

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
APRIL 7, 2015
9:00 AM**

MINUTES

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

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

Call to Order

Chairman Massey called the meeting to order.

Prayer and Pledge

There was a Prayer followed by the Pledge of Allegiance.

Approval of the Minutes

Motion by Lockley, seconded by Parrish, to approve the minutes of the March 3 and March 15, 2015 regular 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 Supervisor Report

Howard Nabors – Superintendent of Public Works

Mr. Nabors updated Board on the timeline for completion of the parking lot on the County owned property behind the Swifty Serve store in Eastpoint,.

Mr. Pierce commented on this project.

Mr. Nabors updated the Board on grass cutting projects around the County.

Commissioner Sanders stated that the contractor hired by Duke Energy to trim trees in the County is leaving limbs and other items on the County right of ways and culverts. She asked both Mr. Pierce and Mr. Nabors to contact Duke Energy to get this problem rectified. Mr. Nabors stated that he has been cleaning ditches and right of ways behind this contractor.

Commission Sanders also asked Mr. Nabors to do some grass cutting and maintenance on Highway 67, but not the entire shoulder just a narrow area.

Fonda Davis - Solid Waste Director

Mr. Davis stated that the Debris Pickup Policy has been advertised in the newspaper as requested by the Board.

Commissioner Jackel and Mr. Davis discussed any inquiries he has received regarding the policy. Commissioner Jackel and Mr. Pierce discussed notifying contractors doing business in the County of the policy.

Chairman Massey and Mr. Davis discussed the need to do some maintenance of the handicap parking spots at the ballparks in Eastpoint. Mr. Davis will look at all of the handicap parking at all County parks.

Pam Brownell- Emergency Management Director

Mrs. Brownell stated that she didn't have the contracts for approval from the State as she thought she would this morning.

Action Items:

1. *Requesting Board Approval of The Management Experts Contract for Emergency Management Contractual Services.*
2. *Requesting Board Approval of Emergency Disaster Strategies, LLC Contract for Emergency Management Contractual Services.*

Information Items:

1. *Tress Dameron attended the G290 Class in Madison County on March 17-18.*
2. *CERT Meeting was held at the ANEER building in Eastpoint on March 19.*

3. *Jennifer Daniels attended the Special Needs State Registry Training Class in Tallahassee on March 23.*
4. *Pamela Brownell and Jennifer Daniels met with Phil Worley on March 24 regarding Wind Retrofit, Flood Mitigation and Debris Management.*
5. *Tress Dameron Attended the G202 Class for Debris Management on March 24-25th.*
6. *Pamela Brownell and Tress Dameron attended the EMNet Webinar Training on March 30.*
7. *Jennifer Daniels and Tress Dameron Attended the Big Bend Health Care Coalition Quarterly Meeting/Pre-Exercise Training Session on March 31.*
8. *Pamela Brownell attended the ANEER Exercise Planning Session on March 31.*
9. *Met with the State to do close out on the Franklin County EOC Wind Retrofit Mitigation Project.*

Erik Lovestrand- Extension Agent

Mr. Lovestrand updated the Board on funding for the new proposed location.

Mr. Pierce provided additional information regarding the problems in the State Legislature affecting funding for this project.

Mr. Lovestrand asked for Board approval regarding a position for the Sea Turtle Lighting program. He stated that the program only has 2 seasonal six month positions but needs at least one year round position. He would like to transition one of the seasonal positions to a full-time position. He stated job description and the total cost of this proposed full-time position at \$15 per hour. He has enough funding in his current budget so additional County funds wouldn't be needed.

Commissioners Jackel and Lockley questioned Mr. Lovestrand further about this request.

Mr. Pierce provided additional information, and will look into the requirements further and return with a recommendation.

Mike Cooper- Weems Hospital CEO

Mr. Graham, the Hospital's CFO, reviewed the financial reports.

Commissioner Jackel asked about the loss in revenue, low cash balance, and about a plan for moving forward. She also asked how this financial issue will affect the renovation project and stated some of her other concerns.

Mr. Cooper, the Hospital's CEO, updated the Board on the termination of the CSS contract.

Commissioner Jackel and Mr. Cooper discussed the possibility of a breach of this contract. Mr. Cooper discussed this matter further.

Attorney Shuler stated that, if the Board had no objection, he would get more involved with this matter. Commissioners Sanders and Jackel agreed that he should.

Mr. Cooper asked if Attorney Shuler will have the authority to make a decision on behalf of the Board.

Commissioner Sanders preferred that Attorney Shuler look at the situation further then advise the Board as to the best option.

The Board and Attorney Shuler discussed this matter further.

Mr. Cooper updated Board on the USDA application.

Mr. Cooper stated that Dr Charbonneau has tendered his resignation but fortunately prior to this notice he, Mr. Cooper, was able to negotiate a contract with a Dr. Green to work at the clinic and provide the same services as Dr. Charbonneau. Mr. Cooper provided information on Dr Green.

Commissioner Sanders asked Mr. Cooper if he put forth he best effort to try and retain Dr. Charbonneau and stated her concerns of not being able keep a primary General Practitioner for more than 3 years in the County. Mr. Copper responded to the Commissioner's concerns and stated some of the terms of Dr. Green's contract.

Mr. Cooper discussed some of the issues that attributed to the low cash balance that was discussed during the review of the financial reports. He explained an issue with Medicare, how the hospital might be able to recoup funds, up to \$385,000, from Medicare. He recommended that any funds recouped from Medicare is added to the Trust Fund but asked the Board to authorize \$600,000 from the Trust Fund to cover the hospital financially for the next few months.

Commissioner Jackel asked if the hospital could survive \$400,000 for the next 60 days, Mr. Cooper agreed to that offer.

Motion by Jackel, seconded by Parrish, to approve \$400,000 to assist Weems for the next 60 days financially and if more is needed, Mr. Cooper will return to the Board; Motion carried 5-0.

Mr. Cooper introduced Mark O'Bryant CEO of Tallahassee Memorial Hospital and Sharon Licht, Project Manager, and Larry Throneberry, CEO, of Adams Consulting Group to discuss matters with the Board.

Commissioner Jackel stated that he has received a couple of complementary calls regarding Weems Emergency Room services, and ask Mr. Cooper to congratulate Weem's staff regarding their services.

Mark O'Bryant - CEO - TMC Hospital - Update

Mr. O'Bryant discussed the possible negative impact that the actions of the State Legislature could have on health care in Franklin County and throughout the State and asked the Board to contact it's Legislative Delegation regarding critical access funding. He discussed the issues with funding for the LIP program and the importance of this program and the differences between the Senate and the House plan for health coverage in the State of Florida. Mr. O'Bryant stated the importance of having doctors and services in the County along with an upgraded facility. He stated that TMH was against the CSS contract that Mr. Cooper discussed earlier.

Mr. Pierce asked what role could TMH play in helping Weems provide additional services and recruit additional doctors.

Mr. O'Bryant while discussing TMH role, stated that building on primary services is one of the best way increase revenue and that he is working with CHP to provide additional methods of collection and billing.

Commissioner Lockley and Mr. O'Bryant discussed recruitment of additional doctors for the County.

Sharon Licht- Adams Group - discuss construction manager RFP

Ms. Licht stated her experience as an engineer, specializing in building hospitals, and other services that the Adams Group is able to provide. She explained the Construction Manager (CM) option as it relates to Weems construction project and the process that the County should follow to select and engage a CM.

Commissioner Lockley, Mr. Larry Throneberry, and Ms. Licht discussed the amount of fees Adams will receive for this project.

Commissioner Jackel asked for clarification on the process, including Adam's role, the Construction Manager's (CM) role, the architect's role, and how much the County will pay for these services.

Ms. Licht explained the differences and the advantages of a CM versus a General contractor.

Mr. Pierce asked about a guaranteed maximum price option (GMP). Licht explained the similarities between the CM and the GMP processes.

Commissioner Jackel requested in writing the process that was discussed today, including the MPO, so she could have the opportunity to review it. Ms. Licht stated that a document with that information is already in existence and would be provided to the Board.

Commissioner Sanders explained the process the County followed during the construction of the Carrabelle clinic.

Commissioner Parrish explained the importance of having all of these layers, especially because of the size and the cost of this project. He stated the advantage of using a CM.

Alan Feifer, an Alligator Point resident, asked what protection with the County have during this project, as in a performance bond, and who is responsible for the overall issues regarding the project.

Ms. Licht explained that the CM and sub contractors will be bonded and explained the process further.

Mr. Feifer spoke against the County using an AIA contract for this project if the Board proceeds with a CM.

Ms. Licht responded to Mr. Feifer's concerns, stating that Adams has modified the AIA contract to protect the County.

Commissioner Jackel stated why she preferred using a general contractor rather than the CM that Adams was recommending, especially because of the numerous subcontracting this project will require. She gave an example as to why a general contractor would be better than a CM for this project.

Ms. Licht explained some of the advantages of using a CM.

Commissioner Jackel and Mr. Throneberry discussed the services that Adams Group has provided for the County thus far.

Recess

Chairman Massey called for a short recess.

Reconvene

Chairman Massey reconvened the meeting.

Open Bids for Chapman Roof

Mr. Pierce opened and read the information from the bids.

Cathey Construction – Mexico Beach – \$217,978.00 base bid – \$108,000 added for alternates – bond included

Mike Harroll Roofing – Tallahassee – \$256,000 base bids – \$160,000 added for alternates – bond included

New South Systems – Tallahassee – \$169,5000 base bids – \$150,000 added for alternates – bond included

Motion by Sanders, seconded by Lockley, to forward the bids to EMO for a recommendation; Motion carried 5-0.

Mr. Pierce read a letter from the City of Apalachicola stating that they will build a standalone building for their library adjacent to Chapman building, expressing support for the doctor's

office located in the Chapman Building, and asked the County to consider using the auditorium in the Chapman building as a cultural center sometime in the future.

Board and Mr. Pierce discussed the possibility of historic grant funding for repairs to the Chapman Building.

Public Hearing on Turtle Lighting Ordinance

Attorney Shuler reviewed changes made to the Ordinance.

Commissioner Lockley and Mr. Pierce discussed the benefits of this ordinance to County residents, and the Federal government's authority and role relating to this Ordinance. Mr. Pierce stated that Franklin County was one of the first coastal counties, in 1998, to create one of these Ordinances, but most coastal counties now have one..

Chairman Massey opened the floor for public comments.
There were no comments from the floor.

Motion by Sanders, seconded by Jackel, to approve the Ordinance as presented; Motion carried 5-0.

Marcia Johnson - Clerk of Courts—Report

Ms. Johnson didn't submit a report.

Alan Pierce- Director of Administrative Service - Report

Mr. Pierce stated that Newt Colston was here to discuss the incorporation of St George Island. He distributed a letter from Mr. Colston.

Mr. Colston had no additional comments beyond what was already stated in the letter.

Commissioner Jackel stated that this has been an ongoing issue for over 12 years, but she was very proud of how the County Commission has protected the Bay, even prior to her serving. She congratulated all of the residents who have been working on this project and stated that there are some residents who are for incorporation, some who are against, and other that have not yet decided, but many of the residents agree that this should go to some type of referendum.

Motion by Jackel, to send the letter as requested by the residents to incorporate St. George Island; motion failed due to a lack of a second.

Commissioner Lockley spoke against this request as it only speaks to controlling development and a few other issues, but not all of the responsibilities as the other two cities in the County has.

Chairman Massey asked if this request didn't include St. George Island having it's own Road Department, there would be a conflict with the other cities in the County.

Mr. Colston responded to some of the Commissioners concerns and thanked the Board for their time and consideration.

Mr. Pierce presented the following items from his report.

1- Inform the Board that DACS did respond to the letters authorized at the March 3 Board meeting regarding the contract for barge shelling and the Board's concerns about the changes in the rules for summer harvesting. Neither response offered much hope of a change.

2- Inform the Board that I met with APTA representatives on March 19 to answer questions regarding the possible funding of the new Alligator Point Fire House. The property was donated by the St. Joe Company, and the site for the building has been cleared. The intent is to build a 3 bay fire station that will serve Alligator Point and St. Teresa.

Commissioner Jackel and Mr. Pierce discussed funding for this project.

3- Board action to approve a final change order for Bayshore Drive. While the project has been complete for some time this final change order finalizes the record of the project.

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

4- Board action to approve a Local Agency Program (LAP) Agreement for the design and engineering of a City of Carrabelle sidewalk project on CR 67. The LAP agreement is for \$44,285. Upon approval by the Board and DOT, the county will then solicit firms to complete the design and engineering. At some later date, there will be a separate LAP agreement for construction and that will probably occur in the summer of 2016 as the design and engineering has to be completed by Dec. 31, 2015.

Mr. Pierce stated that there was only one letter of opposition to this project but he thinks the issue could be worked out.

Motion by Sanders, seconded by Jackel, to approve the LAP agreement; Motion carried 5-0.

5- *Inform the Board that I have put the ad in the paper for RESTORE Consultants using the Request for Qualifications developed by Gulf County as a guide. The deadline for submitting a response is May 1, with the RFQs opened at the May 5 Board meeting.*

6- *At the March 17 meeting, the Board made a motion to contact our legislators about creating an exemption for individuals over 65 paying the \$100 for an oyster license. I emailed a letter to our legislators and have been informed by Senator Montford's office that he will do the best he can but the deadline for filling new legislation was actually on March 3.*

7- *Ms. Christina Saunders, on behalf of the Hickory Hammock Property Owners, has asked me to get a price the county would charge for grading the 3 main roads in Hickory Hammock. The roads are Hickory Hammock, Clark's Landing, and Big Buck Road. The only service the county is being asked to do is grade the roads with the motor grader. The homeowners are not asking the county to provide any material, or haul any material. The homeowners are seeking to pay for this service from the county because the county owns the only grader in the county. Board discussion.*

Commissioner Massey stated that if this project moves forward he wants Buck Street to be graded in the same manner as the residents are also willing to pay.

Mr. Pierce stated that he didn't get a cost estimate from the Road Department for grading Hickory Hammock.

Commissioner Lockley asked if maintaining these roads would create the situation where the County would then own these roads.

Commissioner Massey asked Attorney Shuler to contact Liberty County and ask about their procedures for maintaining private roads in their County.

Attorney Shuler explained the procedure he used a few years ago when he presented a more comprehensive ordinance about the County maintaining private roads.

Commissioner Parrish stated that there are many roads in the County that will fall under this Ordinance and may present an exorbitant cost to the County.

Commissioner Sanders stated that there are many roads in her district that would need this type of service.

Commissioner Jackel asked about a proposed project that would have created a list of private roads that needed maintenance and an estimated costs.

Board discussed that matter further.

Commissioner Jackel and Clay, of Preble-Rish, discussed the expected date of the final list for the paving project.

Board, Mr. Pierce, and Attorney Shuler discussed a proposed ordinance, cost, and other issues with this type of project.

Christina Saunders, a Hickory Hammock resident, stated what the residents in that area have done on their own to maintain their roads, and all the residents in that area is asking is when

the County is doing road maintenance in that area, is to do some grading on Hickory Hammock road which the residents would pay the County for.

Motion by Sanders, seconded by Lockley, directing Attorney Shuler to look at the current Ordinance and present a recommendation at a future meeting; Motion carried 5-0.

8- Board action on two SCOP projects, and one CIGP project for funding from DOT. The deadline for application is April 17.

Mr. Pierce stated that Hickory Dip, the first few miles of C-30, and an area on Highway 67 in Carrabelle would be good possible projects that could be submitted.

Motion by Jackel, seconded by Parrish, to accept all three roads as recommended by Mr. Pierce; Motion carried 5-0.

9- The Northwest Florida Water Management District is requesting each county join them in issuing a Proclamation naming April as Water Conservation Month, and to encourage all residents to protect our water resources through common sense water conservation measures. Board action.

Motion by Sanders, seconded by Parrish, to approve the Proclamation as requested; Motion carried 5-0.

10- Camp Gordon Johnson Parade will be in May, does the Board plan on participating.

Commissioner Sanders asked Mr. Pierce to reserve a slot in the parade for the Board.

Commissioner Massey asked Mr. Pierce to contact the garbage collection company and let them know that their trucks are leaking oil and causing damage to the roads in Carrabelle.

Commissioner Sanders asked that travel and expenses are arranged for any Board or staff member that will be attending the FAC conference scheduled in June. She also asked that the Commissioners are registered for the ethics training.

Commissioner Sanders recognized Commissioner Alan Bush and County Administrator David Corbin of Washington County.

Commissioner Jackel asked if there was in-house advertisement for the County Coordinator position.

Mr. Pierce explained that he did talk to the Board about advertising for this position and there wasn't anyone in his office that was interested so he didn't advertise in-house before the public advertisement.

Commissioner Jackel stated that she thought it was board procedure to advertise in-house previous to general advertisement.

Commissioner Jackel and Mr. Pierce discussed this matter further.

Commissioner Jackel suggested that we postponed the interviews as there might be someone on the County staff that might be interested.

Motion be Jackel to postpone the interviews to allow in-house advertisement; Motion died due to a lack of a second.

T. Michael Shuler- County Attorney Report

Attorney Shuler discussed the following items from his report.

1. Turtle Ordinance Public Hearing at 11:00 a.m. E.T.

This item was addressed earlier during the meeting.

2. "In God We Trust" Resolution

Attached is a recommended resolution approving the display of the words "In God We Trust" in the commission chambers. This resolution is based on the resolution approved recently in Gulf County Florida.

Attorney Shuler read the resolution and discussed this item further.

Motion by Jackel, seconded by Sanders, to approve this Resolution; Motion carried 5-0.

Attorney Shuler discussed Item 9 on his report and stated that he responded to some requests relating to this litigation. He also presented two addendum for Florida Probation contract, all of which he is submitting into the Board official records.

Chairman Massey asked for an update on the County suing both of the Probation companies for the funds that was stolen.

Attorney Shuler stated that the Board didn't authorize him to notify both of the companies that the County would be seeking reimbursement.

Commissioner Jackel and Attorney Shuler discussed what amount of funds the County would actually sue for.

The Board and Attorney Shuler discussed some of the other issues with Florida Probation Services.

Motion by Sanders, seconded by Parrish, directing Attorney Shuler to send a letter to both probation companies that the County will be requesting a recapture of the funds and an independent audit of Florida Probation Services Company as recommended by the State Attorney's office in it's letter to the County; Motion carried 5-0.

Commissioners' & Public Comments

Commissioner Jackel congratulated Lois Swoboda on her new book.
Board commented on this achievement and congratulated Ms. Swoboda.

Walter Armistead, a resident of St. George Island, asked if the incorporation of St. George Island item was now a dead issue and would not come back up at another Board Meeting. He asked the Board for a vote stating that the County was not in favor of St. George Island incorporating.

Motion by Parrish, seconded by Sanders, stating that the Board of County Commissioners was not in favor of the incorporation of St. George Island; Motion carried 5-0.

Recess

The Chairman recessed the Regular Meeting until 1:30 p.m. when the Board would go into Executive Session.

Reconvene

The Chairman reconvened the meeting and then went into an Executive Session.

Recess

The Chairman recessed the meeting after ending the Executive Session.

Reconvene

The Chairman reconvened the meeting at 1:22 p.m. to conduct interviews for the County Coordinator position.

Interviews

Mr. Pierce explained that there were 4 candidates for this position but as of yesterday all but Mr. Morón withdrew their applications for the position. He stated the different reasons each of the candidates withdrew their applications.

The Board then proceeded to interview Mr. Morón.

Mr. Morón stated his experiences and education that would make him qualified to serve as the County Coordinator.

The Board and Mr. Morón discussed the requirements and expectations of the position.

Motion by Lockley, seconded by Sanders, to hire Michael Morón as the County Coordinator at a salary of \$57,000 and to add senior management status on October 1, 2015, the beginning of the new fiscal year; Motion carried 4-0. Commissioner Jackel was absent.

Adjourn 2:40 p.m.

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

William Massey, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts