

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
NOVEMBER 18, 2014
9:00 AM**

MINUTES

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

Others Present: Marcia M. Johnson – Clerk of Court, 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 Minutes (9:01 AM)

Motion by Massey, seconded by Lockley, to approve Minutes from the October 7, 2014 & November 4, 2014 regular meetings; Motion carried 5-0.

Payment of County Bills (9:02 AM)

Mr. Pierce stated that there will be a change to the Bill List regarding the Library rent payment.

Motion by Massey, seconded by Parrish, to approve the payment of the County's Bills as presented, with the change to the Library rent payment; Motion carried 5-0.

Swearing Ceremony (9:03 AM)

Judge Russell swore in Commissioners Sanders and Parrish for a new term.

Chairman Sanders thanked God and her family for all of their support during the election. She also thanked the people of Franklin County who supported her, and discussed her experiences during the re-election campaign.

Election of Chairman and Vice Chairman (9:08 AM)

Motion by Parrish, seconded by Lockley, to elect Commissioner Massey as Chairman of the County Commission; Motion carried 5-0.

Motion by Sanders, seconded by Lockley, to elect Commissioner Parrish as Vice Chairman of the County Commission; Motion carried 5-0.

Commissioner Sanders asked to change seats with Commissioner Lockley.

Katrina Saunders – Eastpoint Medical Clinic (9:10 AM)

Ms. Saunders, Eastpoint Medical Clinic Manager, informed the Board of the new location of the Eastpoint Medical Clinic. She named the board members, along with staff, and discussed some of the services offered by the center. She stated that she will update the Board on a regular basis on services offered by the center.

Mr. Pierce asked the Board to amend the agenda to include the Planning and Zoning report.

Motion by Sanders, seconded by Lockley, to amend agenda to include Planning & Zoning report in the Meeting; Motion carried 5-0.

Department Supervisors Report

Howard Nabors – Superintendent of Public Works (9:14 AM)

Mr. Nabors had no action items.

Commissioner Sanders and Mr. Nabors discussed the surveillance cameras that have been installed at the Road Department.

Fonda Davis – Solid Waste Director (9:16 AM)

Mr. Davis had no action items.

Nikki Millender – Parks & Recreation (9:16 AM)

Mrs. Millender did not attend the Meeting.

Pam Brownell – Emergency Management (9:16 AM)

Mrs. Brownell explained that the wrong report was sent for the agenda packet and the correct report had an action item. She stated that she needed Board action to authorize the Chairman's signature on the CERT grant.

Motion by Jackel, seconded by Lockley, to approve Chairman's signature on the Franklin County Management CERT Grant; Motion carried 5-0.

Erik Lovestrand – Extension Agent (9:18 AM)

Due to illness, Mr. Lovestrand was not able to attend the meeting.

Anne Birchwell – Franklin County Library (9:18 AM)

Ms. Birchwell discussed upcoming events at the Franklin County Library branches.

Ms. Birchwell thanked Chairman Massey for his assistance on outside landscaping work done at the Library.

Mike Cooper – Weem's Hospital CEO

Mr. Cooper stated that the CFO is working on the final audit and would not be attending the Meeting. He stated that there are no major changes to the financials.

Mr. Cooper reviewed the Legal Services Agreement. He explained that there are two parts to it and discussed the section relating to Bonds.

Commissioner Jackel asked if the underwriting and issue of Bonds will be bid out, as it is a large financial undertaking.

Attorney Shuler explained the Bond process and which firms have been selected thus far.

Commissioner Jackel and Attorney Shuler discussed the bond process and at what point the Board will pay a role.

Attorney Shuler stated the importance of the timeliness of this process.

Mr. Cooper and Attorney Shuler discussed deadlines for this process.

Motion by Jackel, to advertise for RFQ's for the Bond legal counsel; there was no second so the motion failed.

Mr. Cooper discussed other documents that needed Board approval, including an architectural amendment. He stated that the architect will be available for questions at the next meeting.

Commissioner Sanders asked about TRO being the architect throughout the entire project.

Mr. Cooper stated that the Board could bid out for another architect and explained some of the obstacles with changing architects.

Commissioner Sanders asked Mr. Cooper if the radio problems with the ambulances have been rectified, as she experienced the problem first hand.

Mr. Pierce and Mr. Cooper commented on this matter and will work to resolve this problem.

Commissioner Sanders asked if the EMT drivers are being paid overtime. Mr. Cooper said he would look into this matter and verify that they are paid.

Commissioner Sanders commended the EMT and Hospital on their look and the services they provide.

Commissioner Parrish said that he thinks the radio problem is with the hand held radios and believes more repeaters should be installed throughout the County, especially on all of the cell towers that have been recently erected in the County.

The Board discussed available tower locations which could be used to install repeaters.

Commissioner Parrish asked if the Board takes action at the next Meeting, will it affect the timeline of the project.

Mr. Cooper stated that with the signing of the documents presented today the timeline shouldn't be affected.

John Johnson – Franklin County Senior Citizen Update (9:41 AM)

Mr. Johnson discussed his role as a new member of the Senior Citizen Board in Carrabelle and introduced Bill Owen, newly elected president of. He discussed the new accounting policies, financial 'openness', and services offered by the Center.

Bill Owen discussed his role as president of the Senior Center.

Commissioner Massey thanked them for their efforts.

Commissioner Sanders stated that any new services that are offered at the Center would be good for the County.

Mr. Owen stated that he has been in contact with Wakulla County's Senior Center, who will assist with helping the Franklin Senior Center.

Mr. Johnson commented on this matter.

Commissioner Sanders, Mr. Owen, and Mr. Johnson discussed this matter further.

Commissioner Parrish expressed the need for more volunteers at the Center.

Marcia Johnson joined the Meeting.

Recess (9:51 AM)

Chairman Massey called for a recess.

Reconvene (10:04 AM)

Chairman Massey reconvened the Meeting.

Public Hearing – Ordinance – No roofs on dune walkovers on the west end of Alligator Point (10:17 AM)

Mr. Pierce explained the Ordinance, which will prohibit any roofs over dune walkovers west of Chip Morrison Drive on Alligator Point.

Mr. Pierce explained to Commissioner Lockley that the State will honor and not overrule this Ordinance.

Commissioner Sanders gave some history on this matter and supported this Ordinance.

Chairman Massey opened the floor for public comments.

Camilla Godfrey and her husband, who live in the area full time, supported this Ordinance as any roof over these platforms would create a danger during a storm. She asked the Board to support this Ordinance.

Commissioner Parrish asked if this Ordinance would stop the building of platforms, along with the roofs. Mr. Pierce stated that this only pertains to the roofs.

Allen Feifer, of Alligator Point Taxpayers Association, stated that APTA supported this Ordinance.

Commissioner Lockley stated that he doesn't think that any additional platforms are necessary at Alligator Point.

The Board and Mr. Pierce discussed further.

Motion by Sanders, seconded by Jackel, authorizing the Ordinance to prohibit roofs over platforms at Alligator Point; Motion carried 5-0.

Open Bids – D W Wilson Soccer Field (10:13 AM)

Mr. Pierce opened based bids for construction at D. W. Wilson Soccer Field. He said no bid bonds were necessary.

North Florida Construction, Clarksville, FL – \$141,032.00

Coastline Land Clearing, Eastpoint, FL – \$133,457.50

Mr. Pierce explained that this bid was submitted a few minutes after the deadline and asked if the Board would accept or reject this bid.

Motion by Parrish, seconded by Jackel, to waive the deadline and accept the bid; Motion carried 5-0.

Mondragon Golf, Inc., Dunnellon, FL – \$96,420.00

Betty and Greg Sasnett, of the Soccer League, asked the Board to move forward and not wait to begin construction, as the soccer fields in the County are not up to standard.

The Board, Mr. Pierce, and the Sasnetts discussed this matter further. Mr. Pierce explained what funding is available and what other projects might depend on this funding.

Motion by Sanders, seconded by Jackel, to hold bids until County receives notification of FRDAP application; Motion carried 5-0.

Commissioner Sanders explained that by March, 2015, the Board will know if the FRDAP funds will be available and hopefully, by June, a contract could be available from the State. There was further discussion regarding the timeline.

Planning and Zoning – Report (10:28 AM)

- 1. Recommended Approval by Planning and Zoning (Unanimous) - Consideration of a request to construct a Single Family Private Dock located at 421 Smith Road, Apalachicola, Franklin County, Florida. The dock will be 483' x 4' and a 26' x 6' terminus with (2) 10' x 20' boat lifts. This dock complies with the Franklin County Dock Ordinance, all state or federal permits have been applied for. Request submitted by Garlick Environmental Associates, Inc., agent for Hobson & Bonnie Fulmer, applicant. (Has house on-site)*
- 2. Recommended Approval by Planning and Zoning (Unanimous) – Consideration of a request to construct a Single Family Private Dock located at 8 Carnival Lane, Lot 37, Holiday Beach, Unit 1, Alligator Point, Franklin County, Florida. The dock will be 6' x12' and have an access walkway of 33' x 4' and a 26' x 12' covered boatlift. This dock complies with the Franklin County Dock Ordinance, all state or federal permit have been granted. Request submitted by Fred Bradford Construction, LLC, agent for Martin and Aimee Lyon, applicant. (No house on site)*

Motion by Parrish, seconded by Lockley, to approve both items on Planning & Zoning agenda; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report (10:28 AM)

Mrs. Johnson presented her report to the Board.

1-) On 11/05/13, the Board approved spending up to \$100,000 of TDC funds for the renovation of the Eastpoint Visitor Center. At your last meeting, you approved budget transfers moving \$95,354.36 from the TDC Reserve for Contingencies to Buildings, Maintenance and Repairs. After discussions with TDC staff and my office on the best strategy to pay additional expenses for the Eastpoint Visitor Center, I now have a line item budget amendment for approval to transfer monies from last year's budget from the \$35,000 Eastpoint Visitor Center's operational budget funding to pay for furnishings, computer equipment, a security system, and utilities and insurance. The TDC approved this too, at their Nov 6, 2014 meeting, so we would do the following with Board approval:

Increase 130.33.552.4000	Travel	38.00
Increase 130.33.552.4300	Utilities	631.55
Increase 130.33.552.450	Insurance	664.77
Increase 130.33.552.520	Operating Supplies	9,553.97
Decrease 130.33.552.820	Promo Aid to Private Org.	10,888.29

I've also attached a spreadsheet showing the total monies spent to-date to get the Eastpoint Visitor Center open and operating:

Eastpoint Visitor Center Expenditures					Total
	Paid thru TDC - \$100,000	Paid thru TDC-\$35,000	Paid thru DOT Grant	Paid TDC Promotional	
	Aid to Local Gov	2013-14 budget for Visitor Cnt			
Doug Shuler- bid specs	3,750.00				
Simpler Built -Bidder	78,176.36				
Bobby James-roof	7,000.00				
Brent McLeod Glass-film	593.00				
Executive Office -Conference Table/Chairs		2,500.00			
Coastal Design & Landscape	2,320.00				
Coastal Design & Landscape			10,000.00		
Office Max-2 computers/anti-virus		1,829.93			
Amy Kelly- Travel Meal Reimbursement		38.00			
Office Max-File Cabinets,Chairs,Table, Racks		2,130.11			
Credit to Account		-191.96			
Office Depot-Chairs, Table,Coffeemaker		1,438.41			
Home Depot-Blinds		350.40			
Lowe's-Refrigerator,supply line		664.08			
Coast Line Electronics-Security System		833.00			
Alternative Electric	65.00				
Mario Painting	3450.00				

Insurance & Utilities		1,296.32			
Sign De-Sign - 6 x 10 Sign				3,200.00	
	\$ 95,354.36	\$ 10,888.29	\$ 10,000.00	\$ 3,200.00	\$ 119,442.65

2-) I have another line item budget amendment regarding the Tourist Development Council. At their meeting on November 6, 2014, the TDC approved to compensate Allyn, Inc. for additional administrative hours worked in FY 2013/2014 using funds budgeted for the operation of the Eastpoint Visitor Center. This line item budget amendment needs approval to move \$9,655.12 from Promotional Aid to Private Organizations to Contractual Services:

Increase 130.33.552.3400	Contractual Services	9,655.12
Decrease 130.33.552.8200	Promo Aid to Private Org.	9,655.12

Commissioner Jackel verified that this isn't additional funds but just line item changes.

Commissioner Parrish asked if funds are being moved from promotional to the construction of the Eastpoint Visitors Center. Mrs. Johnson explained this item further.

Mr. Pierce explained that this is an amendment approval, not to approve expenditures.

Motion by Jackel, to approve line item amendments; there was no second so the motion failed.

Commissioner Sanders stated that only \$100,000 was approved for this project so she objected to any additional funds that were spent, as it should have first been approved by the BOCC.

Commissioner Parrish agreed with Commissioner Sanders and commented on this matter further.

The Board discussed this matter further.

Motion by Sanders, seconded by Jackel, to approve line item changes for the Eastpoint Visitor's Center; Motion carried 4-1, Lockley opposed.

Commissioner Jackel asked about the form she was required to sign when she picked up her travel per diem today.

Mrs. Johnson explained that it was for accounting purposes during travel but she was currently working on a travel policy for the Board's review.

Commissioner Jackel asked if this would be used for any County employee who would be traveling to out of town meetings. Mrs. Johnson stated that County employees are reimbursed, not paid up front, for their travels.

Commissioner Sanders suggested that the County revert to a reimbursement policy.

Chairman Massey suggested that the Board look at Mrs. Johnson's travel policy and then make a decision on this matter.

The Board discussed this matter further.

Alan Pierce – Director of Administrative Services – Report (10:46 AM)

Mr. Pierce presented his report to the Board.

1- Board action to approve change order for a \$3092.20 decrease in the Lake Morality re striping project.

Motion by Parrish, seconded by Sanders, to approve change order for a \$3,092.20 decrease in Lake Morality re-striping project; Motion carried 5-0.

2- Board direction on supporting a request from an entity known as “Big Bend Crime Stoppers” that is seeking county support for Big Bend Crime Stoppers to receive funds from the state Attorney General’s Crime Stopper Trust Fund to act as the county’s agent for the purpose of applying for and receiving monies from the Trust Fund. The deadline for submitting a letter of support is Dec. 31.

Motion by Sanders, seconded by Lockley, to support “Big Bend Crime Stoppers” request to act as the county’s agent for the purpose of applying for and receiving monies from the Attorney General’s Crime Stopper Trust Fund; Motion carried 5-0.

3- Provide Board with draft DACS application requirements for processor facilities upgrades. It is my understanding these are being sent directly to the dealers.

Commissioner Parrish asked about the allocation of the re-shelling fishery funds.
Mr. Pierce explained how the funds were distributed throughout the State.

4- Inform Board that Senator Montford has distributed the community budget request forms for any project the county would like to seek state funding. The applications are due Jan. 31, 2015. Senator Montford again requests that the county prioritize the submissions.

The Board discussed prioritizing these projects.

Commissioner Jackel asked Mr. Pierce to send the Board a copy of last year requests that were submitted.

5- Provide Board with update on the relocation of Gulf Shore Blvd. on Alligator Point. The relocation has not moved forward because the route now proposed is most likely going to be unacceptable to the homeowners. This is a situation where it may be more successful for the seven property owners to deal with DEP individually in seeking access to their property as opposed to the county trying to build a public road for them. Provide Board with diagram of proposed route.

Mr. Pierce reviewed the project in more detail.

Commissioner Sanders thanked Mr. Pierce for his explanation and also suggested that property owners negotiate directly with DEP.

Mr. Pierce stated that the affected homes are all rentals, not permanent residences. He explained that more construction will be required than just the building of a road. Commissioner Sanders asked Mr. Pierce and Attorney Shuler to contact the affected property owners and discuss the situation.

Attorney Shuler stated that, presently, the Board is fulfilling its legal obligation to provide meaningful access to the property owners along the right of way.

Alan Feifer, of Alligator Point, asked the intention of the Board, regarding the property owners. Commissioner Parrish took objection to Mr. Feifer's interpretation of Attorney Shuler's statement.

Attorney Shuler stated that a transcript will be sent to Mr. Feifer.

6- The City of Carrabelle applied for and received funds from DOT to construct new sidewalks as described: "The project is for sidewalk 5' along the east and west side of CR 67 (Tallahassee Street) from Avenue A to Crooked Creek Road. The approximate length is 2.260 miles. The first LAP agreement will be for the design of the sidewalk. The Department currently has \$44,285 budgeted for the design. After design is complete, another LAP Agreement will be issued for construction. The Department has construction and CEI budgeted in FY17 at \$487,134. It should be noted that there is existing sidewalks at various locations throughout the project limits. This project would not replace any existing sidewalks (that is considered maintenance), but would only install new sidewalk in the areas that do not currently have sidewalk. The sidewalk would need to be designed and constructed to ADA standards."

The problem is that DOT, after awarding Carrabelle the funds, did not certify the City to be eligible to administer a LAP project so if the project is to move forward then Franklin County will have to write a letter to DOT accepting the funds and LAP responsibilities on behalf of the City. I have spoken to Ms. Courtney Millender, City Clerk, and she states that the City would like the county to do the project for them. Board direction.

Commissioner Parrish asked what responsibilities the County will have to abide by if the Board accepted the funds for the LAP agreement.

Mr. Pierce explained that the County would be the project manager.

Chairman Sanders explained some issues she has with this project, including the consensus of public hearings.

Mr. Pierce stated that he will check on Commissioner Sander's concerns.

Motion by Jackel, to approve the County taking over LAP responsibilities for the City of Carrabelle; Motion withdrawn until additional information is received.

7- Inform the Board that I presented a Resolution to outgoing School Board Chairman Jimmy Gander on Nov. 13 thanking him for his service to the community. There was a reception at the consolidated school in honor of Mr. Gander.

Mr. Pierce stated that he will attend the public hearing for the management plan tonight from 7:00 PM – 9:00 PM at the firehouse.

Commissioner Parrish asked Mr. Pierce to find out more about the proposed 30 slip boat dock and its possible effect on the oyster bars.

Mr. Pierce updated the Board on the re-shelling program.

Commissioner Sanders asked Mr. Pierce to verify the qualifications required for this shelling program.

Mr. Pierce explained some of what is required to qualify for this program.

Commissioner Parrish stated that the rules should be the same for both the dealers as they are for the oystermen.

The Board discussed some of the problems oystermen are experiencing.

Mr. Pierce informed the Board that Mrs. Belcher will attend the second Meeting in December to discuss CDBG projects and this meeting will be held at the City of Carrabelle Municipal Complex at 10:00 AM.

Commissioner Jackel asked for Board action to close Highway 98 from C A Gillespie Street to Bay Street on December 12, 2014 from 4:00 PM to 5:15 PM for the Eastpoint Christmas Parade and Celebration.

Motion by Jackel, seconded by Sanders, to approve the requested road closer of Highway 98 for the Eastpoint Christmas Parade and Celebration on December 12, 2014 from 4:00 PM to 5:15 PM; Motion carried 5-0.

Commissioner Jackel asked for an update on the County assuming responsibility of certain private roads. Attorney Shuler provided information regarding this matter.

Michael Shuler – County Attorney – Report 11:23 AM

Attorney Shuler informed the Board that the agreement with the Apalachicola Times will be expiring soon and he would like Board action to authorize him to start negotiating a new contract.

Motion by Sanders, seconded by Parrish, authorizing Attorney Shuler to begin negotiations with the Apalachicola Times and present a recommendation to the Board at a future meeting; Motion carried 5-0.

Attorney Shuler stated that he received a letter from Attorney Barbara Sanders on behalf of the School Board informing the County that ownership of the parking lot next to the Chapman Building will be transferred to the City of Apalachicola and therefore they are terminating the County's lease for this property. He also stated that the City of Apalachicola is planning to build a new Library at this location. He said Mr. Pierce and the City Administrator will meet to discuss relocating the parking area and doesn't see any issues arising from this action.

Attorney Shuler stated that during the meeting this morning it was brought to his attention that disciplinary action will have to be taken with the Board's Parks and Recreation supervisor. He recommended that the Board direct Mr. Pierce to investigate and take the necessary disciplinary actions.

Commissioner Jackel verified that Mr. Pierce will notify each Commissioner of his planned action before he officially proceeds.

Commissioner Sanders stated that Mr. Pierce will also need authorization to contact the County's Labor Attorney if needed.

Commissioner Lockley asked who will assume management of that Department pending the results of the investigation. Attorney Shuler stated that Mr. Pierce could act as a temporary point of contact for that department until a final decision is made.

Motion by Sanders, seconded by Parrish, to approve Mr. Pierce taking necessary disciplinary action, contacting Labor Attorney as needed, and informing the Board of his actions before proceeding; Motion carried 5-0.

Chairman Massey and Commissioner Jackel asked Mr. Pierce to get with them regarding the Eastpoint Christmas lights project.

Attorney Shuler updated the Board on some inquires that Mr. Pierce and he received regarding the allowable uses at Bungalows by the Bay. He stated that residential uses are not allowed at this location and explained that even though the Board has passed an Ordinance allowing residential use at this type of development, the developers of this particular project asked that this project be exempt from that Ordinance.

Commissioner Sanders agreed with Attorney Shuler and provided additional information on this matter.

Commissioners and Public Comments (11:29 AM)

The Board wished all a Happy Thanksgiving.

Adjourn (11:31 AM)

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

Attest:

William Massey, Chairman – FCBOCC

Marcia M. Johnson, Clerk of Courts