

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
SEPTEMBER 16, 2014  
9:00 AM**

**MINUTES**

**Commissioners** - 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 to the Board

**Call to Order (9:03 AM)**

Chairman Sanders called the Meeting to order.

**Prayer and Pledge (9:03 AM)**

There was a prayer followed by the Pledge of Allegiance.

Chairman Sanders stated that she was a little late because she attended an event at the Prison in Carrabelle and expressed the Board's support.

Mr. Pierce asked for Board action to add the Planning and Zoning report that was inadvertently left off of the agenda.

**Motion by Jackel, seconded by Massey, to add Planning & Zoning report to today's agenda; Motion carried 5-0.**

**Approval of Minutes (9:06 AM)**

Commissioner Jackel asked to add FRDAP as a funding option to the soccer field discussion in the Minutes.

**Motion by Massey, seconded by Parrish, to approve the Minutes of the August 19, 2014 Meeting; Motion carried 5-0.**

**Payment of County Bills (9:06 AM)**

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

**Department Supervisors Report**

**Howard Nabors –Superintendent of Public Works (9:07 AM)**

Mr. Nabors had no action items for Board approval.

Chairman Sanders complimented the Road Department on the work they are doing throughout the County.

Mr. Pierce and Mr. Nabors discussed the disposal of old equipment, with the option of allowing an auction company to pick-up the equipment for auction.

**Motion by Jackel, seconded by Massey, to allow auctioning company to pick up old County equipment for auction; Motion carried 5-0.**

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

Mr. Davis discussed several issues with the Board.

Mr. Davis stated that the DEP has requested that the County remove all garbage that is on or close to the property line at the County's dumpsite. He explained what will be required to complete this action and suggested that the Board allow the Road Department to assist him. Commissioner Jackel suggested renting equipment to do the job.

Chairman Sanders asked Mr. Davis to present photos to the Board showing what is involved with this project.

The Board discussed this matter further.

**Motion by Lockley, seconded by Jackel, authorizing Mr. Davis to start the process of removing the garbage, present a cost estimate to the Board for the project, and direct Attorney Shuler to confer with Mr. Davis on this matter; Motion carried 5-0.**

Mr. Davis asked the Board to consider purchasing Bluetooth devices for the drivers so that they could safely and legally operate their cell phones while driving the County vehicles. He explained that it is important that they have the ability to communicate with one another.

**Motion by Lockley, seconded by Parrish, directing Attorney Shuler to confer with Mr. Davis on getting cell phone Bluetooth adapters for the drivers; Motion carried 5-0.**

**Nikki Millender- Parks & Recreation (9:17 AM)**

Mrs. Millender updated the Board on upcoming events with little league football and soccer leagues.

**Pam Brownell- Emergency Management (9:19 AM)**

Mrs. Brownell asked for Board action to sign the Management Experts contract.

**Motion by Jackel, seconded by Massey, to authorize the Chairman's signature on Management Experts contract; Motion carried 5-0.**

Mr. Pierce discussed this item from his report.

*8- Inform the Board that the US Coast Guard is having a meeting on Oct. 8 to review any changes to the Area Contingency Plan. Pam Brownell, EM Director, has a conflict and has asked me to attend. Neither she nor I know of any changes being proposed to the Area Contingency Plan, but since is the plan that the Coast Guard will use in the event of another oil spill we believe the county should be represented at the meeting.*

Commissioner Lockley and Mrs. Brownell discussed re-entry tags.

Chairman Sanders and Mrs. Brownell discussed Wakulla County's cooperation with Franklin County's re-entry program.

**Erik Lovestrand- Extension Director (9:22 AM)**

Mr. Lovestrand updated the Board on the Gulf and South Atlantic States Shellfish Meeting he attended last week. He discussed possible funding from FDA for oyster projects and rapid cooling techniques. He said a new issue with the FDA looking at reduced oxygen packaging for raw meat and discussed problems with very serious pathogens developing in the packages.

Chairman Sanders discussed locations for some of these meetings.

**Anne Birchwell- Library Director (9:27 AM)**

Ms. Birchwell updated the Board on upcoming events at the Library. She provided the Board with a copy of the Franklin County Patron Code of Conduct.

**Marsha Lindeman- Franklin County Public Health Director - Core Contract Presentation (9:28 AM)**

Ms. Lindeman provided a status update on the Health Department's budget and discussed some of the difficulties facing the department. She stated that they are working on an annual budget report for the Board and discussed some of the outside funding the department receives. Ms. Lindeman updated the Board on the Community Health Improvement Outreach activities, which is designed to improve the health of those in the community and is aligned

with the State's goals. She asked for Board action to approve the Core Contract along with the Fee Schedule as presented.

David Walker, of the Franklin County Health Department, introduced new members of the Health Department staff.

Commissioner Jackel and Mr. Walker discussed the expanded dental program that will be offered at the Health Department.

Commissioner Jackel asked that this new program is advertised.

The new employees stated how excited they are about being on board with this new program.

**Motion by Parrish, seconded by Lockley, to approve core contract; Motion carried 5-0.**

### **Planning & Zoning Report (9:38 AM)**

Mr. Pierce presented the Planning & Zoning report to the Board.

#### *Critical Shoreline Application:*

*1. Recommended Approval by P&Z (Unanimous) – Consideration of a request to construct a Single Family Private Dock located at 363 Cook Street, St. George Island, Franklin County, Florida. The dock will be 38' x 12'5" and have a 12'5" x 8 with a 24' x 12' boat lift with roof. Request submitted by Garlick Environmental Associates, Inc., agent for Chris Varnes, applicant. (No House)*

#### *Sketch Plat Approval:*

*2. Recommended Approval by P&Z (Unanimous) – Consideration of a request for a Sketch Plat approval of "Osprey Point." This re-plat would replace Lots 23 & 24 within a subdivision known as "Sandpiper Village," St. George Island, Franklin County, Florida. Request submitted by Thurman Roddenberry of Roddenberry & Associates, agent for John Buckley and Kristina Edwards, applicant.*

**Motion by Jackel, seconded by Massey, to approve Items 1 & 2 from the Planning & Zoning report; Motion carried 5-0.**

### **Recess (9:40 AM)**

Chairman Sanders called for a recess.

### **Reconvene (9:49 AM)**

Chairman Sanders reconvened the Meeting.

**Alan Pierce Report (9:49 AM)**

Mr. Pierce presented this item from his report to the Board.

*4- Inform the Board that the new manager of the Apalachicola National Estuarine Research Reserve (ANERR) has been selected, and it is Ms. Jenna Harper. She has been employed at the Reserve in several capacities for the last 12 years. She took over from Lee Edmiston who has retired. Ms. Harper might still be in the audience.*

Ms. Harper was in attendance and addressed the Board.  
The Board discussed Estuaries Day with Ms. Harper.

**TDC – Presentation of Visitor Center Contracts (9:50 AM)**

Walter Armistead, of the TDC, discussed the Visitor Center contracts with the Board. Mr. Armistead stated that Curt Blair interviewed at least 5 candidates for the new Eastpoint Visitor's Center but no one wanted to take the responsibility, as the total expense was unknown.

Commissioner Lockley discussed some of his concerns with the Eastpoint Visitor Center with Mr. Armistead.

Mrs. Johnson asked if expenses and repairs will be paid from TDC funding.

Chairman Sanders and Mr. Armistead agreed that expenses for the building should be paid from the TDC and not taxpayers.

Rex Pennycuff, a TDC member, stated that he liked that the Visitor's Center is centrally located so it would represent the entire County. He also stated that the TDC should increase its role to help the County, discussed the TDC's past and current funding projects in the County, and other ideas relating to the TDC's role in the County.

Commissioner Lockley asked if Allyn Inc., the TDC administrator, will be paying rent to use the Visitor's Center as his office, since his per hour fee as the administrator includes rent. Beverly Hewitt, a TDC member, stated that Allyn, Inc. will be paying some rental amount for the use of the building.

**Motion by Jackel, seconded by Massey, to approve Visitor Center Contracts as presented; Motion carried 4-1, Lockley opposed.**

**Marcia M. Johnson – Clerk of Courts – Report (10:08 AM)**

Mrs. Johnson had no action items.

**Alan Pierce – Director of Administrative Services – Report (10:08 AM)**

Mr. Pierce presented his report to the Board.

*1- Provide Board with plaque sent form the DAV on behalf of the donation the county made to purchase the new DAV van.*

*2- Inform Board that Franklin County’s Legislative Delegation meeting will be on Monday, Sept. 29 at 7 PM. Our delegation is meeting in Gulf County at 5 PM and then will come here to the county commission meeting room.*

*3- Provide Board with copy of contract for services for designing the Bluff Road Box Culvert. I need to put the contract in the record which is why I am mentioning it.*

*4- Inform the Board that the new manager of the Apalachicola National Estuarine Research Reserve (ANERR) has been selected, and it is Ms. Jenna Harper. She has been employed at the Reserve in several capacities for the last 12 years. She took over from Lee Edmiston who has retired. Ms. Harper might still be in the audience.*

This was addressed earlier during the meeting.

*5- Inform the Board that Ms. Betty Webb is stepping down from her position as Franklin County representative on the Riparian County Stakeholders Coalition. I believe the Coalition only meets quarterly, but at some point the Board will need to name a replacement.*

*6- Inform the Board that I have engaged Mr. Paul Curenton to provide a market appraisal for the Superior Bank building in Carrabelle. After receiving the appraisal, the Board will need to decide whether it wants to make an offer for the building as a permanent site of the Franklin County Courthouse Annex in Carrabelle.*

**Senator Montford**

Chairman Sanders recognized Senator Montford.

Senator Montford thanked the Board for its great services to Franklin County and stated that he is available to assist with any needs presented to his office.

Chairman Sanders and Mr. Montford discussed items regarding the Legislature and Franklin County.

Senator Montford spent some time talking about his staff.

The Board thanked Senator Montford for his services.

**Alan Pierce – Director of Administrative Services – Report (continued)**

*7- Board action to approve change order for Poloronis Construction to close out the East Apron Drainage Project at the airport.*

**Motion by Lockley, seconded by Parrish, to approve change order for Poloronis Construction to close out the East Apron Drainage Project at Airport; Motion carried 5-0.**

*8- Inform the Board that the US Coast Guard is having a meeting on Oct. 8 to review any changes to the Area Contingency Plan. Pam Brownell, EM Director, has a conflict and has asked me to attend. Neither she nor I know of any changes being proposed to the Area Contingency Plan, but since is the plan that the Coast Guard will use in the event of another oil spill we believe the county should be represented at the meeting.*

This item was addressed earlier during the meeting.

*9- Present Board with a draft ordinance prohibiting roofs on detached structures seaward of the Coastal Construction Control Line (CCCL) on the west end of Alligator Point. The need for this ordinance arose from a decision DEP made in allowing beach viewing platforms on Alligator Point seaward of previous structures. The neighbors are concerned that if DEP were to allow a roof over this structure, or any future structures that DEP might permit seaward of the CCCL, that it will have a greater chance of becoming airborne during a storm and causing damage. This part of Alligator Point has an extremely flat beach and is very vulnerable to storm events.*

*Board action to have Mr. Shuler review the ordinance and set a public hearing.*

Chairman Sanders stated that she agreed with the property owners that these roofs will be a problem during a storm.

**Motion by Jackel, seconded by Massey, directing Attorney Shuler to review the draft ordinance prohibiting roofs on detached structures seaward of the Coastal Construction Control Line and schedule a public hearing; Motion carried 5-0.**

Mr. Pierce stated that Franklin County School is requesting Board permission to approve a DOT permit to close a certain section of Highway 98 in Eastpoint for the upcoming Homecoming Parade on October 17, 2014 from 12:15pm to 2:30pm. Mr. Pierce stated that Board has approved this request in the past.

**Motion by Jackel, seconded by Massey, to approve the requested road closer of Highway 98 for the Franklin County's School Homecoming Parade on October 17, 2014 from 12:15pm to 2:30pm; Motion carried 5-0.**

Mr. Pierce asked for Board action to authorize the Chairman's signature on the annual SHIP report.

**Motion by Jackel, seconded by Massey, to approve annual SHIP report; Motion carried 5-0.**

Mr. Pierce asked for Board action to schedule a special meeting on September 30, 2014 at 9am for the purpose of paying the bills for the end of the fiscal year.

**Motion by Jackel, seconded by Parrish, to schedule a Special Board Meeting on September 30, 2014 at 9am for the purpose of paying the County's Bills for the end of the fiscal year; Motion carried 5-0.**

Commissioner Jackel asked that the onetime \$500 allocation is paid on the first paycheck in November. After further discussion, Commissioner Jackel asked that the allocation is paid on the second paycheck of October.

**Motion by Jackel, to have onetime \$500 allocation be paid on the second paycheck in October; Motion failed for lack of second.**

**Motion by Massey, seconded by Parrish, to have the onetime \$500 allocation paid on the second payday in November; Motion carried 4-1, Jackel opposed.**

*10- At the last meeting, the Board asked staff to contact various public officials to put them on notice of the need for assistance if the winter oyster harvesting season continues to be poor. On Thursday, September 11, 2014, Mr. Nick Wiley, Executive Director of the FWC, was quoted in the Tallahassee Democrat saying that it was possible that the Bay would be closed to oyster harvesting for up to 2 years if the Bay cannot recover. I have spoken to other representative at FWC, and Governor Scott's chief policy advisor for environmental issues. At this time there is no plan to close the Bay. Mr. Wiley's comments were that closing the Bay will have to be looked at if the current emergency oyster harvesting rules, which is 5 bags and a 4 day week, are not effective in helping the bars recover.*

*The SMARRT group and the Univ. of Florida have called for a public meeting on Oct. 1, from 1 to 4 PM, and the Apalachicola Community Center for more discussion on this issue.*

Commissioners Parrish and Massey stated that he would like to attend the meeting, so proper advertising is needed.

Chairman Sanders that communication is a problem and accurate information has to be distributed regarding Board statements and the closure of the Bay.

Commissioner Parrish provided additional information regarding Item 8 from Mr. Pierce's report. He stated that he would like to attend the Coast Guard meeting dealing with the Area Contingency Plan, as a representative of the Board.

**Motion by Massey, seconded by Lockley, to approve having Commissioner Parrish to represent the Board at the SMARRT meeting; Motion carried 5-0.**



Shannon Hartsfield, President of Franklin County Seafood Workers Association, discussed problems regarding the Bay and seafood workers. He recommended closing the Bay. Mr. Pierce provided information regarding his discussion with the Governor's Office on this matter. He said their response was that this does not qualify as a natural disaster so unemployment funding would not be available.

Commissioner Parrish stated that he received a call from a County Commissioner to the west of Franklin County who is experiencing the same problems as Franklin County, and stated some of what they discussed.

Chairman Sanders commented on this matter and stated the need to help the seafood workers. Mr. Hartsfield stated that he needs more seafood workers to fill out the paperwork for the re-shelling program. He discussed possible additional funding to assist the seafood industry.

Commissioner Lockley expressed the danger to the economy that closing the Bay would cause. The Board and Mr. Hartsfield discussed help for the seafood workers, locations where oysters are most depleted, and possible causes of what is harming the Bay.

Commissioner Jackel asked that the Board is informed of the date of the emergency meeting for the seafood workers.

Chairman Sanders stated the difficulty of trying to get assistance and information for the seafood industry.

Mr. Hartsfield believed that if the Bay is shut down, things will be resolved much quicker.

Neil Braswell, a longtime seafood worker, offered some ideas on what is causing the problems in the Bay regarding seafood harvesting.

#### **Michael Shuler- County Attorney- Report**

Attorney Shuler asked for Board action to schedule an Executive Session regarding the St. Joe Company versus Franklin County litigation during the afternoon of October 7, 2014.

**Motion by Massey, seconded by Lockley, to approve Attorney Shuler's request for an Executive Session on October 7, 2014; Motion carried 5-0.**

#### **Recess (10:54 AM)**

Chairman Sanders called for a recess.

#### **Reconvene (11:02 AM)**

Chairman Sanders reconvened the Meeting.

Mr. Pierce stated that Weem's Hospital will have their USDA public hearing in the Commission Room in the Courthouse Annex.

**Public Hearing - Adoption of Ordinance- Levying and Imposing Addition Two Cent Tourist Development Tax (11:03 AM)**

Attorney Shuler explained and stated the main language of the Ordinance. He stated that if this Ordinance isn't adopted and approved by referendum then it becomes null and void but, if it is approved in the November election, it will become effective January 1, 2015.

Chairman Sanders opened the floor for public comment.

Mrs. Johnson asked about the need for the inclusion of the TDC plan in the Ordinance. She also asked about the term "infrastructure" that is included in the Ordinance but isn't mentioned in the Florida Statutes. She also stated that only 10% of funding is allowed for beach clean-up. Attorney Shuler addressed Mrs. Johnson's concerns.

There were no further public comments.

**Motion by Jackel, seconded by Massey, to adopt ballot language as presented by Attorney Shuler; Motion carried 4-1, Lockley opposed.**

**Motion by Massey, seconded by Jackel, to request TDC to find \$250,000 for Camp Gordon Johnson to get a new building and assist with moving expenses; Motion carried 3-2, Lockley, Parrish opposed.**

Commissioner Parrish stated that he opposed this item because if the 2 cent tax increase didn't pass, other programs would have to be cut out to fund this project.

Commissioner Lockley stated that he is a veteran and he supports Camp Gordon Johnson but he believes the veterans need to be supported in other ways rather than with a museum.

**Commissioners and Public Comments (11:14 AM)**

Chairman Sanders offered condolences to Attorney Shuler on the recent passing of his father.

Ed Patillo, of the Franklin County Senior Center, presented copies of 2011 – 2013 tax reports, since the Board requested an audit at a previous meeting. He hoped that these reports answer the Board's questions regarding the request for the audit.

Sue Reed, of the Franklin County Senior Center, commented on rumors regarding the Senior Center.

Chairman Sanders explained why the Board requested an audit of the Senior Center.

She stated that the Board will forward information provided by Mr. Patillo to the County's Auditors to see if it meets the request of an audit by the Board.

Ms. Reed discussed the services provided by the Senior Center versus the Area on Aging and Elder Care Services. She also compared Franklin County's Senior Center to Wakulla County's Senior Center.

Carolyn Spivey, of Franklin County Senior Center, commented on this matter.

Commissioner Massey explained that the Board received complaints and that is why an audit was requested, but he has no personal issues with anyone at the center.

**Adjourn (11:31 AM)**

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

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Cheryl Sanders, Chairman – FCBOCC

Attest:

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Marcia M. Johnson, Clerk of Courts