Marcia Johnson asked that the Board include language limiting Allyn Inc. contract amount to \$90,000, as has been done in the past, and any overage would require Board approval.

Mrs. Johnson explained that there was time for the Board to consider these contracts as they are usually addressed during the month of September. She also expressed concerns of Mr. Curt Blair of Allyn Inc. no longer living in the County.

Commissioner Jackel and Ms. Prickett responded to Mrs. Johnson concerns.

Motion by Jackel, seconded by Massey, to approve service contracts, with last year's amounts, as presented, add a maximum amount of \$90,000 to Allyn Inc.'s contract, and require Board action for any overages; Motion carried 3-2, Lockley and Parrish opposed.

Commissioner Parrish explained that he is opposed to the administrative contract, not the other service contracts.

Fran Edwards, Administrative Staff of the Franklin County Tourist Development Council, discussed an article featuring Franklin County in the Florida Sport Fishing magazine.

Recess

Chairman Sanders called for a recess.

Reconvene

Chairman Sanders reconvened the Meeting.

Homer Hirt – USACOE Update on removal of snags in the Apalachicola River

George Kirvin introduced project manager Bill Smallwood, of USACOE, and discussed the snag removal project.

Mr. Smallwood reviewed his power point presentation and discussed the areas involved in this project. Mr. Smallwood updated the Board on the project operations and discussed water control along the Apalachicola River. He stated that surveys have been done along the River and will be available online in the next couple of weeks.

Mr. Smallwood explained the proposed plan for the removal of snags.

Commissioner Parrish discussed the importance of snagging in the Bay. He also discussed the need for maintenance dredging.

Mr. Smallwood explained to Commissioner Lockley that whatever is cut will not be removed but rather float downstream or sink to the bottom and become part of the natural habitat.

Billy Houston, Executive Director of Tri-River Waterways, distributed a handout and provided some additional information regarding this matter.

Billy Turner, of ACF Stakeholders Group, discussed his agency's role regarding this matter.

Mr. Kirvin asked the Board to consider a Resolution that supports the USACEO on this matter.

Commissioner Parrish stated that there is some language that needs “tweaking” before the Board takes action. He discussed the importance of getting water flows increased in order to protect the estuaries in the Bay.

Motion by Jackel, seconded by Massey, to allow Commissioner Parrish to confer with Attorney Shuler on the language of this Resolution and provide a draft to the Board before the next Meeting; Motion carried 5-0.

John Graham – Acting Weem’s CEO – Hospital Update

Commissioner Jackel commented on the Apalachicola Times editorial by Mr. Ray Brownsworth, the exiting Weem’s CEO.

Mr. Pierce commented on a conversation he had with the Chairman of the Hospital Board regarding the hospital designation as a special district.

Jim Bacharach, of Weems Hospital Board, commented on the discussion with Mr. Pierce regarding the special district.

Mr. Bacharach updated the Board on the search for a new Chief Executive Officer. He gave some information on the leading candidate, Mr. Mike Cooper. Mr. Bacharach asked the Board to ratify Mr. Cooper as the CEO. The Board expressed concerns as they haven’t seen the contract and stated they would like more information on this candidate.

Chairman Sanders commented on the letter from Mr. Brownsworth and provided some funding history regarding the Hospital. She commented on the communication between the Board and the Hospital administration.

The Board and Mr. Bacharach discussed Mr. Brownsworth’s letter further.

Motion by Lockley, seconded by Jackel, to direct Hospital Board to present contract to Attorney Shuler for his review; Motion and second rescinded.

Motion by Massey, seconded by Parrish, to allow Attorney Shuler the opportunity to review the contract and make a recommendation at 2:00 PM when the Board reconvenes; Motion carried 5-0.

Mr. Graham reviewed the Hospital’s financial reports.

Public Hearing – Leave No Trace Ordinance (10:55 AM)

Attorney Shuler stated that this Ordinance involves only the public beaches of St. George Island and discussed changes from the previous proposed Ordinance. These changes include private versus public property, beach businesses, disposal of collected items, enforcement, the educational period, and implementation of the Ordinance.

Commissioner Lockley and Attorney Shuler discussed where the beach equipment will be stored at the end of the day.

Mr. Pierce explained that this type of Ordinance has been enacted throughout the panhandle. Commissioner Jackel discussed options that will help with the educational process of this Ordinance. She also discussed some expressed concerns about collection vehicles on the beach.

Commissioner Lockley and Attorney Shuler discussed possible confusion between the different tags, some from the sea turtle group and County enforcement.

Commissioner Parrish commented on funding for the sea turtle officer. He suggested that the TDC funds the enforcement officer when the grants are depleted. He also discussed enforcement ideas based on visits to Panama City beaches and the process they use.

Commissioner Massey and Attorney Shuler discussed if this will be seasonal or year round. Attorney Shuler recommended authorizing having a vehicle to assist with the enforcement of this Ordinance. He stated that signage will be posted in all rental homes and at designated beach walkovers.

Commissioner Parrish suggested one sign with the leave no trace and turtle lighting information combined to be placed in rental units. Commissioner Jackel suggested including this language on the brochures also.

Chairman Sanders opened the floor for public comment.

Mason Bean, of St. George Island, was not in favor of the Ordinance, as he thinks that government shouldn't be involved, but suggested an educational program to solve this issue.

Rose Drye, of St. George Island, spoke in favor of this Ordinance; especially because it will help with protecting the turtles and she discussed how it affects tourists visiting the beach.

Tara, of St. George Island, spoke in favor of this Ordinance as she has picked up trash and other items when she walks on the beach. She stated that if the trash is left there it poses a human health hazard.

Steve Harris, of St. George Island, spoke in favor of this Ordinance. He stated that the Plantation owners are amending their covenants to reflect the proposed Ordinance.

Sharon Hutchinson, of St. George Island, presented pictures that showed trash and other items polluting the beach.

Joyce Walker, of St. George Island, spoke in favor of the Ordinance. She stated some of the items she has found on the beach at the end of the day.

Martha Snowden, of St. George Island, spoke in favor of the Ordinance and stated that she helps with marking the sea turtle nests. She stressed that the Ordinance is being implemented to protect the turtles.

Robin Vroekop, a tourist related business owner, supported the Ordinance and discussed the importance of keeping the beach clean.

Lisa Linhoff, of FWC, spoke in favor of the Ordinance and stated the importance of preserving the natural resources. She clarified who issues a permit, as referred to in the draft Ordinance. Commissioner Lockley expressed concerns of this Ordinance limiting the use of the beach for the tourists and the overall effect on tourism in the County. He asked if the turtles are being

monitored after they leave the nests and if this issue can be worked out among the residents, business owners, and tourists.

Chairman Sanders commented on some of the emails she received regarding this matter. She stated that she is in support of this Ordinance because it does protect the God given resources and she believes this Ordinance should be treated as a pilot program that could be adjusted along the way.

Bruce Drye presented information on the sea turtle education program, which included monitoring of the turtles.

Motion by Jackel, seconded by Massey, to adopt Leave No Trace Ordinance as presented with the authorization of a vehicle for enforcement as recommended by Attorney Shuler; Motion carried 4-1, Lockley opposed.

Marcia Johnson – Clerk of Courts

Mrs. Johnson had no items for Board discussion or approval.

Alan Pierce – Director of Administrative Service

Mr. Pierce presented his report to the Board.

1- Board action to sign contract documents with H.G. Harders to make the Abercombie Boat Ramp improvements as funded by FWC Boating Improvement Grant.

Motion by Parrish, seconded by Lockley, to approve Chairman's signature on contract documents with H.G. Harders for Abercombie Boat Ramp improvements as funded by FWC Boating Improvement Grant; Motion carried 5-0.

2- Board action to sign contract documents with Southern State Pavement to make the Lake Morality Road improvements as funded by an FDOT grant.

Motion by Parrish, seconded by Lockley, to approve Chairman's signature on contract documents with Southern State Pavement to make the Lake Morality Road improvements as funded by an FDOT grant; Motion carried 5-0.

3- Board action to sign FAA grant for \$30,192 for improvements related to pavement improvements at the Apalachicola airport that was discussed at the July 1 BCC meeting.

Motion by Parrish, seconded by Lockley, to approve Chairman's signature on FAA grant for \$30,192 for improvements related to pavement improvements at the Apalachicola airport; Motion carried 5-0.

4- *Inform the Board that I submitted the CIGP project for the milling, widening, and resurfacing of CR 67 in Carrabelle from US 98 to the approaches to the Pine Log Bridge approach. DOT has acknowledged receipt.*

5- *I have inquired with FDOT on the ranking of the SCOP projects previously submitted, and FDOT is still scoring the projects.*

6- *Board action to adopt Equal Employment Opportunity Policy so that the Franklin County Sheriff's Office can continue to receive US Dept. of Justice (DOJ) grants through FDLE. The policy to be adopted is required by DOJ. The county commission has to adopt the policy because the DOJ grant applications are signed by the Chairman, even though the funds are sent to the Sheriff's Office. The proposed policy should be in the Board packet, but it is a policy that states in many forms that Franklin County as an employer does not tolerate unlawful discrimination or unlawful harassment.*

Motion by Parrish, seconded by Jackel, to approve the Equal Employment Opportunity Policy so that the Franklin County Sheriff's Office can continue to receive US Dept. of Justice (DOJ) grants through FDLE; Motion carried 5-0.

7- *Board action to allow the 5th annual Race for the Bay marathon to take place on Sunday, Oct. 26, 2014. The race route is similar to the route in the past, except that the beginning will take place at Riverfront Park, and not under the Bridge. The City of Apalachicola has approved the starting location, and I am waiting on confirmation from the Sheriff's Office that they are assisting in traffic control.*

Commissioner Jackel asked that Mr. Pierce verifies that their community contributions are made.

Motion by Lockley, seconded by Massey, to approve 5th Annual Race for the Bay marathon to take place on Sunday, Oct. 26, 2014; Motion carried 5-0.

8- *There are two issues on Alligator Point I need Board direction on.*

A) A house at 1349 Alligator Drive, which is a beachfront house, has been completely undermined by the ocean and is on the verge of collapse. The house and property have not been secured by the owner, an absentee owner in Minnesota, so it is open to vandalism. Board action to direct Mr. Shuler to take the appropriate steps to get the owner to secure or remove the house.

Motion by Massey, seconded by Lockley, to direct Attorney Shuler to take the appropriate steps to get the owner to secure or remove the house at 1349 Alligator Drive, Alligator Point; Motion carried 5-0.

B) A house at 1581 Alligator Drive applied to DEP to build a boardwalk and beach viewing platform seaward of the Coastal Construction Control Line (CCCL). Anything seaward of the CCCL requires a DEP permit, and DEP sets the standards for location and construction unless the county has adopted higher standards. Up to this time the county has not adopted any higher standards. In the case at 1581 Alligator Drive, the beach viewing platform is well forward of every other structure on the beach and the neighbors are concerned that the beach viewing platform represents a risk to them. At this time there are no roofs over any of the beach viewing platforms on the beach and everyone has equal unobstructed views of the beach. I disagree with the DEP determination of where the primary dune is, and thus where DEP allowed this beach viewing structure to be built, and I have asked DEP to review their determination, but while that is going on I do not want to compound the problem with a roof being built. At this time no permit has been sought for a roof over, but I am requesting the Board consider adopting an ordinance prohibiting roofs over beach viewing platforms on Alligator Point that are seaward of the Coastal Construction Control Line. The dune system on the west end of Alligator Point is completely different than the dune system on the other Franklin County beaches. Countless hurricanes have completely flattened these dunes so structures are more exposed to hurricane surge.

Motion by Jackel, seconded by Massey, to confer with Attorney Shuler on draft ordinance prohibiting roofs over beach viewing platforms on Alligator Point that are seaward of the Coastal Construction Control Line; Motion carried 5-0.

9- Board action to allow Ms. Lori Switzer, SHIP Administrator, to move the unspent 2013/2014 Disaster/Foreclosure funds into the 2014/2015 SHIP Down Payment Assistance funds. Every year that SHIP is funded the Board allocates \$60,000 for disaster funds in the event of a hurricane or some other disaster. Last year only \$12,000 was used for eligible applicants, and so there is \$48,537.38 of unspent funds that need to be re-allocated to some other category or the money has to be returned to the state.

Motion by Parrish, seconded by Lockley, to approve Lori Switzer, SHIP Administrator, to move the unspent 2013/2014 Disaster/Foreclosure funds into the 2014/2015 SHIP Down Payment Assistance funds; Motion carried 5-0.

10- Board action to open bids related to the re-bidding of the new roof at the EOC. Ms. Brownell's consultant had re-bid the job and the bids were turned into the Clerk's Office on Friday. The first time the job was bid in July no bids were received. This time there are two. Open bids and turn them over to Ms. Brownell and her committee for review and recommendation. Ms. Brownell is out recovering from back surgery.

This item was discussed earlier in the Meeting.

Mr. Pierce asked for Board approval to close Millender St. for Estuarine Day on Friday, September 26, 2014.

Motion by Jackel, seconded by Massey, to close Millender St. for Estuarine Day on Friday, September 26, 2014; Motion carried 5-0.

Commissioner Massey asked that a street light be installed at the Deliverance Tabernacle Church on Otter Slide Road and replace the bulbs in the street lights at Wilderness and Ridge Roads in Eastpoint.

Chairman Sanders asked that Attorney Shuler and Mr. Pierce look at the parking issue on Alligator Point, get with APTA, and present a recommendation at the next Meeting.

Motion by Jackel, seconded by Massey, to approve Chairman's request to start the research and process for a parking ordinance on Alligator Point; Motion carried 5-0.

T. Michael Shuler – County Attorney Report

Attorney Shuler had no action items.

Chairman Sanders stated that she has received complaints that the Franklin County Senior Citizen Center is not following through with how they stated they would spend the funds provided by the County. She asked that an audit is requested by the County, preferably by the County Auditor, Ralph Roberson, before the new budget year starts.

Motion by Massey, seconded by Jackel, to direct Staff to request an independent audit of the Franklin County Senior Citizen Center; Motion carried 5-0.

Commissioners' & Public Comments

There were no Commissioners'.

Dan Tonsmiere, of Apalachicola Riverkeepers, updated the Board on the acceptance of a project for a National recreation trail designation on the Apalachicola River, which the Board previously supported. He stated that plans are in the works for early October to have events at Blue Way communities along the Apalachicola River.

Recess (12:04 PM)

Chairman Sanders called for a recess.

Reconvene (2:01PM)

Chairman Sanders reconvened the Meeting.

Weems CEO Candidate (2:01 PM)

Attorney Shuler stated that he reviewed both the past and the proposed Weems Hospital CEO contract and discussed the changes.

Jim Bacharach, Weems Board Chairman, addressed some of the changes in the contract and Attorney Shuler's concerns. He agreed to Attorney Shuler's proposed changes.

Attorney Shuler recommended approval based on his recommended changes.

Commissioner Lockley expressed his concerns with the 10% or \$10,000 bonus portion of the contract.

Commissioner Jackel agreed that those items should be removed from the contract.

Motion by Lockley, seconded by Jackel, to approve the contract with Mike Cooper as Weems Hospital CEO, removing paragraphs 5 & 11; Motion carried 5-0.

Adjourn (2:15 PM)

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

Cheryl Sanders, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts