

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
JANUARY 20, 2015
9:00 AM**

MINUTES

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

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

Call to Order 9:00

Chairman Massey called the meeting to order.

Prayer and Pledge

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes

Motion by Lockley, seconded by Parrish, to approve the Minutes from the December 6, 2014 and the December 20, 2014 meetings; Motion carried 5-0.

Payment of County Bills

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

Department Supervisors Report

Howard Nabors –Superintendent of Public Works

Mr. Nabors asked for Board action to donate a mower to the City of Carrabelle.

Motion by Jackel, seconded by Parrish, authorizing the donation of a mower to City of Carrabelle; Motion carried 5-0.

Mr. Pierce presented this item from his report.

3- Board action to accept for maintenance intersection safety improvements at two intersections in county. DOT is making the improvements but since the improvements will be on county owned side streets the Board needs to accept the maintenance. DOT has selected these intersections based upon DOT records and analysis. The intersections are Jackie Whitehurst St and US 98 (Apalachicola), and Norvell St and US 98(Eastpoint). The work in both places includes refurbishing the STOP bar at the intersections and new STOP signs. DOT is also remarking Island Drive and US 98 but that is on the state road. The county Road Superintendent, Howard Nabors, says he can accept maintenance.

Board action.

Commissioner Jackel asked Mr. Pierce to verify that the correct directional arrows will be used at the Norvell Street and US 98 intersection to avoid any traffic safety problems.

Motion by Jackel, seconded by Parrish, to accept maintenance at the two intersections stated by Mr. Pierce subject to Attorney Shuler's review of the contract; Motion carried 5-0.

Fonda Davis – Solid Waste Director

Mr. Davis requested board action to auction an old tractor that is no longer in service and school bus.

Motion by Lockley, seconded by Jackel, to approve the auctioning of the equipment as requested by Mr. Davis; Motion carried 5-0.

Mr. Davis stated that he would be out of the office next Monday, Tuesday, and Wednesday attending recertification classes in Jacksonville.

Pam Brownell – Emergency Management

Ms. Brownell was not able to attend the meeting, but submitted a report.

Action Items: None

Information Items:

1. We have applied for a grant from Duke Energy in the amount of \$9,998. We have received notification that we were approved for \$9,000. This grant will be for the planting of sea oats for beach erosion. We are in the process of pricing sea oats now. We will also be checking with other agencies any additional funding.

2. *We will be advertising an RFQ for a Debris Management Coordination & Emergency Management Contractual Services Consultant.*
3. *Franklin County CERT Classes will begin on January 23, 2015.*
4. *Franklin County CERT Graduation Ceremony will be held on February 2, 2015.*

Erik Lovestrand – Extension Agent

Mr. Lovestrand had no action items.

Ms. Pat O’Connell, of St. George Island Plantation, spoke in support of IFAS moving and renovation project. She stated some of the benefits the IFAS has provided to St. George Island.

William Scott – Veteran’s Affair Officer

Mr. Scott stated that he will be retiring on March 31, 2015. He discussed his years of service as the County’s Veteran’s Officer including services his office has provided to the County’s veterans. Mr. Scott recommended that the Board do an in-house advertisement and consider Mr. Elliot, his current assistant, as the new Veteran’s Service officer as he has the experience and is qualified for this position.

Commissioner Jackel thanked Mr. Scott for his years of service.

Motion by Jackel, seconded by Sanders, to proceed with in-house advertising for a Veteran’s Service Officer; Motion carried 5-0.

Commissioner Lockley thanked Mr. Scott for his service, especially for assistance to those veterans in the County that didn’t have access to the necessary information.

Commissioner Sanders provided some history on Mr. Scott’s years of service and accomplishments that included providing assistance to veterans outside of the County that couldn’t get assistance in their own counties.

Commissioners Massey and Parrish also thanked Mr. Scott for his years of service.

Anne Birchwell- Franklin County Library

Ms. Birchwell informed the Board that funding for the County’s library grant was increased this year. She provided visitor information, statistics on the use of the services that are provided at the Library, and ask the Board to consider changing the Library’s part-time position to a full-time, which is needed.

Commissioner Jackel expressed concern about funding for this position in the future as a full-time position.

Commissioner Jackel and Ms. Birchwell discussed the possibility of this position reverting back to a part-time status if there is no available State or County funding.

Motion by Jackel, seconded by Parrish, to authorize the requested change from a part-time to a full-time position with the contingency that if funding from the State and County isn't available the position could revert to part-time; Motion carried 5-0.

Ms. Birchwell updated the Board on other Library events and matters.

Presentation of St. George Island Feasibility Study on Incorporation

Newt Colston, of St. George Island, presented and discussed a Feasibility Study on Incorporating St. George Island. He stated some of the attributes of St. George Island and how much of the County's revenue is generated on St. George Island, much of the TDC funding, yet they have no seat on the TDC. Mr. Colston stated that there are residents who are for it and those who are against it, but most agree that there should be an opportunity to vote for it via a referendum. Mr. Colston also discussed the process to get the referendum on the agenda, how funds would be generated to provide administrative services, and asked for Board support on this matter. Chairman Massey asked if this action would hurt TDC in any way. Attorney Shuler stated that he would need an opportunity to research this matter.

Attorney Shuler suggested that Mr. Colston send the names on the petition to the Supervisor of Elections office for verification before moving forward. They both discussed the process and the timeline for this project.

Mr. Colston stated that this action will have no impact on TDC funding.

Commissioner Jackel, who serves as the Chairman of TDC, explained that this action should not have any impact on TDC, and both the City of Apalachicola and the City of Carrabelle are incorporated and have seats on the TDC, but agreed that further research is needed to address Chairman Massey's concern.

Commissioner Parrish and Mr. Colston discussed the timeline and deadlines for this project.

Motion by Jackel, seconded by Sanders, directing Attorney Shuler to review and verify information that was presented today, meet with Mr. Colston's group, and then have them return at a future meeting to discuss this matter further; Motion carried 5-0.

Recess9:34

Reconvene9:43

Advisory Board of Adjustment - Consent Agenda

Mr. Pierce presented the following item from the Advisory Board of Adjustment report.

Approved by ABOA - a request for a variance to create two 57 ft. wide lots on property

described as a 2.86 acre parcel lying in Section 29, Township 6 South, Range 2 West, St. Teresa, Fl. Request submitted by Malcolm McNeill, III, owner.

Commissioner Parrish asked for more specific information on this request and wanted verification that all setbacks would be met if approved.

Attorney Shuler asked Mr. McNeill if all setbacks will be met and if any further variances will be needed.

Mr. McNeill stated that there will be no need for further variances, that the wetlands in the property would not present any setback issues, and that he was representing all of the family members in this matter.

Commissioner Sanders explained that this action will be final and any family issues will have to be worked out without any intervention from the County.

Attorney Shuler and Mr. McNeill discussed specific items regarding the variance.

Commissioner Sanders stated that she preferred that all of the family members sign off on the request before the County agrees to the variance. She discussed this further with Mr. McNeill.

Commissioner Jackel and Mr. Pierce discussed the possibility of further uses of this property if the variance is approved.

Motion by Sanders, seconded by Jackel, to table this request until there is proof that all family members agree to this variance; Motion carried 5-0.

Planning and Zoning Consent Agenda

Mr. Pierce presented this item from the Planning and zoning report.

Recommended Approval Planning and Zoning Unanimous - Consideration of a request to construct a Single Family Private Dock located at 2063 Turpentine Trail, Lot 22, Bay Cove Village, St. George Island, Franklin County, Florida. The dock will be 200' x 4' and have a 24' x 3' catwalk and a 10' x 16' terminal platform with (2) 12' x 12' un-covered boat lifts along with a 120' x 4' boardwalk attaching to existing boardwalk to connect with proposed dock. This dock complies with the Franklin County Dock Ordinance, all state and federal permits have been obtained. Request submitted by Larry Joe Colson, agent for Walter Nichols and Sally Waldron, applicant. (Has House On-Site)

Commissioner Jackel verified with Mr. Pierce that there were no objections to this request.

Motion by Jackel, seconded by Sanders, to approve the Planning and zoning request; Motion carried 5-0.

Marcia M. Johnson – Clerk of Courts – Report

Mrs. Johnson had no report for the Board.

Alan Pierce – Director of Administrative Services – Report

1- At a previous meeting, the Board directed a letter to be written to the US Coast Guard regarding the need to continue booming strategies in the Area Contingency Plan (ACP). In a Jan. 5 letter reply from Capt. Walker, USCG Commander, he states, "...the Coast Guard agrees with the elected officials in Franklin County that these strategies should remain in the plan as baseline recommendations for future pollution incidents. Please be aware that these booming strategies are only recommendations to the Incident Commander and are flexible enough to be changed as conditions or circumstances dictate."

2- Provide Board with copy Bridge Inspection report for the Postun Bayou Bridge. While there is some deterioration reported, the final analysis is "The bridge is posted 23 US tons for single unit vehicles and 30 US tons for semi-tractor combinations. Based upon our recent (2014) field inspections and the 2006 load capacity analysis, the bridge is operating satisfactorily under the current traffic restrictions."

3- Board action to accept for maintenance intersection safety improvements at two intersections in county. DOT is making the improvements but since the improvements will be on county owned side streets the Board needs to accept the maintenance. DOT has selected these intersections based upon DOT records and analysis. The intersections are Jackie Whitehurst St and US 98 (Apalachicola), and Norvell St and US 98(Eastpoint). The work in both places includes refurbishing the STOP bar at the intersections and new STOP signs. DOT is also remarking Island Drive and US 98 but that is on the state road. The county Road Superintendent, Howard Nabors, says he can accept maintenance.

Board action.

This item was addressed earlier during the meeting.

4- Inform the Board that I received a phone call and email from Mr. Doug Hattaway, Trust for Public Land, to inform the Board that the county and TPL's joint application for funding to purchase the 7 acres at the El's Court motel area has been funded by federal Fish and Wildlife Service. The county's match of \$150,000 will use up most of the remaining capital outlay money. The overall purchase price was approximately \$1M. In the grant application the county committed to leaving the land in a natural state and would re-establish the water side of the purchase with a maritime hammock community that the public knows as a stand of coastal live oaks.

Board discussed this item further.

Commissioner Jackel and Mr. Pierce discussed the availability of funding.

Commissioner Jackel congratulated Commissioner Sanders on her efforts to get this property for Franklin County residents.

Commissioner Sanders commented further on this matter and stated the importance of the property for Franklin County residents.

5- I have spoken to Doug Hattaway about the prospect of TPL assisting in the purchase of the 7 lots on Bald Point that I spoke about at the last meeting. Mr. Hattaway agrees it would be nice to get that land into Bald Point State Park, and he is pursuing getting the state to use some of their NRDA land acquisition money to acquire those lots.

Commissioner Jackel asked if there is funding to purchase properties east of the County's pavilion in Eastpoint. Mr. Pierce discussed this further. Commissioner Jackel asked that staff keep that property in mind if the opportunity arises to purchase it. Commissioner Jackel asked Mr. Pierce to continue to keep up on the status of the dredging project for the Eastpoint Channel.

6- Warden Atkins, Franklin CI, has emailed me to ask me to let the Board and the public know that there are currently 30 vacancies at FCI. The Warden says that DOC is still providing assistance to employees to get their DOC certification.

7- Board direction on projects to be submitted to the Legislature for funding. In the cover letter, Senator Montford states, "I want to encourage you to narrow down and identify those programs/projects that have strong local community support and have been identified/recognized as a need by a state agency." The Senator also requests that the Board identify the top priority project. The deadline for submitting projects is Jan. 31.

The project list at this time includes:

**250K to assist the UF renovate the Research Reserve Bldg and road in Apalach.*

**500K to purchase a permanent home for Sup. Of Elections Office.*

**2.5M for dredging the Eastpoint Channel*

**300K for drainage improvements in a system known as Smokey Hollow on the east side of Carrabelle.*

*~~*600K for acquisition of El's Court and Island View Campground (This has been funded by an FWC grant.)~~*

**1.5M for dredging Creekmore Channel in Apalachicola*

**500K for drainage improvements in Apalachicola*

Commissioner Parrish stated that he would like the UF renovation project to be identified as the top priority on this list.

Commissioner Jackel agreed that the UF project is important to the County, but she asked that the Eastpoint dredging project is considered as a secondary project on the list. She explained that the permits are in place and how this project would be very beneficial to the County.

Commissioner Lockley stated his support for the UF project as the priority on this list. He stated some of the benefits to this project.

Chairman Massey was in favor of the UF project but wanted the Eastpoint dredging project to be the second priority on this list.

Commissioner Sanders was in favor of the UF project and discussed the Smokey Hollow project including what work has been done thus far.

Commissioner Sanders and Mr. Pierce discussed the Eastpoint dredging project further.

Commissioner Lockley and Mr. Pierce discussed the obligation of the Federal Government to provide funding for the Eastpoint Channel dredging project.

Commissioner Sanders explained that the Federal Government no longer earmark funds for specific areas so it will be difficult to get Federal funding for the Eastpoint Channel.

Mr. Pierce asked for authority to contact the appropriate Federal agency about funding for the Creekmore Channel.

Motion by Parrish, seconded by Lockley, to make the UF project the 1st priority, Eastpoint Channel dredging project the 2nd priority, and Creekmore project as 3rd priority; Motion carried 5-0.

Motion by Lockley, seconded by Sanders, to contact Rep Graham and ask her to start the process of getting the funds that was promised to the County for the Eastpoint Channel dredging project and possible funding for the Creekmore Channel project; Motion carried 5-0.

Curt Blair - TDC Update

Walter Armistead, TDC Board member, and Curt Blair, TDC Administrator, appeared before the Board to discuss TDC. Mr. Armistead asked the Board to consider allowing TDC to review financial items before it is heard by the Commission. He also asked the Board to allow TDC to resolve past issues regarding the Eastpoint Visitors Center and funding for the bathrooms projects on St. George Island and Carrabelle. Mr. Armistead stated that he will work with the Clerk's office further if there are any questions regarding TDC projects and funding.

Mr. Blair stated that he will appear before the Board on a monthly basis to discuss TDC matters, provided some history regarding the TDC, and explained how the funds are received and spent. Mr. Blair discussed the different types of promotion and advertising that TDC does to promote Franklin County.

Commissioner Jackel, the TDC Chairman, thanked Mr. Blair and Mr. Armistead for the work they do with TDC. She stated that in an effort increase the communication, Mr. Blair will appear at the second Board meeting each month to discuss TDC items and TDC will continue to send information to the Board.

Commissioner Parrish thanked Mr. Blair for attending the meeting and providing the information. He asked that TDC get Board approval before expending any funds that will require transfer from one line item to another or that isn't budgeted. Commissioner Parrish stated that the Board wants to work with and support TDC, but there has to be better communication between both boards.

Mr. Blair thanked Commissioner Parrish for his comments and discussed this matter further. Commissioner Lockley supported some of the comments made by Mr. Armistead and agreed that better communication is needed with TDC.

Mr. Pierce explained the TDC reserve for contingency line item in the budget and the need for a maintenance line item.

Commissioner Jackel and Mr. Blair discussed the 5% contingency that is required by Florida Statute and how TDC addresses that during budget. Mr. Blair discussed how TDC deals with overage due to unexpected increased collections and how he creates the annual TDC budget.

Attorney Shuler discussed the Big Bend Scenic Highway Contract, as it related to TDC. He recommended approval of the contract.

Motion by Sanders, seconded by Jackel, to approve the Big Bend Highway Contract based on Attorney Shuler's recommendation; Motion carried 5-0.

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

8- Board direction on appointments for ARPC representative and Small County Coalition. An elected county official an elected city official must serve on ARPC, and the next meeting is Jan. 22. At this time Comm. Sanders is the county appointment and Comm. LaPaz from Carrabelle is the city appointment.

The Small County Coalition needs to have 2 county commissioners. The next meeting of the Small County Coalition is in the spring.

Commissioner Sanders asked that someone else is appointed to ARPC, as she no longer wants to serve. She provided some history on ARPC.

Motion by Sanders, seconded by Lockley, to appoint Commissioners Jackel and Parrish who will "co-serve" as the County representative and reappoint City Commissioner LaPaz as the City appointment; Motion carried 5-0.

Motion by Lockley, seconded by Jackel, to reappoint the current representatives on Small County Coalition; Motion carried 5-0.

9- Update on Chapman Building. Last week I inspected the Chapman Building with Commissioner Lockley. It would be easier to retrofit the auditorium than I stated at the meeting. There is a rear door into the auditorium that could be used for ADA access. Ramps or lifts would have to be built inside and outside of the door but the doorway itself appears wide enough. There are currently some 350 fixed auditorium seats that were removed a few years ago for refinishing and have been reinstalled with new concrete bolts that look like they can be unscrewed. The use or creation of a bathroom is an unknown, as there are bathrooms in the building that must be shared with the medical office. The architect has revised the cost estimate downward so that the estimated additional cost to the county is now \$67K, instead of some \$150K, so there has been a cost reduction by \$83K.

The initial estimated total cost of the project was some \$247K, and now it is \$164K.

(On Thursday, Jan. 15, Div. of Historic Preservation approved the contract for Emo Architect to do the work as described in the Historic Preservation grant. The deadline for the grant is June 30, 2015. If the Board wants to move forward with the project there needs to be a motion to approve the contract with Emo Architect.)

Commissioner Jackel and Mr. Pierce discussed the funding that is in place, how much more is needed to repair the roof, and where that funding will come from.

Commissioner Lockley stated that he isn't in favor of giving that building to the City of Apalachicola.

The Board and Mr. Pierce discussed other possible options.

Commissioner Jackel stated that the contractor has to be aware of the maximum of available funds before starting this project.

Motion by Sanders, seconded by Lockley, to proceed with the project which will be funded from Capital Outlay line item and if needed Reserve for Contingency; Motion carried 5-0.

Motion by Sanders, seconded by Lockley, to approve the contract with EMO Architect; Motion carried 5-0.

10- Board action to approve a resolution a grant application for \$1,443 for Weems EMS to make improvements to the existing AMS fleet. This grant is known as the "Baby EMS grant" and is used for minor upgrades.

Motion by Sanders, seconded by Lockley, to authorize the Resolution as requested; Motion carried 5-0.

11- Inform the Board that FEMA has approved time extensions for the relocation of Gulf Shore Blvd, and the repairs to the Alligator Drive revetment until July 1, 2016. The previous time extension was going to expire in June, 2015, so the county has an additional year on both projects.

Attorney Shuler commented on this item.

12- St. James Bay has sent in their annual report on the status of their development. This is a required report. There has been no change in the development.

13- Senator Montford, as head of the Senate Agriculture Committee, has invited any representatives of the county to speak at today's Ag Committee meeting on the issue of bears. One of the agenda items is an update from FWC on Florida's Bear Population. There is another item on an update on the Apalachicola Bay and that will be a report from the Gulf Coast Workforce on the various programs they are managing to help the Bay and the seafood workers. The meeting is scheduled to run from 3:30 to 5:00 PM in Room 301 of the Senate Office Bldg.

Commissioner Sanders would like statement read at the meeting stating Franklin County's view on this issue.

The Board agreed.

Motion by Sanders, seconded by Jackel, directing Mr. Pierce to send a letter stating the County's view that could be read into the record at today's meeting; Motion carried 5-0.

14- Inform the Board that I have finished my review of the candidates for County Coordinator. The candidates I recommend the Board consider are, in alphabetical order:

Michael Moron, David Sutton, Beckye Simpson.

Mr. Moron and Mr. Sutton live in Apalachicola. Ms. Simpson lives on River Road in Carrabelle.

I have a 4th candidate, but he said while he is very much interested in the job he would like to know if the Board would consider negotiating a different benefit package before he came from out of town for an interview.

Mr. Pierce stated that this gentleman's name is Steve Kubaci.

The Board stated that they were not interested in negotiating a different benefit package for Mr. Kubaci.

Motion by Sanders, seconded by Lockley, directing Mr. Pierce to schedule interviews for the three candidates; Motion carried 5-0.

Mr. Pierce asked and the Board agreed that the interviews should be during an afternoon session.

Mr. Pierce said he would get the each Commissioner to pick a date for the interviews.

Michael Shuler- County Attorney- Report

Attorney Shuler stated that Lucy Turner, the Board's Labor Attorney, is here to discuss the Travel Policy submitted by the Clerk at a previous meeting.

Attorney Turner stated that the meals and per diem is higher for the County than it is for the State. Mrs. Johnson explained that the Board created that policy a while back especially for when they travel out of state.

Mrs. Johnson stated some of the changes made on this version of the current policy.

Commissioner Jackel stated she would like a workshop to discuss this policy further and would like the Board to consider having their department supervisors attend.

Commissioner Jackel asked Attorney Shuler to move forward with the TDC spending plan, either allowing them to move forward with the current plan or start the process for creating a new plan.

Attorney Shuler discussed this plan further.

Attorney Shuler discussed the current litigation with the City of Apalachicola regarding the Restore Act and asked the Board to consider authorizing a Resolution regarding this issue. He suggested appointing Mr. Pierce to represent the Board.

Attorney Shuler read the Resolution.

Commissioner Jackel expressed concerns of giving too much authority to anyone to represent the Board on this matter.

Attorney Shuler stated that he would forward a copy of the Resolution to each Commissioner and discuss with them.

Motion by Sanders, seconded by Lockley, to authorize the Resolution as presented by Attorney Shuler; Motion and second rescinded.

Commissioner Lockley and Attorney Shuler discussed the rules process for the Restore Act. Commissioner Lockley stated that the City should realize that Congress made the rules for the Restore Act not the County.

Commissioner Jackel and Attorney Shuler discussed the need for the appointment of a County representative.

Commissioner Sanders stated that the Gulf Consortium will meet tomorrow in Tallahassee.

Commissioners and Public Comments

Jimmy Rickards, of Apalachicola, presented a petition that was signed by residents that was against the soccer field at DW Wilson Park. He explained that the increased traffic and noise would be bad for the residents. Mr. Rickards stated that the original use for that property was for an extension of the cemetery not as a park and stated that there are fields at the old Apalachicola High School that can be used for soccer fields.

Ron Martina, of Apalachicola, stated that he has lived there over 40 years and originally that land was wetland and was filled in by the County at some point. He isn't in favor of using the park for soccer fields, stated past uses for this land, and recommended another location for the Board to consider for soccer fields.

Jimmy Lashley informed the Board that there is a new seafood workers association, Franklin County Seafood Workers Task Force, and discussed its purpose. He stated that there are at least 100 members and the next meeting is scheduled for January 30th. Mr. Lashley asked for Board support and stated that there are problems with the payments to the workers for the re-shelling program. He stated that there is a need to reopen certain bars for oystering and mentioned issues regarding which bars are being shelled. Mr. Lashley stated that the mission of his agency is not to replace any agency, but to improve on issues and services being provided to seafood workers.

Adjourn12:07

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

William Massey, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts