

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
FRANKLIN COUNTY COURTHOUSE ANNEX  
SEPTEMBER 1, 2015  
9:00 AM**

**MINUTES**

**Commissioners Present:** William Massey – Chairman, Joseph Parrish – Vice Chairman, Noah Lockley, Cheryl Sanders, District 1 Commission Seat- Vacant pending appointment.

**Others Present:** Alan Pierce – Director of Administrative Services, Michael Morón – County Coordinator, Michael Shuler – County Attorney, Marcia M. Johnson-Clerk of Court, Lori Hines-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 Commissioner Sanders to approve the minutes from the meetings held on June 2, 2015, July 7, 2015 and August 18, 2015. Commissioner Lockley seconded the motion. Motion carried; 4-0.**

**Payment of County Bills**

**Motion by Commissioner Lockley to approve payment of the County's bills. Commissioner Sanders seconded the motion. Motion carried; 4-0.**

**Department Directors Report**

Howard Nabors – Superintendent of Public Works

Mr. Nabors appeared before the Board but did not have a report at this time. Mr. Moron said the fire chief at Alligator Point congratulated the Public Works Department on the excellent job they did at the fire station on an area deemed hazardous to the helicopter.

Mr. Moron discussed Item #2 from his report:

Board discussion with Howard Nabors, Road Superintendent, on his opinion of buying milled asphalt. CW Roberts has informed the county that they have the contract to pave US 98 between Port St. Joe and Apalachicola and if the Board wants to buy a quantity of milled asphalt they will sell it for \$5 a ton.

**Commissioner Sanders made a motion to approve purchasing the milled asphalt.**

Commissioner Sanders questioned how much milled asphalt the County can get. Mr. Nabors said they will get as much as they can. Commissioner Parrish reported Roberts & Roberts is going to be doing the job in Apalachicola from the foot of the bridge to 12<sup>th</sup> Street and all the asphalt will be milled also. Commissioner Sanders asked if he wanted to get in contact with Roberts & Roberts too. Commissioner Parrish said yes and asked this location will be closer to the state yard. Mr. Nabors reported they will stockpile the milled asphalt in different staging areas in Carrabelle, Eastpoint and Apalachicola. **Commissioner Sanders amended her motion to direct staff and Mr. Nabors to contact Roberts & Roberts and get a price for the milled asphalt and contact C.W. Roberts about purchasing the milled asphalt. Commissioner Parrish seconded the motion.** Commissioner Sanders said she will leave this matter up to Mr. Nabors' discretion. **Motion carried; 4-0.**

Fonda Davis – Solid Waste Director

Mr. Davis said everything is good with the Solid Waste Department.

Mr. Davis said the County needs to update the Animal Control Ordinance so Attorney Shuler was contacted about this matter. Mr. Davis informed the Board the current Ordinance was adopted in 2001 and needs to be updated.

**Commissioner Sanders made a motion to direct Attorney Shuler to update the Animal Control Ordinance and come back to the Board with recommendations.**

**Commissioner Lockley seconded the motion.** Commissioner Lockley questioned if there are agreements with the cities. Attorney Shuler stated he is not aware of any interlocal agreements with the cities to provide animal control. **Commissioner Sanders**

**amended her motion to include Attorney Shuler looking into interlocal agreements with the cities. Motion carried; 4-0.**

Mr. Davis reported Animal Control is experiencing heavy calls on Highway 67 in Carrabelle about horses. He said they do not have any place to house them but they do need to get out there and try to return them to their owners. Mr. Davis questioned if it is legal to place some signs saying there are horses in the area. Commissioner Sanders stated out on Highway 67 Townsend Company cut around the power lines and the old fence was exposed and the horses are getting out. She said she has no problem with putting up signs and maybe contacting the owners about the fence. Mr. Davis said Mr. Albert Floyd, Animal Control Officer, made contact with the owner and they are trying to work on the problem. Commissioner Sanders stated she is not sure if the property owner has any kind of agreement with Townsend to replace some of the fence but the horses do get out a lot. **Commissioner Sanders made a motion to put up some signs saying Horse Crossing. Commissioner Lockley seconded the motion. Motion carried; 4-0.**

Mr. Davis reported the Parks & Recreation Department has a vacant position due to an employee being terminated as they did not meet the probation status. He requested permission to fill this position at a later date. **Commissioner Parrish made a motion to allow Mr. Davis to fill this position at a later date. Commissioner Lockley seconded the motion. Motion carried; 4-0.**

Pam Brownell – Emergency Management Director

Mrs. Brownell appeared before the Board. She said the County should expect rain for about three days due to the remnants of Tropical Storm Erika. She stated Hurricane Fred has now been downgraded to Tropical Storm Fred.

Action Items:

Requesting the Board approval and signing of Debris Removal Services Contracts.

Mrs. Brownell said the Debris Removal Services Contracts have expired and she is trying to work out the language with Attorney Shuler. She explained the same contract was signed two years ago and the years before but now there seems to be an issue with the words that say private property. She read the sections addressing right of way and right of entry. She read the section about private property waivers that says the County does not go on private property. Mrs. Brownell said the contractors do not

go on private property unless it is absolutely necessary and it would be a Board decision. Attorney Shuler reported there is probably not a funding mechanism in the event you go on private property. He asked Mrs. Brownell to address this issue. Mrs. Brownell stated because the county does not have an nuisance and abatement ordinance in effect, FEMA will not pay the County if they had to go a private property for a health or public safety issue. She reported this is why it would be a Board decision before a contractor touched anything on private property. Attorney Shuler informed the Board they already have discretion during declared states of emergency to go onto private property but they have never exercised it due to a lack of funding, manpower and equipment. Attorney Shuler expressed concern about going into a contract with this as a contractual obligation. He reported he wanted the issues brought to the Board since it is a policy decision for them. He explained the previous contracts gave the Board some discretion but there was also a provision for record keeping to receive reimbursement. He said maybe the FEMA funding was different two years ago but now there is no funding from FEMA. Attorney Shuler asked for Board direction on this issue. Commissioner Parrish expressed his opinion the County should not go on private property. He said if a home is destroyed or damaged then insurance companies should be handling damages. He agreed as previously stated the County does not have the resources to fix things on private property. He said he is not in favor of putting public employees or contractors, working as public employees on behalf of the Board, on private property. Commissioner Parrish reported the community comes together to help during a disaster and he thinks they will continue to do it. He said tax dollars should not be spent on private property. Commissioner Sanders asked if this is the same contract they signed before. Mrs. Brownell reminded the Board no contractor will go on private property unless authorized by the Board. Commissioner Sanders suggested removing this section from the contract and then approving the contract as debris removal is needed. Commissioner Parrish agreed the section on right of entry should be removed. Commissioner Lockley agreed the county does not have the resources and questioned what would happen if one of the County employees were hurt on private property. Attorney Shuler reported the County is responsible for employees under workers compensation laws. Commissioner Lockley agreed this section should be removed from the contract. Commissioner Sanders stated in a state of emergency the Board has the discretion to enact whatever needs to be done. **Commissioner Sanders made a motion to approve the contract subject to taking the section on right of entry out of the contract. Commissioner Lockley seconded the motion.** Commissioner Parrish suggested keeping a record of this section in case it is needed later during a state of emergency. **Commissioner Sanders amended her motion to include keeping a record of this section in case it is needed later during a state of emergency. Commissioner Lockley amended his second.** Mrs.

Brownell asked if the Chairman can sign these contracts since only 1 page will need to be changed. Attorney Shuler said an amended contract should be printed for the Chairman to sign. Mrs. Brownell agreed to print out an amended contract. **Motion carried; 4-0.**

Information Items:

1. Staff plans to attend the Region 2 meeting on September 3<sup>rd</sup>.
2. Pamela Brownell and Tress Dameron attended the ARPC meeting on August 25<sup>th</sup>.
3. Met with State Mitigation for the Residential Construction Mitigation Grant on August 18<sup>th</sup>.
4. Staff is measuring houses for the applicants of the Residential Construction Mitigation Grant.
5. Ongoing monitoring of the Atlantic Storms/Waves and their activity.

Chairman Massey stated Mr. Lovestrand is out of town but his report was submitted to the Board.

Erik Lovestrand – Extension Agent

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

General Extension Activities:

Extension Director met with UF Facilities staff on site at future extension office to discuss construction plans.

Extension Director worked with DEP and UF staff regarding sublease agreement for new facility.

Extension Director worked with DEP staff on required land management plan as part of the sublease agreement.

Extension Director worked with County staff regarding UF/County MOU related to the extension facility.

Sea Grant Extension:

Extension Director had discussions with Bay County Sea Grant Agent regarding a Restore project that potentially involves Apalachicola Bay.

Extension Director taught two Master Naturalist course modules in Gulf County.

Extension Director participated in Ocean Acidification Webinar online that covered the topic of OA impact on the shellfish industry.

#### Family and Consumer Sciences:

The Family Nutrition Program Assistant is gearing up to provide a curriculum in Franklin County's School System. The curriculum being used is called Y.U.M. (Youth Understanding My Plate) developed by UF. K-5 students will be learning about My Plate which includes the different food groups and appropriate portions for each.

#### 4-H Youth Development:

The 2014-2015 4-H year will come to an end on September 1<sup>st</sup>. Reflecting a little on the past year, Working in concert with Gulf and Wakulla 4-H, Franklin County successfully started up the Franklin County 4-H Saddle Club which is the very 1<sup>st</sup> known 4-H Horse Club in Franklin County. Also, students from a First Baptist Christian School participated in AG Adventures which is an agriculture-related educational field trip located at the UF North Florida Research & Education Center in Quincy. This year AG Adventures has made room in their maximum student capacity to include students from ABC School and Franklin County School.

#### **Friends of the Library – Consideration of Lease for Eastpoint Library**

Attorney Shuler said he has, for the Board's consideration, a proposed lease for the Eastpoint Library. He stated the lease is between the Friends of the Franklin County Library, the landlord, and Franklin County, the tenant. He explained this is the same lease approved in 2013 with three changes. He stated the first change is to the term of the lease. He said the initial term is from 9/1/15 until 9/30/15 and then automatically renews from October 1, 2015 until September 30, 2016. He said it would then renew in increments of one year automatically on the same terms unless either party exercise their right to terminate the lease upon 30 days notice. Attorney Shuler stated the second change is the rent has been reduced from \$2,700/month to \$2,000/month which is the amount budgeted for this public service. He reported a new paragraph has been added #31 Special Provision that says the landlord is responsible for the maintenance of the driveway, the parking lot and the grounds. Attorney Shuler explained the lease in 2013 expired and was not renewed at the beginning of the fiscal year so they are trying to clean this issue up by getting through this fiscal year and providing for upcoming fiscal years. He recommended the Board approve this lease. Commissioner Lockley asked if the money is in the budget if the lease is approved now. Attorney Shuler stated there is currently money in the budget for this fiscal year and the proposed budget has \$2,000 a month for this item. Commissioner Lockley expressed concern the budget has not been passed yet. Attorney Shuler said he can add a provision that the annual renewal is subject to the Board allocating funds for the upcoming budget year. **Commissioner Sanders made a motion to approve the lease**

**subject to Attorney Shuler adding a provision the annual renewal is subject to the Board allocating funds for the upcoming budget year. Commissioner Lockley seconded the motion. Motion carried; 4-0.**

### **Marcia Johnson – Clerk of Courts – Report**

Mrs. Marcia Johnson, Clerk of Court, did not have a report at this time.

### **Alan Pierce – Restore Update**

Mr. Pierce appeared before the Board and read the following Restore Update:

1- I participated in a conference call on Friday with representatives of the 8 impacted counties. As Commissioner Sanders will discuss, there is an attack from the other counties to shift the allocation of funds coming to the Consortium. In the conference call on Friday, the reps from the 8 counties agreed that there needs to be unity of the 8 counties as we are the ones that were impacted, not the rest of the state. It is possible that the 8 counties will create a separate “Committee of 8” to protect our interests. The concept of the “Committee of 8” is to work together on issues outside of the Consortium, such as protecting our mutual interests with Gulf Triumph. There is another conference call on Wed. Sept. 16 for the 8 counties RESTORE coordinators.

Mr. Pierce reported Gulf Triumph is another funding source created by the Legislature and the terms may be changed. Mr. Pierce said they are looking at creating something to bind the 8 counties together to make sure their interests are protected. He explained there was an attack and proposed change on one of the pots already. Commissioner Sanders reported Attorney Shuler, Mr. Moron and Chairman Massey also attended the meeting with her in St. Petersburg. She explained the night before Monroe County proposed to the Consortium a 75-25 split on the pot #3 money. She said after much debate another proposal was made to divide the money into 1/3, 1/3, 1/3. She stated there will be attacks on the pot #2 money and pot #3 money. Commissioner Sanders said they use as a weapon the fact that the 8 counties are getting the pot#1 money and the others counties are not getting any part of it. She reported it is important that Franklin County have representatives present. She said it appears the only impact on the other 15 counties is the down turn in tourism as they did not have an environmental issue. She reported the 8 counties had the environmental issue and the economic impact. She said if the 8 counties pull out of the Consortium it will go away. She reported they were trying to include everyone but now more proposals are being slipped in. Commissioner Sanders said it took Franklin

County a year to join this Consortium because they were afraid the larger counties would try to take over which is what is occurring now. She said the Board needs to be very vigilant. Commissioner Sanders stated as it is now between \$12-13 million are coming to Franklin County and she is not going to let anything happen to that money. She reported it is very important to attend these meetings. She explained the options were a 75-25 split, a 1/3, 1/3, 1/3 split and a 50-50 split. She reported 19 out of 23 members of the Consortium voted for the 50-50 split on the pot #3 money. She expressed her opinion that this matter is not over. She stated it is imperative the County keeps a presence at these meeting. Commissioner Sanders reported if the majority of the 8 counties want to leave the Consortium and make a committee of 8 she will support it because the 8 counties are going to need some backing. Attorney Shuler and Mr. Moron agreed with Commissioner Sanders on this matter. Chairman Massey stated Mr. Pierce needs to be attending meetings and checking on this as other counties already have someone watching out. He expressed concern the County does not have a Restore Coordinator. Mr. Pierce said he is acting in this position for the time being and later they can decide what kind of structure they want and he will help with this matter. He stated this will be a long term project. Mr. Pierce reported the pot #1 money is sitting there reserved but the battle will be in the next few months on whether they are going to make an attack on the Legislature this session, on the Triumph money or try to restructure the Consortium again. Mr. Pierce reported he is looking at the Restore program from a staff perspective and it is complicated.

2- Inform the Board that I and Clay Smallwood, Preble-Rish, met with DEP representatives on Thursday, August 26, to go over the state's early restoration projects in Franklin County. At this time DEP has put Preble-Rish under contract to design the bathrooms on the Eastpoint and St. George Island Fishing piers, the bulkhead improvements at the St. George Island Boat ramp, and the improvements to the Indian Creek Boat ramp. The tentative schedule is for the bathrooms to be built first, probably in the winter/spring of 2016, and the other projects to follow in fall 2016. The work on the visitor center at Lombardi is still in the design phase.

3- I have reviewed and a draft scope of work for Dewberry and am waiting for a response.

Mr. Pierce reported Mr. Moron will schedule a meeting about what will be done at Lombardi's. Mr. Pierce said Dewberry were selected as the Restore Consultants and he will talk with the Board members this week about the scope of work and make sure everyone understands and is in agreement. He informed the Board they are following the path of Gulf County. He explained Gulf County has a signed contract with



Dewberry and he believes it is covering all their needs and he is going to recommend a similar scope of work. Commissioner Sanders stated Mr. Warren Yeager, who stepped down as a County Commissioner and is now the Restore Coordinator for Gulf County, represented the 8 counties very well. Commissioner Sanders asked if Mr. Pierce wanted to meet individually or in a workshop. Mr. Pierce stated individually unless the Board wants a workshop. Commissioner Lockley asked if they have worked out the rules on the money the County is receiving. Mr. Pierce said they are working on the rules. Mr. Pierce stated Franklin County is benefitting from the troubles being raised by others trying to get the Treasury to create the rules. He reported no one has received any money because the Treasury is still developing rules and guidelines. Mr. Pierce reported the first step is getting a planning grant for small counties since the County does not have money to pay to get some of these things done. He explained the planning grant will then create a multi-year implementation plan. Mr. Pierce said Treasury is still addressing the multi-year implementation plan. He stated no county has an approved multi-year implementation plan yet. Mr. Pierce said Bay County has done more than any other county but they have not submitted a multi-year plan. Commissioner Lockley said there is no point in the council meeting until the rules have been received. Mr. Pierce agreed the meeting should not be held until the County knows the steps to be taken. Mr. Pierce stated some counties had council meetings and now people have to go back and resubmit plans due to the guidelines. Mr. Pierce reported the County has avoided some confusion at the local level by not having meetings until they have the guidelines. Mr. Pierce stated he can see the County having a Restore meeting in a few months but he was waiting until the Treasury has some direction on how to proceed. Commissioner Lockley said to make sure the County gets a copy of all the rules. Mr. Pierce stated the judge has not ruled but if he rules as proposed, the pot #1 money for Franklin County is approximately \$21 million. Mr. Pierce reported the Transocean settlement is \$5-7 million and the money is there but no one can get to it as the multi-year plans have not been approved yet. Mr. Moron said Dewberry will be very active with the council when they start to meet and will guide them on what needs to be done. Commissioner Lockley asked how Dewberry will be paid when the money has not been received. Mr. Pierce stated they agreed to be reimbursed when the County receives the money from the Treasury. Attorney Shuler said this same issue came up with the BP response team and some of the same language will be used because it protected the County. Mr. Pierce stated Gulf County has this language in their contract and he will provide this information to Attorney Shuler.

Mr. Alex Quintana, Congresswoman Gwen Graham's Office, appeared before the Board and said their office hours in the Courthouse today are from 10-12. Chairman Massey

reported he is taking Mr. Quintana with him to Eastpoint this afternoon. Commissioner Sanders asked about the status of the Eastpoint Channel. Mr. Quintana reported there has been no change since last month but Congresswoman Graham is working on it in DC.

Recessed at 9:40 a.m.

Reconvened at 9:50 a.m.

### **Michael Morón – County Coordinator – Report**

Mr. Moron appeared before the Board and presented the following report.

1. Inform the Board that we received notice from the Department of Economic Opportunity that the final payment on the loan for the George E. Weems Hospital has been received. A copy of the letter is attached.

Mr. Moron asked the total amount of the loans. Mr. Pierce said there were two loans for \$300,000 each.

2. This item was discussed previously in the meeting.
3. Inform the Board that the Marshall Field Station on Little St. George Island is being considered for nomination for listing in the National Register of Historic Places. A copy of the letter is attached.
4. Board action to authorize the Chairman's signature on a Resolution designating Friday September 25, 2015 as 'Estuaries Day' and the week of September 19 – 26, 2015 as 'National Estuaries Week'. A copy of the Resolution is attached.

**Motion by Commissioner Parrish to approve the Resolution designating September 19-26, 2015 as "National Estuaries Week". Commissioner Sanders seconded the motion. Motion carried; 4-0.**

### **FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION**

WHEREAS, a quarter of a century ago Congress declared it national policy in the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) to preserve, protect and where

possible, to restore or enhance, the resources of the Nation's coastal zone, including estuaries, for current and future generations thereby establishing the National Estuarine Research Reserve System and the Apalachicola National Estuarine Research Reserve, one of 28 Reserve across the nation;

WHEREAS, the estuaries of the United States comprise a significant share of the national economy, with 43 percent of the population, 40 percent of employment, and 49 percent of economic output located in such regions. Coasts and estuaries contribute more than \$800 billion in trade and commerce to the U.S. economy each year and support more than 28 million jobs in commercial and recreational fishing, boating, tourism, and other industries. Furthermore, it is estimated that the nation's estuaries provide habitat for more than 75 percent of America's commercial fish catch, and 80-90 percent of the recreational fish catch;

WHEREAS, the Apalachicola National Estuarine Research Reserve comprises 246,000 acres of uplands, river and bay, provides vital habitat for countless species of fish and wildlife, including many that are listed as threatened or endangered Franklin County acknowledges the importance of protecting bays, river and surrounding uplands and the role the Apalachicola National Estuarine Research Reserve plays in providing vital scientific information on the health of the Apalachicola Bay and River;

WHEREAS, the Apalachicola Bay Estuary provides critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization and erosion prevention, and protection of coastal communities during extreme weather events;

WHEREAS, the Franklin County Board of County Commissioners acknowledges Apalachicola National Estuarine Research Reserve's contribution to the Franklin County economy by a direct investment from the federal and state governments that employs twenty-five people;

WHEREAS, September 19-26, 2015, has been designated 'National Estuaries Week' to increase awareness among all citizens, including local, State, and Federal officials, about the importance of healthy estuaries and the need to protect them;

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners designates the last Friday of September, September 25, 2015, as 'Estuaries Day'; and supports and acknowledges the importance of estuaries to Franklin County's economic well-being and productivity; applauds the work of the Apalachicola National Estuarine Research Reserve and reaffirms its support for estuaries, including

the preservation, protection, and restoration.

**THIS RESOLUTION ADOPTED on this 1<sup>st</sup> day of September by the Franklin County Board of County Commission.**

**s/William Massey**  
**William Massey, Chairman**

**ATTEST:**

**s/Marcia M. Johnson**  
**Marcia M. Johnson, Clerk of Court**

5. Inform the Board that the Legislative Delegation meeting is now set for Monday, Sept. 28. A time will be announced later but it will be in the early evening.

Mr. Pierce stated the meeting will start in Gulf County and then come to Franklin County.

6. Inform the Board that Senator Montford's Office has also distributed the 2015 Community Budget Request forms. The Board has until Nov. 30 to return the forms. As with last year, the Senator recommends the Board identify their number one project. Board discussion. A copy of the form is attached.

Mr. Moron reported the Board needs to select a number one project. Commissioner Sanders asked about the projects last year. Mr. Pierce said the UF Extension Office renovation was number one on last year's list and was the only project funded. Mr. Pierce stated the other projects on the list were the Eastpoint Channel, hollow for drainage in the City of Carrabelle and drainage in Apalachicola. Mr. Moron asked if the Board would like him to send them the list from last year. Commissioner Sanders said to send the list on their ipads. Mr. Pierce explained some projects last year could have been funded if they were run through a state agency and had agency support. He suggested the Board recreate a list this year with some better ideas. Commissioner Sanders said it would help if projects like the drainage project in Carrabelle were also listed as a priority by the City of Carrabelle as it is within the city limits. Mr. Pierce agreed this would also help with the projects in the City of Apalachicola. Commissioner Sanders said the Board needs to be consistent with what the cities want. Mr. Moron agreed to send the list to the Commissioners. Commissioner Parrish said the paperwork says they may have a budget shortfall so the Board needs to consider

something that has a good chance of being funded. Mr. Pierce agreed the scale is up to \$500,000 but the project may not be funded if you ask for more money.

7. Inform the Board that Doug Haddaway contacted Alan last Thursday about additional improvements at El's Court. Apparently the state is able to count the acquisition in some fashion with BP and so the FDEP is supporting the effort to obtain additional funds. Alan has made a request for \$100,000 to build an elevated boardwalk, improve the parking, and create kayak launches at the ends of the existing piers.

Mr. Pierce said he will meet on site this Thursday with Mr. Haddaway and some state representatives to review the options. He explained the property is approximately 2 1/2 acres on the south side of the road and almost 5 acres on the north side. He reported Highway 98 dissects the property on a dangerous curve and the ideal situation would be to get the road moved north so there would be more land on one side of the road for improvements. He explained if money is received he does not want to make improvements to the north side of the road and then people try to cross the road and create a traffic problem. Mr. Pierce informed the Board at this time he is only looking at improvements on the south side of the road. He said no one would give him enough approval to move the road north. Commissioner Sanders reported the improvements need to be passive as the property is located on a dangerous curve. She stated one of the reasons she wanted the property was for the County, possibly in the future, to try and realign the road. Mr. Pierce stated the Board still has a requirement to reforest the area. Chairman Massey said the same problem is occurring east of Eastpoint at the park where people are walking across the road. Commissioner Lockley agreed it would be better to move this road and use the existing one as a bypass. He said the area is already dangerous and if you put people there it will be very dangerous. Mr. Pierce said the estimated cost for moving the road north was \$500,000-\$1,000,000 and they were not going get the money to move the road. He reported DEP said this is not an item they will fund. Commissioner Sanders said she also wanted the property as she did not want condos there as the little motels created enough problems. She explained with the recent accident and the death resulting from it she just thought maybe in the future the road could be realigned.

8. Board action to sign a Work Order with Preble-Rish for surveying work associated with the road to the new airport industrial site. Even though the Airport Committee has not finished ranking consulting engineers, Preble-Rish can move ahead with the surveying work on the project. They would not be acting as a sub to AVCON but would work directly for the Board surveying the work as laid out in

the FDOT funding agreement. Board action will allow work to continue on the project until a consulting engineer is selected. A copy of the work order is attached.

**Motion by Commissioner Parrish to approve signing the work order. Commissioner Lockley seconded the motion. Motion carried; 4-0.**

9. Board action to reduce the membership of the Airport Advisory Committee to 7 members from the current 9. Two existing members have not attended it several years, one has been absent since to 2011 and the other 2013 and need to be deleted from membership. By reducing the size of the committee it will be easier to have a quorum. The membership of the Committee is not set by ordinance but by action of the Board. Board action.

**Motion by Commissioner Lockley to reduce the membership of the Airport Advisory Committee from 9 to 7. Commissioner Parrish seconded the motion. Motion carried; 4-0.**

10. Board action to approve a committee consisting of Alan Pierce, Ted Mosteller (AAC Chairman), and Jason Puckett (Airport Manager) to review the RFQs for Airport Consulting Engineers. This action will expedite the process. I will tally the scores and inform the Board of the rankings.

Mr. Moron reported at the last meeting the Board selected members but they are still having issues. **On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve a committee of Mr. Alan Pierce, Mr. Ted Mosteller and Mr. Jason Puckett to review the RFQ's for the Airport Consulting Engineers.**

11. The issue of whether Pogy Road northwest of Apalachicola, off of Bluff Road, is a public road recently came up. Pogy Road runs approximately 485 feet north of Bluff Road and contains 0.22 acres. The Board discussed this issue back in 2008, but the minutes are not clear as to what was determined at that time. The Road Department has documentary evidence they have been maintaining Pogy Road since 2008 and anecdotal evidence that the County has maintained the road for several years prior to then. Board action.

**Commissioner Parrish made a motion to designate Pogy Road as a public road. Commissioner Lockley seconded the motion. Motion carried; 4-0.**

12. Inform the Board that Mr. Robin Brinkley, Building Official, has informed Alan that he intends to retire as soon as a qualified Building Official can be hired. Mr. Brinkley has begun working part-time and will continue to do so until his replacement is hired that meets the state requirements for acting as a Building Official. The starting salary for the Building Official is \$45,000. In order to sit for the exam as a Building Official an applicant must have at least 10 years experience in the construction industry at a level acceptable to the state. In order to issue building permits the county must employ a Building Official. Because Mr. Brinkley has started working part-time Alan has informed the City of Apalachicola that they will need to take back the responsibility of issuing city building permits and inspections. In the letter Alan wrote to the City, the county will continue to issue permits for the City until Sept. 30, and we will do the inspections for all permits we have issued. No one in the building department is qualified to take the state exam so Alan recommends the Board advertise the vacancy. Board action. Copies of the job announcement and letter to the City of Apalachicola are attached.

**On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board, it was agreed to advertise for a County Building Official.** Mr. Moron said the advertisement will run for 2 weeks and he will keep the Board updated.

13. Board action to authorize the Chairman's signature on a Site Visit Completeness Letter that is part of the County's CDBG application. A copy of the letter and DEO's request for the letter is attached.

Mr. Moron informed the Board this is the project Ms. Debra Belcher is working on and is part of the application. He explained they met with Mr. Mark Curenton and they need a letter saying they had a site visit. Mr. Pierce stated this is the first step in the right direction for getting funds. **Motion by Commissioner Lockley to authorize the Chairman's signature on a Site Visit Completeness Letter for the CDBG application. Commissioner Sanders seconded the motion. Motion carried; 4-0.**

14. Inform the Board that the County has received the warranties for the Chapman Auditorium Roof.

Commissioner Lockley asked about the length of the warranty. Mr. Moron stated there is a 15 year warranty from the manufacturer and a 2 years contractor's warranty. Mr.

Pierce reported tests were done and the roof did not leak. He stated the Board will get money back as the project came in under budget.

15. Inform the Board that Kim Bodine was on a conference call regarding the use of the Department of Agriculture funding for the shelling program. Senator Montford, Representative Beshears, Commissioner Putnam, Kal Knickerbocker, and others, were on the call. There were concerns raised about the costs of the shelling program that included salaries, payments to oyster shellers, and the material mover/equipment handler. A copy of the Mrs. Bodine's email that explains this meeting in more detail is attached, and discussions are ongoing.

Chairman Massey asked Mr. Shannon Hartsfield, Seafood Workers' Association, to come forward and address the Board. Mr. Hartsfield stated from the time they announced they had \$560,000 until the time to receive it, they have decided everyone was getting paid too much. He explained they want the payments reduced by one third. He stated they tried to stretch it out by going to 2 days a week but the shellers were struggling at \$250 a week. He informed the Board he does not know what they are expecting if getting paid \$375 a week is too much. He reported the situation is not getting better and bar shelling will be done for the next 5 years. He said there is another \$4 million coming for bar shelling so it will be done for awhile. Mr. Hartsfield stated the problem is the shelling is not going in the right area. He said there is good spat set this year but the oysters have just not had the time to grow. Mr. Hartsfield reported the east end of the bay is coming back but the west end is still the same situation and not surviving. He stated the ratio of spat survival is really low. Commissioner Sanders said she did some research and the money is coming out of the excess funds from the boater registration fund. She explained the person who made the bill up in the senate side is the Chairman of the Agricultural Committee, Senator Bill Montford. Commissioner Sanders suggested Mr. Moron get in contact with Ms. Marsha Mathis and have them lobby in our defense. She explained if the Department of Agriculture has problems they need to work them out but they don't need to punish the people in Franklin County depending on the shelling program to try to make ends meet. Commissioner Sanders stated they have been notified by FWC they will be allowed 2 days a week on Cat Point and 1 day a week on East Hole. Mr. Hartsfield said Cat Point will be open 4 days a week. Commissioner Sanders said this is a change. Mr. Hartsfield reported the only area permanently closed is Dry Bar. He stated East Hole will be open every Monday. Commissioner Sanders stated the people of Franklin County do not need to get caught up in the bureaucracy of the state. **Commissioner Sander made a motion to contact Senator Montford and have him and his staff work through this and try to come back with a helpful decision that will help the people of**



**Franklin County continue shelling.** She explained if they are having a problem with administrative fees or the amount being charged for the material mover/equipment handler then that is their problem but it has nothing to do with the people who work on the bay. She suggested Senator Montford's office intervene on behalf of the County. Mr. Hartsfield said he does not understand the Department of Agriculture saying they are being paid too much when last summer they made more money doing more trips. He explained they were making \$165 day hauling three yards through DAC and now there is a problem with them making \$125 a day. Commissioner Sanders said her understanding is the excess funds in the boaters' registration fund are used for this kind of issue. She stated they still need to continue shelling as the bay is not back where it needs to be and they know it. **Commissioner Parrish seconded the motion. Motion carried; 4-0.** Commissioner Lockley asked what they are proposing to pay the oystermen. Mr. Hartsfield stated they want to decrease it to \$40 a load which is \$80 a day. He reported the men do not even have money to repair their equipment. He stated they probably have 375 people signed up for shelling but the most he has had working is 208. He informed the Board a lot of the people in this county are working somewhere else. He stated they are trying to stay here and take care of their families. He reported in the last couple of months they are averaging about 180-188 people. Commissioner Sanders reported they are only allowed to catch 4 bags of oysters a day. Mr. Hartsfield said he didn't think they could get 4 bags a day. He explained the FWC statistics are always higher than the University of Florida. He said there are supposed to be 76 bushels on East Hole and when Monday comes you will see oystermen you haven't seen in a long time. He reported East Hole will not last for very long. Mr. Hartsfield said this morning he looked out at Cat Point and there were about 25 boats. He reported there is no where near the number of people oystering compared to what used to be. Commissioner Lockley asked if the bay opened today. Mr. Hartsfield answered yes and said East Hole will open next week. Commissioner Lockley asked if the motion could include the oystermen should be paid the same as they were making before. **Commissioner Sanders amended her motion to include the Board is opposed to the recommendation they get 1/3 of the pay and anything else that doesn't sound good for the people. Commissioner Parrish amended the second.** Commissioner Sanders reported in the beginning Ms. Kim Bodine said the administrative charge could be up to 7%. She reported now through due diligence Ms. Bodine was able to put money back and thought it would be allocated and now they are having questions about the distribution. She explained the shelling program has been going on for 3 years and there were no questions before now. Commissioner Sanders stated the people of the county should not have to pay consequences for the state not monitoring this issue close enough. Mr. Hartsfield said the program was set for 6 months and a lot of the administrative money was added back in for shelling. He

reported DAC has put \$300,000 in for purchasing shell only. He said the program has gone for 9 months instead of 6 months. **Motion carried; 4-0.**

### **T. Michael Shuler – County Attorney – Report**

Attorney Shuler reported Mr. Moron handed him a notice this morning for a Canvassing Board workshop to be held in Orlando on Thursday, January 14, 2016. Attorney Shuler said he has been acting as the Canvassing Board attorney and requested permission to travel to this meeting. **Commissioner Lockley made a motion for Attorney Shuler to attend the Canvassing Board workshop. Commissioner Parrish seconded the motion. Motion carried; 4-0.**

Commissioner Sanders asked if the Board wants to appoint the Canvassing Board member. **Commissioner Parrish made a motion to appoint Commissioner Sanders to serve as the Canvassing Board member. Commissioner Lockley seconded the motion. Motion carried; 4-0.** She said the Supervisor of Elections needs to be notified that she is the Canvassing Board member. Commissioner Sanders reported she does not think she needs to attend the Canvassing Board workshop because she has already been to the class.

Commissioner Sanders asked Mr. Moron to check with Mr. Cooper to make sure he has already filed the paperwork designating Weems East in Carrabelle as a Rural Health Clinic in Carrabelle. Commissioner Sanders said a few meetings ago the Board asked Mr. Moron to meet with Mr. Cooper and Dr. Charbonneau. She reported Dr. Charbonneau has left his place at Weems East and Weems West. She stated he is willing to come back and she has received many calls asking for him to return. She asked Mr. Moron to present an update on his meeting. Mr. Moron reported he sent emails from both individuals to the Commissioners. He stated the only thing they agreed on was that if Dr. Charbonneau comes back he should run the clinic in Carrabelle and only that one. He said there are two different opinions with an administrator looking at numbers and a doctor looking at patients. He reported there are two different outlooks on how the clinics should be run with one thinking the numbers are important and one thinking the time he is allowed to see patients is important. Commissioner Sanders asked if they agreed on anything. Mr. Moron reported the only thing they agree on is if Dr. Charbonneau comes back he should be responsible in whole for the Carrabelle Clinic. Commissioner Sanders stated the direction was for Dr. Charbonneau to look at Weems East and Weems West. Mr. Moron said if the Board requests it Dr. Charbonneau will present a business plan for both clinics or for Weems East. **Commissioner Sanders made a motion to notify Mr.**

**Cooper and the Hospital Board that we are asking Dr. Charbonneau to come before this Board to present not only to this Board but also to the Hospital Board and Mr. Cooper a business plan for Weems East and Weems West and then just for Weems East.** Commissioner Sanders reported the Board may need to intervene as Dr. Charbonneau is providing services in Franklin County and has not left the County. **Commissioner Lockley seconded the motion. Motion carried; 4-0.** Commissioner Lockley asked if Commissioner Sanders was asking for an FQHC. Commissioner Sanders said she does not know if we can qualify for an FQHC. Commissioner Parrish stated there is a problem with a doctor and administrator trying to play the same roles. He expressed his opinion a doctor may not be a good administrator and the administrator is not qualified to be a doctor. Commissioner Sanders reported she is trying to get the two together at a happy medium. She stated the County is lacking a professional doctor and the people throughout the whole County would like to see Dr. Charbonneau come back. She said she would like to look at different possibilities because she is not a doctor or administrator but she is sensitive to the people's needs and wants. She reported she wants to bring the problem to the forefront and not lose a good physician. Mr. Moron said he will contact Dr. Charbonneau to see how long it will take him to prepare the plans. Commissioner Sanders expressed her opinion Weems East is lacking and questioned if Weems West is still open. Commissioner Parrish said sometimes it is open and sometimes it is closed. Commissioner Sanders stated both of these clinics need to be up and running and bring in as many people as you can into the County's facilities. She reported she is trying to bridge the gap.

### **Commissioners' & Public Comments**

Commissioner Lockley said on the proposal for the sales tax there were things that needed to be done. He reported there was controversy about the ambulance but it has been done. He said a clinic was built. He reported they told the people the hospital would be built and it has been 8-9 years and it's time to move forward. He said people are asking what is going to be done. **Commissioner Lockley made a motion to move forward with the hospital.** Commissioner Parrish said he agrees but would like to wait and hear back from the CEO and he is out of town today. Commissioner Parrish said he would like to wait until the next meeting to address this matter. **Commissioner Lockley withdrew his motion.** Mr. Moron informed the Board the Hospital Board and CEO have been in contact with Mr. Pierce and are planning to be on the agenda at the next meeting.

Chairman Massey requested the Board remove Mrs. Jackel from the TDC Board and appoint Commissioner Sanders to the TDC Board. **Motion by Commissioner Parrish to**

**appoint Commissioner Sanders to the TDC Board. Commissioner Lockley seconded the motion. Motion carried; 4-0.**

Mr. Alan Feifer asked if anything has been done about the Solid Waste Department getting prices for county wide garbage collection. Mr. Pierce said he is working on this issue.

Mr. Feifer asked if there are any of the Restore funds that can be spent at the County's discretion. Attorney Shuler answered there is no discretion as all the funds are subject to the Treasury rules. Commissioner Sanders said especially pot #1. Mr. Pierce said all of the money is under these rules. He stated this is one of the problem as Treasury will tell you they are under a great deal of scrutiny by the rest of the country as to whether the money going to Restore is spent properly and in accordance with the rules and guidelines set out by the settlement and the judge. He reported this is why the pathway is so difficult because Treasury wants to make sure they are not accused of letting this money be spent inappropriately.

Meeting adjourned at 10:30 a.m.

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William Massey - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts