

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
OCTOBER 7, 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 Court, Alan Pierce – Director of Administrative Services, Michael Shuler – County Attorney, Michael Morón – Deputy Clerk to the Board

Call to Order 9:02

Chairman Sanders called the meeting to order.

Prayer and Pledge

There was a Prayer and Pledge of Allegiance.

Approval of the Minutes

Motion by Lockley, seconded by Parrish, to approve the Minutes of the September 2 & 16 Regular Meetings and the Minutes of the September 30 Special Meeting; Motion carried 5-0.

Payment of County Bills

Motion by Massey, seconded by Lockley, to approve payment of the bill list as presented; Motion carried 5-0

SGA Students - Invite County Commissioners to Seahawk Homecoming

Ms. Marxsen and Ms. West, of the Student Government Association, thanked the Board for approving the Homecoming parade route. They formally invited the Board to the Homecoming festivities.

Department Supervisor Report

Howard Nabors – Superintendent of Public Works

Mr. Nabors had no action items.

Commissioner Massey asked Mr. Nabors to clean the section at the base of the Apalachicola Bridge, coming from Eastpoint, which is the same area that a lot of people use for fishing.

Fonda Davis – Solid Waste Director

Mr. Davis had no action items.

Attorney Shuler discussed the distracted driving policy that Mr. Davis has asked the Board to consider at the last meeting.

Motion by Parrish, seconded by Lockley, to approve policy as submitted; Motion carried 5-0.

Nikki Millender – Parks & Recreation

Mrs. Millender did not attend the meeting.

Pam Brownell – Emergency Management Director

Mrs. Brownell was attending a conference but submitted a report with informational items.

Action Items: NONE

Information Items:

1. *Received the Executed copy of the Wind Retrofit for the County Jail. We are in the process of RFQ's for the Jail Project.*
2. *09/18/14 EOC staff met with Anita Grove with the Estuary to discuss some LMS projects that we will be working together on.*
3. *09/18/14 The Franklin County CERT Team held its meeting at the EOC.*
4. *09/24/14 Held our Initial Planning Conference for the EOC Activation Annual Exercise.*
5. *10/06/14 EOC Staff will be meeting with the Franklin County Health Department regarding the Aerobic Treatment Units Emergency Plan.*
6. *10/07/14 – 10/09/14 EOC Staff will be attending CEIM Training in Tallahassee at the State EOC office.*

Erik Lovestrand – Extension Agent

Mr. Lovestrand had no action items but gave an update on a meeting he attended on October 1st regarding the oyster situation.

Commissioner Lockley asked who or which group is researching or investigating what is causing the problems with the seafood in the Bay.

Mr. Lovestrand explained that there are many agencies investigating and doing research in the Bay to try and determine what is causing the problems in the Bay. Commissioner Lockley stated that information from all of the studies has to be distributed to the public. Mr. Lovestrand agreed.

Franklin County Extension Activities September 17 – October 2, 2014

UF/IFAS Extension Faculty have been involved in the following Extension activities during this period.

General Extension Activities:

- *Extension staff has assisted County residents by providing information and expertise in the areas of plant health issues, identification of pine beetles, nuisance aquatic plants and other topics.*
- *Extension Director met with staff from the Estuarine Research Reserve to discuss potential program collaborations.*
- *Extension staff participated in the annual Estuaries Day event at the Reserve on September 26th with a booth highlighting Extension materials and specific information about methods for proper release of fish that have been brought up from depths with barotrauma. A kid's fishing activity was also provided for the youth.*
- *Extension Director provided a presentation for the local Rotary Club meeting on the topic of invasive animal species in the Florida Panhandle.*
- *Extension Director attended the Northwest District Fall Faculty Meeting at the Quincy Research Station on October 2.*

Sea Grant Extension

- *Extension Director involved in planning and hosting a meeting on October 1 for a Community Listening Session regarding the Apalachicola Bay oyster industry. Other faculty from around the region and the Gainesville campus were also involved in hosting this effort to engage the local community in providing input to the regulatory agencies involved in bay management decisions. Many local partners were also engaged in the effort.*

4-H Youth and Volunteer Development:

- *Jamie Johnson, Program Assistant, attended the 4-H Ag Adventures day at the Ag Research Station in Quincy with a group of Franklin County students from the First Baptist School.*
- *An article was provided to the local paper on the event by the Gulf Co. 4-H Agent.*
- *A 4-H horse club is in the process of forming in the county and will have their first meeting on October 23 in the Eastpoint Firehouse.*

Agriculture:

- *Extension Director provided two presentations at the Franklin County Public Library branches on the topic of Backyard Beekeeping. There were 18 people in attendance.
University of Florida's Institute of Food and Agricultural Sciences
Franklin County Educational Team*

Michael Cooper – Weems Hospital CEO

Mr. Graham, the CFO, reviewed the financial reports.

Commissioner Jackel and Mr. Graham discussed including a breakdown of the two clinics in the income statement report. They also discussed the year to date loss of about \$1 million.

Mr. Cooper, the CEO, reminded the Board of Breast Cancer Awareness Month and updated the Board on the USDA application process. He informed the Board of ER equipment that was replaced with funds raised and provided by the Foundation. Mr. Cooper discussed a new employee survey program and options for a pension plan for the employees, but explained that there are some legal issues that will have to be addressed.

Mr. Pierce presented this item from his report, as it related to the Hospital.

1- Board action to appoint Mr. Doug Creamer to fill the position of representative from Commissioner Massey's district on the Weems Hospital Board.

Motion by Parrish, seconded by Massey, to appoint Mr. Doug Creamer to the Hospital as a representative from Commissioner Massey's district; Motion carried 5-0.

Chairman Sanders asked Mr. Cooper to setup a meeting time so they can meet to resolve an issue with one of her constituents. Mr. Cooper said he would setup the meeting.

Mr. Pierce and Mr. Cooper discussed the format for this evening's public hearing.

Marcia Johnson – Clerk of Courts – Report

Mrs. Johnson had action or information items.

Alan Pierce – Director of Administrative Service

1- Board action to appoint Mr. Doug Creamer to fill the position of representative from Commissioner Massey's district on the Weems Hospital Board.

This item as addressed earlier during the meeting.

2- Board action to appoint Ms. Sharon Ryder to represent Franklin County on the Wilderness Coast Library Board. She will be replacing Dr. John Sink. Ms. Ryder is an active volunteer in the county library system.

Motion by Massey, seconded by Jackel, to appoint Ms. Sharon Ryder to the Wilderness Coast Library Board as the County's representative; Motion carried 5-0.

3- Inform the Board that the county auditors, Roberson & Assoc., have reviewed the financial documents submitted to the Board by the Franklin County Senior Citizens Council. In a letter to the Board, Mr. Roberson states, "We are unable to determine, from these documents, any detailed information regarding how County funds appropriated to the Organization were specifically used." The Board line of concern was the accountability of the public funds provided to the Senior Council. On that issue Mr. Roberson states, "Regarding your request for accountability reporting, it would be reasonable and necessary for the Council to provide detailed financial statements and supporting documentation to determine how County funds were used. To avoid confusion going forward we would recommend that the County specify, as part of the budget, if there are any restrictions on the use of the money allocated to the Council, and require specific accountability to the Board as a pre-requisite for accepting funding."

Mr. Pierce recommended accepting how the funding was spent in prior years but setting accounting rules and regulations for future funding.

Chairman Sanders agreed with Mr. Pierce and explained what she thought the funding received by this agency should be used for.

Chairman Sanders and Mr. Pierce discussed this matter further.

Chairman Sanders asked that requirements for funding are setup at the next meeting before any additional allotments are issued.

Commissioner Parrish stated that he would like all Non Governmental Organizations (NGO) to submit reports as to how their allotments are being spent.

Chairman Sanders agreed with that recommendation and suggested that the Board create rules as to how the funding is spent.

Allan Feifer, of the Concerned Citizens of Franklin County, stated that it is difficult to track funding once it has been disbursed, but suggested developing an application or some similar paperwork system for the NGOs to complete before they receive any funding from the County.

Chairman Sanders discussed this suggestion further.

Mrs. Johnson stated that her office can develop this type of system.

Chairman Sanders and Commissioner Parrish discussed this matter further.

Mr. Feifer commented on this matter further.

The Board, Mrs. Johnson, and Mr. Pierce discussed this matter further.

Mr. Pierce stated that he will discuss the wording of a letter to the NGOs with the Finance Office and get back to the Board.

4- Board action to approve change orders for the contract with Simpler Built for the Eastpoint Visitor Center. At least one of the change orders was for a deduction in cost on plumbing items,

but others represented an increase for additional work that needed to be done. Total contract price with change orders is \$78,176.35. The Board had authorized up to \$100K for renovations.

Motion by Jackel, seconded by Massey, to approve the requested change order; Motion carried 5-0.

Commissioner Jackel stated that TDC is working on a date in December for grand opening, along with a "Toys for Tots" event, at the Eastpoint Visitor Center.

5- Inform the Board that the appraisal has been received regarding the Superior Bank Building in Carrabelle on 5 city lots. The appraised value is \$275,000. The current owner has offered to sell it to the county for \$235K.

I have spoken to the current owner and he is open to the structure of the sale, but the county does have adequate funds in Capital Outlay to make an out-right purchase.

Mr. Harris, Tax Collector, has looked at the building and he believes he will be able to get the state to move some of his required computer lines at no cost since the move will be to a permanent site owned by the county. There will be a minimum of other costs to put the building into operation as a Courthouse Annex as it appears the existing configuration of the building will work without major modification.

Board direction.

Commissioner Jackel stated why she was in favor of this purchase and stated how beneficial it would be for Franklin County.

Chairman Sanders expressed her full support of this purchase and thanked the Clerk and Property Appraiser for their suggestions and assistance with this purchase. She suggested that with the purchase of this building, the Tax Collector can use the additional employee that was funded by the Board previously for security at the current location, for setting up a Driver's License office.

Mrs. Johnson, Clerk of Courts, thanked the Board for their support on the purchase of this building and agreed that it will be a good move for the County, specifically for the residents of Carrabelle.

Commissioners Massey and Lockley supported this purchase and discussed parking.

Motion by Massey, seconded by Jackel, to approve this purchase; Motion carried 5-0.

6- Board update on activities related to the RESTORE Act. Chairman Sanders and I went to a Consortium meeting on Sept. 17, and this is my report on activities. The name of the workshop should have been "Managing Expectations" because the expectations of benefits from the oil spill lawsuits are out of line with the funds that are currently available. I acknowledge that the largest share of funds is still unsettled as BP is still in litigation with the federal government, but the amount of money that is currently in the US Treasury is not going to be adequate to address the needs of the area.

As the Board and the public are aware, the flow of money for economic and environmental restoration into the Franklin County and the other 7 impacted counties from the BP Oil Spill is still in the development stages, although finally 4 years after the spill, progress is tangible. The US Dept. of the Treasury is in the last stage of finalizing rules for how counties and states can apply for funds that the Treasury has been holding from the Transocean settlement. There are 3 pots of money that will be available for restoration projects- one pot is controlled by the Governor of Florida, one pot by the Consortium of which Franklin County is a member, and there is a pot of money that will be available to projects promoted by the Franklin County Board of County Commissioners and only the Board.

The pot of money accessible by the Board is called the Direct Component pot, and US Treasury is beginning a series of workshops for county staff to instruct them on the application process. The workshop for Franklin and surrounding counties will take place sometime in November. Franklin County staff is monitoring the development of those workshops.

The pot of money controlled by the Governor is currently getting the most publicity as it has been announced that the Governor will be submitting 5 projects for funding. At this time, there are over 1200 projects in the Governor's pool and he can only select 5. Franklin County is attempting to be one of those 5 in 3 ways. The SMARRT group has submitted \$64 M project for oyster recovery. The 8 impacted counties, of which Franklin County is one, are submitting a \$14M project of which \$2M will be directed to the oyster industry in the Apalachicola Bay. The 8 counties have come together using the watershed restoration concept developed by The Nature Conservancy. And, I have spoken to the Governor's Office of Environmental Policy and asked that the Governor specifically identify the Florida oyster industry as one of the 5 projects based upon the current crisis.

The odds of getting funded are slim, and the Governor is competing for \$150M with 4 other states, and 6 federal agencies.

The middle pot, the one controlled by the Consortium, is still being worked on by the Consortium rule makers.

None of this money is currently available. The US Treasury has announced that there is a March 31, 2015 application deadline for the first series of projects to be reviewed by federal officials. Any project Franklin County submits must be consistent with a complete maze of federal regulations. At this time, the amount of money reserved directly for Franklin County projects will be \$3.5M. That is it, \$3.5M is the sum total of money reserved for Franklin County until there is a settlement with BP. The Board needs to be thinking about the type of projects, or project, that it can complete with \$3.5M as US Treasury does not want phased projects. They want projects that, if funded, will be completed with the funds available. The Board and the public need to manage their expectations to be in line with available funds. If it is any consolation, Franklin County's Direct Component allocation is larger than Wakulla or Gulf.

Commissioner Jackel and Mr. Pierce discussed this matter in more detail.

Commissioner Jackel asked Mr. Pierce to inform the Board of the date and time of the next meeting as more Commissioners might want to attend.

Chairman Sanders suggested that a meeting of the Restore Council should be scheduled so that their members can also be aware of this information.

Commissioner Lockley agreed.

Commissioner Jackel discussed an email received from Representative Steve Southerland's office regarding funding for projects in the County and asked about starting dates for these projects. The Board and Mr. Pierce discussed this matter further.

7- The Airport Advisory Committee met Monday night. The Committee had attempted to meet on August 25 but did not have a quorum. If there is a quorum on Monday, Oct. 6, these are the items I will be seeking Committee action on:

A) Recommend that AVCON be directed to relocate the new taxiway to the southwest corner of the Airport property. The southwest corner of the property has less wetlands, direct access to sewer and water, is next to the transmission line so that 3 phase power should be available, and has a shorter connection to US 98. The purpose of the taxiway is to provide access to a future industrial park so by moving the taxiway the committee is also recommending that the industrial park be relocated to the southwest area of the airport. The current location of the proposed industrial park does not have direct access to any of the infrastructure mentioned above so the southwest corner is more suitable for industrial development. This is especially true now that the county has received back the 40 acres of land that was previously leased to the state for a work camp. The development of an industrial park will not interfere with the use of the work camp, as the work camp compound itself is only 5 acres and is enclosed with a security fence. Board action to direct AVCON to relocate the taxiway as described above and complete the design. Funds are available for design and construction.

Mr. Pierce used a map to explain the specific area.

Commissioner Jackel and Mr. Pierce discussed the FDOT building and possible funding for a small access road.

Commissioner Jackel expressed her dissatisfaction with the map provided by AVCON for this presentation.

Commissioner Jackel asked if a public hearing is required for this action. Attorney Shuler explained that a Public Hearing would be at the Board discretion.

Commissioner Jackel asked for verification that this project will not be at any cost to the County and that the Work Camp compound wouldn't be affected by this project. Mr. Pierce verified that she was correct on both items.

Commissioner Massey stated that he has been in discussions with a possible tenant for the Work Camp compound. The Board, Mr. Pierce, and Attorney Shuler discussed this matter further.

Motion by Lockley, seconded by Parrish, to accept the recommendation made by AVCON to relocate the new taxiway; Motion carried 5-0.

B) I discussed with the Committee my impending retirement and the Airport Manager's position. I have included the Airport Manager's duties in with the advertised position of County

Coordinator but at this time I believe it is unrealistic to expect that a new County Coordinator will be able to learn those duties as well as Airport Manager. Jason Puckett, currently with Crystal Air, has a Master's in Airport Administration, and is interested in becoming the Airport Manager. If the Board wants to pursue such an arrangement he would become a consultant, and as such would be eligible to receive grant management fees from the existing airport grants. Because I am a county employee DOT grant rules do not allow me to charge for my time spent on airport grants. This will also be true for the County Coordinator so it makes sense to let a consultant be the Airport Manager and Airport Grant Administrator. If Mr. Puckett became a consultant for the county he would no longer work for Crystal Air.

My recommendation is to pay Mr. Puckett an Airport Manager salary of \$1K/month, and let him receive 1% of airport grant fees as the grant funds are expended which is the same arrangement the Board had with Mr. Mosteller.

Commissioner Parrish verified with Mr. Pierce that the Airport committee discussed and was in favor of this recommendation.

Commissioner Parrish stated that he thought this was a good idea as the County has discussed partnering with Gulf County on an upcoming transportation project and Mr. Puckett has a Master's Degree in Airport Administration.

Commissioner Parrish and Mr. Pierce discussed the particulars of the agreement with Mr. Puckett.

The Board and Mr. Pierce discussed additional items regarding the contract and the location of Mr. Puckett's office.

Motion by Parrish, seconded by Jackel, to approve the two-year contract agreement with Mr. Puckett as the County's Airport Manager with a payment of \$1000 per month and 1% of airport grants; Motion carried 5-0.

C) Board action to sign a JPA for \$256,000 for improvements to the runway lights. Repairing the runway lights is a high priority of the Airport Committee. The grant will fund the entire cost of the lights.

Commissioner Parrish and Mr. Pierce discussed this project further.

Allan Feifer, of Alligator Point, stated that there might be an upcoming ban on LED lighting at Airports.

Motion by Parrish, seconded by Lockley, to approve the JPA for improvements to the runway lights; Motion carried 5-0.

Mr. Pierce asked for Board action on approving a Historic Preservation grant to repair the roof at Chapman auditorium.

Motion by Lockley, seconded by Jackel, to approve the grant to repair the Chapman auditorium's roof; Motion carried 5-0.

Mr. Pierce stated that the County should be receiving another Historic Preservation grant in the amount of \$350,000 for repairs to the Armory.

The Board discussed and decided to move forward with approving this grant, since Mr. Pierce stated that the County should be receiving the grant documentation next week.

Motion by Parrish, seconded by Lockley, to approve the grant to repair the Armory; Motion carried 5-0.

Mr. Pierce asked if the Board is interested in allowing Mr. Emo to submit a proposal for the repairs to the Chapman Auditorium roof.

Commissioner Jackel asked if there would be any cost to the County for Mr. Emo submitting this proposal. Mr. Pierce stated that there wouldn't be any.

The Board discussed this project and the associated grant funding further.

Motion by Parrish, seconded by Lockley, to allow Mr. Emo to submit a proposal for the Chapman Auditorium roof repair project; Motion carried 4-1, Jackel opposed.

Commissioner Jackel stated that she got a call that DUKE Energy is closing their area office where residents can go and pay their utility bills and would like Mr. Pierce to investigate this matter further.

Other Board members stated that they have received the same complaints and discussed this matter further.

Chairman Sanders suggested that Mr. Pierce write a letter to Duke Energy about this problem.

Commissioner Parrish asked that Mr. Pierce explain to Duke Energy the difficulty some of the residents, like the seafood workers, are experiencing with paying their utility bills when there isn't a local office to go to.

Motion by Jackel, seconded by Parrish, directing staff to investigate this matter and send a letter to Duke Energy requesting a location in the County that would allow residents to pay their bills; Motion carried 5-0.

Commissioner Massey and Mr. Pierce discussed the status of the applications that have been submitted for the County Coordinator position.

Board discussed further.

Motion by Jackel to extend the application period; Motion failed due to the lack of a second.

Commissioner Lockley suggested increasing Mr. Pierce's salary and asking him to stay longer as the County's Director of Administrative Services.

The Board and Mr. Pierce discussed this matter further.

Motion by Lockley, seconded by Jackel, to ask Mr. Pierce to submit an employment proposal that would delay his retirement date; Motion carried 5-0.

Commissioners Massey and Jackel agreed that the advertised position should have a higher salary and extend the advertising time.
The Board discussed candidates for the County Coordinator position.

Recess 10:39

Chairman Sanders called for a recess.

Reconvene 11:00

Chairman Sanders reconvened the meeting.

Motion by Jackel, seconded by Massey, to increase the salary range of position up to \$57,000 and extend the advertisement period; Motion and second rescinded.

Public Hearing – Alligator Point – No Parking Ordinance 11:00

Chairman Sanders explained the reason for the Public Hearing and the Ordinance.
Attorney Shuler presented ordinance and used a map to explain the affected area of the Ordinance. He recommended \$50 for the first offense, which is language that has to be added to the Ordinance, and read the language in the Ordinance.

Commissioner Parrish asked that more definite language, regarding the fines and penalties, is included in the Ordinance, and asked who will decide how it is enforced.

Attorney Shuler stated that once it is approved, law enforcement officers will use their discretion with enforcing the Ordinance.

Commissioner Lockley asked if there is sufficient parking for the public for beach use.
Chairman Sanders explained that this Ordinance will stop the public from parking on private property and other areas that create traffic hazards.

Mr. Pierce stated that this Ordinance should encourage use of the State Park where there is sufficient parking and other amenities for the public.

The Board discussed the parking situation on Alligator Point further.

Commissioner Jackel asked if the County has any other parking ordinances.

Attorney Shuler stated that there is another Ordinance but the Sheriff's department has deemed that it isn't sufficient for the problems on Alligator Point and that is why this Ordinance only applies to Alligator Point. He explained the difference between the two ordinances.

Commissioner Jackel stated that there are other areas in the County that this type of Ordinance might be beneficial.

Commissioner Lockley and Mr. Pierce discussed the possibility of using any County owned property on Alligator Point that can be used for parking.

Chairman Sanders opened the floor for public comments.

Jim McCloy, President of Alligator Point Tax Payers Association, provided some history on the parking problems on Alligator Point. He spoke in favor of this Ordinance and asked that adequate signage is posted in the area.

Paul Parker, an Alligator Point resident, read a letter from Mr. Steve Fling, the Alligator Point Fire Chief, in support of this Ordinance. Mr. Parker spoke in favor of this Ordinance.

Ms. Matthews, an Alligator Point resident, stated that the parking and lack of restroom problem is so bad that some people relieve themselves on the beach.

The Board discussed the parking fee violation amount.

Commissioner Jackel explained why she thought that \$50 was too expensive for a first offense. Mr. McCloy stated that he and the Sheriff would prefer that warning should be issued first then further offenses would result with the issuing of a ticket.

Ms Matthews preferred the \$50 as a first offense because she didn't think that \$25 would be a deterrent for violating the Ordinance.

Mr. Feifer asked about a second offense. Attorney Shuler explained this process.

Mr. Feifer suggested a grace period to allow the beach visitors to become aware of the new Ordinance.

Motion by Massey, seconded by Jackel, to approve the Ordinance with added language of a non-criminal fee of \$25 for the first offense; Motion carried 5-0.

Commissioner Lockley asked for an update on the parking lot project that will be on the County owned property behind the convenience store in Eastpoint.

Commissioner Jackel and Mr. Pierce provided information on the status this project.

Board discussed the traffic hazard the parking is creating.

Commissioner Jackel stated the need to install a fence to stop trespassing and loitering on the County's property.

Motion by Lockley, seconded by Jackel, to start the parking lot project that will be located on the County owned property behind the convenience store in Eastpoint; 5-0.

T. Michael Shuler – County Attorney Report

Attorney Shuler didn't have any items to report.

Board discussed some streets that they would like Attorney Shuler to look at for the purpose of maintaining or assuming as County roads.

Commissioners' & Public Comments

Commissioner Lockley asked for an update on the paving project.

Mr. Pierce stated that both of the paving companies that have been working in the County on projects have been very slow, so he wasn't inclined to "reward" them by starting a county wide paving project.

Board discussed some of the problems they are having with the paving contractors who are working on projects in the County.

Motion by Parrish, seconded by Lockley, directing staff to contact FDOT and a representative from C W Roberts asking why the Bluff Road project is moving so slow and taking so long to complete; Motion carried 5-0.

Presentation – Liz Sisung Citizen's for Quality Education

Ms. Thornburg, the Chair of the Citizens' for Quality Education, discussed their campaign to change the status of the Superintendent of Schools from an elected official to a hired appointment in Franklin County.

Commissioner Lockley and Ms. Thornburg discussed the salary differences between an elected Superintendent and an appointed one.

Adjourn 11:54 AM

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

Cheryl Sanders, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts