

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
MARCH 3, 2015
9:00 AM**

MINUTES

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

Commissioner Absent: Cheryl Sanders (recovering from surgery)

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

Call to Order (9:00 AM)

Chairman Massey called the Meeting to order.

Prayer and Pledge (9:00 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of the Minutes (9:01 AM)

Motion by Lockley, seconded by Parrish, to approve the Minutes of the February 3, 2015 and February 17, 2015 regular meetings; Motion carried 4-0.

Payment of County Bills (9:01 AM)

Motion by Parrish, seconded by Lockley, to approve the payment of the County's Bills as presented; Motion carried 4-0.

Jeff Mason – Emerald Warrior Update (9:01 AM)

Joe Kruchas, Executive Planner, discussed the Emerald Warrior exercise and asked the Board for a letter of invitation to conduct the exercises as has been done in the past. He stated that the exercise will be held from April 21st thru April 30th.

Commissioner Jackel asked Mr. Pierce to run through the process for the exercise. Mr. Pierce asked that all neighbors are notified of the exercise and to follow the same protocol as last year because its success. Commissioner Jackel, Commissioner Parrish, and Mr. Pierce discussed the late night use of the airport during weeknights. Commissioner Parrish stated that the County does support the military but some compassion for the residents should be considered during the exercise.

Motion by Jackel, seconded by Parrish, to invite Emerald Warrior to conduct exercises in the County from April 21st through April 30th; Motion carried 4-0.

George Floyd- USACOE Trip to Apalachicola (9:07 AM)

Mr. Pierce discussed this event as Mr. Floyd was not in attendance. Mr. Pierce stated that the City of Apalachicola would like for the County to share in the cost of the event, which shouldn't be more than \$200.00. Commissioner Parrish spoke in favor of this event.

Motion by Parrish, seconded by Lockley, to approve \$200 expenditure for co-hosting USACOE breakfast event; Motion carried 4-0.

Department Supervisor Report

Howard Nabors – Superintendent of Public Works (9:09 AM)

Mr. Nabors stated that rain has delayed maintenance work through the County.

Chairman Massey asked about the proposed parking lot on the County's Eastpoint property. Commissioner Jackel and Mr. Pierce stated that they would meet during the week to discuss the parking lot further.

Commissioner Jackel reminded Mr. Nabors of the upcoming Chili Cook-Off on St. George Island and the Rib Cook-Off in Eastpoint and asked to have those areas ready for visitors.

Alan Pierce – Director of Administrative Service – Report

Mr. Pierce presented an item from his report.

1- Board action to close the appropriate streets on St. George Island for the Chili Cook-Off this Saturday, March 7, which are Chili Blvd and West Gulf Beach from Franklin Blvd to 2nd Street

Motion by Jackel, seconded by Parrish, to approve closure of Chili Blvd. and West Gulf Beach Drive from Franklin Blvd. to 2nd St. on St. George Island for the Chili Cook-Off on St. George Island on March 7, 2015; Motion carried 4-0.

Fonda Davis – Solid Waste Director (9:12 AM)

Mr. Davis updated the Board on the replacement of playground equipment on St. George Island.

Chairman Massey asked about funding for the new equipment.

Mr. Pierce presented cost saving and funding ideas.

Commissioner Jackel stated that she had received an email about the condition of the playground equipment and the importance of having this equipment at the park because of the use during the upcoming tourist season. She asked for the Board's support on this issue.

Commissioner Parrish suggested that the Tourist Development Council consider help in funding this expenditure.

Motion by Jackel, seconded by Parrish, to approve this expenditure which will be funded from a combination of Parks & Recreation Department budget, TDC, and Capital Outlay budget; Motion carried 4-0.

Mr. Davis presented an approximate budget for the State Softball Tournament. He stated that there might be a slight difference as he is waiting for additional numbers.

Mr. Pierce stated the manner in which past tournaments were funded.

Commissioner Parrish asked where all of the gate and concession proceeds go to. Mr. Davis stated that the Youth League gets all of those proceeds that offset other expenses.

The Board discussed.

Commissioner Jackel stated that she will present an amount that TDC will provide to help fund the Tournament at the next Meeting.

Commissioner Jackel explained the importance and benefit of this event to the kids and the businesses in the County.

Commissioner Lockley explained that this is a benefit to the businesses that rely on tourists so the TDC should be the biggest benefactor. He stated that he supports this event.

Motion by Jackel, seconded by Parrish, to approve funding of up to \$21,000 for State Softball Tournament at Kendrick Park; Motion carried 4-0.

Mr. Davis stated that there is a growing concern about skateboarders throughout the County.

Commissioner Parrish stated that improvements are still being made to the skate park in Apalachicola.

Alan Pierce – Director of Administrative Service – Report

Mr. Pierce presented Items #7 and #3 from his report.

7- Inform the Board I have approved an in-house transfer out of Parks and Recreation to fill the courthouse maintenance position so that Mr. Fonda Davis now has another vacancy to fill under his supervision from the current of pool of applicants.

Motion by Jackel, seconded by Parrish, to approve filling employee vacancy at Parks & Recreation Department from current pool of applicants; Motion carried 4-0.

3- Board discussion of Vrooman Park FRDAP grant and T-Ball field configuration. There is room to reconfigure the T-ball field in its current location, but the paved walking path will have to be moved, which means the relocated section will lose its asphalt service and will probably be lime rock. Board direction.

Commissioner Parrish asked if the walking path could be repaved during the paving project. Commissioner Massey asked about Road Department equipment being used to re-pave the walk path.

Commissioner Jackel and Mr. Pierce discussed the project.

Commissioner Jackel asked that the paving or concrete of the walking path be included in the bid. She offered some suggestions to funding the re-paving of the path.

Commissioner Lockley suggested paving the path before the field is built.

Commissioner Jackel verified that the public is made aware that this project won't be completed this year.

Motion by Jackel, seconded by Parrish, to approve T-ball field project as discussed; Motion carried 4-0.

Pam Brownell – Emergency Management Director (9:32 AM)

Mrs. Brownell had no action items for Board approval.

Commissioner Lockley and Mrs. Brownell discussed the status of the roofing project.

Action Items:

NONE

Information Items:

- 1. Pamela Brownell, Tress Dameron, and Jennifer Daniels attended the FEPA Conference from February 9th-13th for training.*
- 2. Pamela Brownell, Tress Dameron and Jennifer Daniels held our Training, exercise, and planning session with County Stakeholders and discussed their training needs for the upcoming year. The MYTEP Meeting was held at the Franklin County EOC on February 18th.*
- 3. Tress Dameron attended G191 class in Tallahassee on February 21st.*
- 4. Tress Dameron and Jennifer Daniels assisted with the CERT Graduation at the Franklin County EOC on February 23rd.*
- 5. Tress Dameron attended the Regional Evacuation Study Meeting at the Wakulla EOC on February 24th*

Erik Lovstrand – Extension Agent (9:33 AM)

Mr. Lovstrand was not in attendance.

Mike Cooper – CEO – Weem’s Hospital Update (9:34 AM)

John Graham, Chief Financial Officer, reviewed the January’s financial report. He discussed the low balances on the report, problems with CSS, the Billing/Accounts Receivable and Hospital Information vendor, and the change to the new billing company.

Mr. Graham stated that there were no negative adjustments on last year’s audit.

Commissioner Lockley and Mr. Graham discussed the reduced cost by using the new billing company.

Chairman Massey and Mr. Graham discussed problems with the old billing company.

Commissioner Jackel and Mr. Graham discussed information regarding the new billing company.

Commissioner Jackel and Mr. Graham discussed any penalties for cancelling the contract with the old billing company.

Commissioner Jackel thanked Mr. Graham for the detailed reports, stated that she wished the numbers were better and expressed her hopes that the new company will perform and do well for the Hospital.

Mr. Cooper discussed the software portion of the CSS contract with the County. He stated all the parties that have reviewed the contract and the IT Attorney in Chicago stated there was a breach of contract. He asked the Board to dissolve the CSS contract in its entirety.

Attorney Shuler agreed with the recommendation of the other attorneys to dissolve the contract.

Commissioner Jackel asked about damages due the County. Attorney Shuler stated that all of the attorneys involved will discuss this matter and report to the Board whether or not the County should seek damages.

Mr. Cooper stated that his staff has vetted a new contract and company (Razor Insights). He stated that a representative from Razor Insights and a Weems IT staff member were present to answer questions.

Mr. Cooper explained some of the benefits and protection to the County with engaging this new company. He explained the “meaningful use” benefits.

Commissioner Parrish thanked Mr. Cooper for his efforts with finding this company and the County being able to benefit from the “meaningful use” benefits.

Motion by Parrish, seconded by Jackel, to terminate CSS contract and approve Razor Insights contract; Motion carried 4-0.

Mr. Cooper stated that Razor Insights has been purchased by Athena, which is a larger, well capitalized company.

Mr. Cooper discussed new forms and information required by the USDA.

Attorney Shuler commented on the forms.

Commissioner Lockley asked about meeting the \$250,000 obligation. Mr. Pierce stated that the obligation has been met.

Attorney Shuler would like the opportunity to review the obligation and made a recommendation to allocate and separate the \$250,000.

Commissioner Jackel asked about the language of the letter and expressed concerns about the allocation of the \$250,000. She and Mr. Cooper discussed the source of the funding, County versus Hospital.

Motion by Parrish, seconded by Jackel, to approve purchasing forms and letter as presented, based on Attorney Shuler's review and approval; Motion carried 4-0.

Mr. Cooper stated that Mark O'Brian from Tallahassee Memorial Hospital would like to appear at the April 7, 2015 FCBOCC Meeting.

Mr. Cooper has invited Sharon Licht, of Adams Group, to appear at a future Meeting to discuss the selection of a CM and the RFP process.

Mr. Pierce asked for Board action on the State EMS Grant with a \$75,000/\$25,000 match for purchasing a new ambulance.

Motion by Lockley, seconded by Parrish, to approve EMS grant to purchase a new ambulance; Motion carried 4-0.

Donna Butterfield, County resident, expressed concerns about language in the USDA application regarding the location of the next closest hospital.

Recess (10:17 AM)

Chairman Massey called for a recess.

Reconvene (10:27 AM)

Chairman Massey reconvened the Meeting.

Mr. Pierce responded to the comments made by Ms Butterfield, but the Attorney will research further.

Marsha Lindeman – Health Department – Update (10:27 AM)

David Walker, Health Department Operations Manager, introduced some of the new staff members at the Health Department.

Ms. Gina Moore, Tobacco Prevention Program, discussed some data from a 2014 survey regarding reduced smoking in the County. She thanked the Board for all of the support with the different tobacco programs.

Commissioner Jackel thanked Ms. Moore for all of her efforts with the tobacco programs.

Mr. Walker discussed the good news regarding the dental program, which is serving more residents in the County.

Mr. Walker asked the Board to pay attention to any LIP legislation regarding funding as it is very important to the residents of the State of Florida.

Commissioner Parrish suggested a letter to the Legislature supporting any LIP funding and request that it is discussed during Legislative Day.

Motion by Parrish, seconded by Jackel, to send a letter to Legislature, FAC, Small County Coalition stating the importance of LIP to the County's residents; Motion carried 4-0.

Marcia Johnson – Clerk of Courts (10:36 AM)

Mrs. Johnson was not in attendance.

Alan Pierce – Director of Administrative Service (10:36 AM)

Chairman Massey asked for a motion to request that DACS re-bid barge shelling.

Commissioner Parrish discussed the re-shelling process.

Motion by Parrish, seconded by Jackel, to send a letter to DACS requesting re-bidding the company for barge re-shelling; Motion carried 4-0.

Chairman Massey asked Mr. Pierce to look at Pitts Rd. on Hwy 65 where the property owner wants a conversion from a County road to a private road and report back to the Board.

Mr. Pierce stated that new cooling rules for oyster harvesting products will be effective this summer.

Commissioner Jackel stated that the notice is too short for the oystermen to be able to prepare for these new rules.

Chairman Massey stated that they won't be able to afford the changes required by the new rules.

Commissioner Parrish stated some additional issues the oystermen will have to deal with regarding these new rules. He discussed the problems that summer harvesting oystermen will have and the need for the State to explain the direction they will take regarding this industry. He discussed some of the problems with Vibrio and people with health concerns consuming oysters.

Commissioner Lockley stated the oysterman have invested a lot of money on their boats and equipment that can't be used during the summer time based on these new rules.

Commissioner Jackel suggested asking for an extension and asking for funding assistance from the State.

Mr. Pierce stated that he would include these requests in his letter.

Commissioner Parrish stated if these rules were known beforehand there could have been funds set aside to assist the oystermen with complying. He asked Mr. Pierce to include this type of funding request in his letter.

The Board discussed this matter further.

Chairman Massey discussed an issue with beavers along Hwy 98 going into the curve at 2 Al's around Carrabelle Beach.

Mr. Pierce presented items from his report.

1- Board action to close the appropriate streets on St. George Island for the Chili Cook-Off this Saturday, March 7, which are Chili Blvd and West Gulf Beach from Franklin Blvd to 2nd Street

This item was addressed earlier in the Meeting.

2- Inform the Board that I did meet with St. George Island property managers on Feb. 17 to seek input on the implementation of Ord. 14-01, Leave No Trace. Fonda Davis, Erik Lovestrand, and Commissioner Jackel were in attendance. This is what was agreed. The county will start active enforcement on Monday, March 9. Until further notice this will be the procedure. On Tuesday morning, Parks and Rec personnel will be on the beach to tag personal property as a reminder that unattended personal property has to be removed by 9 PM. So Tuesday will be known as "Tag Day." We will put notices out but not pick up Tuesday night, but on Wed. night Park and Rec employees will drive the beach with a motorized vehicle and trailer and will remove unattended items after 9 PM. It is important to note that if someone is enjoying the beach at night, perhaps fishing and sitting in chairs, personal equipment that is attended to will NOT be removed. The public beach is open 24 hours a day so if someone is on the beach and using their equipment the county will not pick it up. It is only "unattended" items that will be removed.

On Saturday morning Parks and Rec crews will return to the beach to clean the beach and remove unattended items again.

The Board discussed staffing for this project.

Commissioner Parrish discussed the education process that is needed in order to inform everyone.

The Board discussed the tweaking of the language regarding this Ordinance.

3- Board discussion of Vrooman Park FRDAP grant and T-Ball field configuration. There is room to reconfigure the T-ball field in its current location, but the paved walking path will have to be

moved, which means the relocated section will lose its asphalt service and will probably be lime rock. Board direction.

This item was addressed earlier in the Meeting.

4- Inform the Board that DOT is seeking public comment on a multi-modal path from Carrabelle Beach back to River Road. The project includes approximately one mile of paved path and 2500 feet of elevated boardwalk. Every property owner within 300 feet of the project has received a letter about the project. DOT will have to acquire additional ROW for the project and the ROW acquisition is slated for 2019.

5- Inform the Board that the City of Carrabelle and DOT are still working on the sidewalk project going north on Tallahassee St/ CR 67. The notices to the property owners should have gone out at end of February. If there are no objections then the project will proceed, and ultimately the county will administer the project as approved by the City and DOT, as the City is not LAP certified. Mark Curenton holds the LAP (Local Agency Program) certification on behalf of the county.

*6- At the last meeting the Board asked me to provide a recommendation on 2 personnel issues:
A) Starting salary for new Veteran's Affair Officer- this position is a department head. I recommend a starting salary of \$35K as this is what the last department head was hired at. The position will have regular retirement benefits.*

Motion by Lockley, seconded by Parrish, to approve starting salary of \$35,000 for Veteran's Affair Department Head with regular retirement benefits; Motion carried 4-0.

B) I am still working on the salary recommendation for Mr. Fonda Davis and will have it at the next Board meeting, but in the meantime the Board can authorize the creation of an entry level Parks and Rec position since it is doing away with a separate Parks and Rec Director position, and let Mr. Davis fill that position from the current pool of applicants. The busy season for Parks and Rec is coming up and Parks and Rec needs a full work force.

This item was addressed earlier in the Meeting.

7- Inform the Board I have approved an in-house transfer out of Parks and Rec to fill the courthouse maintenance position so that Mr. Fonda Davis now has another vacancy to fill under his supervision from the current of pool of applicants.

This item was addressed earlier in the Meeting.

8- Provide Board with copy of Small County Solid Waste grant for file.

9- Provide copy of bridge inspection report for bridge over Womack Creek. The final analysis of the report is that "based upon our recent (2015) field inspection and the 2011 load capacity analysis, posting restrictions (for weight) are not considered necessary at this time."

10- Inform the Board that both the City of Apalachicola and the City of Carrabelle have made requests for roads to be included in the county paving program. I just received the list of roads from Apalachicola, and Carrabelle should be turning their request in this week. Hopefully, by the March 17th meeting Clay Smallwood will be able to meet with each commissioner and discuss the cost estimates of the roads in their respective districts.

11- Board direction on applying for a Boating Improvement Grant to repair the county boat ramp at the end of Old Ferry Dock Road. The ramp needs to be reworked and the bulkhead extended if possible. The ramp is heavily used and needs improvement. The first step will be to apply for funds to do the design and permitting for the improvement with the construction funds to follow. The deadline for submittal is April 9.

Motion by Jackel, seconded by Parrish, to approve applying for Boating Improvement Grant to repair County boat ramp at the end of Old Ferry Dock Rd.; Motion carried 4-0.

12- Board direction on submitting 2 road paving projects to DOT for SCOP funding. This is a DOT matching fund program where DOT prioritizes the entire projects submitted district wide, and then DOT determines which get funded. We have previously attempted to get unpaved roads funded, but DOT has not considered unpaved roads as a priority. The deadline for submission is April 17.

Commissioner Jackel and Mr. Pierce discussed the likeliness of funding for paving un-paved roads in the County.

13- Board direction on when to schedule interviews on March 17 for the County Coordinator position.

Commissioner Jackel stated that she is unable to attend the interviews in the afternoon on March 17th.

Commissioner Parrish asked that the interviews are scheduled during the afternoon of the first Meeting in April.

Attorney Shuler stated that the Board will need to meet the afternoon of April 7th for a closed attorney-client session so the Board could schedule the interviews before or after the closed session.

Board agreed.

14- Inform the Board that I did hear back from Transfield and they are going to remove the 2 dead pine trees near the entrance to Woodill Road that was mentioned at the last Board meeting. The county planning office provided the name and address of the owner in Georgia and Transfield made contact.

Commissioner Jackel stated that there is a tree on Highway 98 in front of the Eastpoint Visitor's Center that needs to be removed.

Mr. Pierce stated that he will make that request.

15- Board direction hiring an entry level person in the Planning Dept., starting May 1, in preparation for Rachel Ward's retirement in July.

Motion by Jackel, seconded by Parrish, to approve hiring entry level person in Planning Department starting May 1, 2015; Motion carried 4-0.

Mr. Pierce stated that EMO Architects has stated that there is an additional cost of up to \$50,000 to repair the roof on the old Chapman building. Mr. Pierce discussed options of the City of Apalachicola using the building as a library and allowing the Doctor's office to remain. Commissioner Lockley spoke in favor of keeping the Chapman building as a County building and not to allow the City to own the building.

Commissioner Jackel and Mr. Pierce discussed timelines of the City and County historical grants regarding the building and library.

Katie Green, Librarian at the Apalachicola Municipal Library, discussed the grant and her efforts to locate alternate locations for a library and for the doctor that is in the Chapman building. She discussed funding possibilities for the library.

Commissioner Jackel suggested leasing the auditorium to the City for the library and the doctor would remain in the other section.

Ms. Green stated that the grant would allow this type of agreement with a 20 year requirement.

Commissioner Lockley was not in favor of this agreement.

Mr. Pierce discussed what was done by EMO regarding the estimate.

Commissioner Parrish stated that he would like both the Doctor and the City of Apalachicola to attend a Meeting together in order to discuss this matter further and be sure each party is comfortable with the arrangements.

The Board agreed with Commissioner Parrish's suggestion.

Betty Webb, City of Apalachicola Administrator, stated that the City of Apalachicola City Commission has not addressed this matter as of yet but will address it at their meeting this evening. She stated some other items that have to be addressed before discussing it further.

Bobby Miller agreed that this item should be discussed when all parties are present.

PUBLIC HEARING – Travel Trailer Ordinance (11:31 AM)

Mr. Pierce gave some information regarding the origin of this Ordinance.

Commissioner Parrish asked that this item is tabled until all Board members are present.

Commissioner Jackel agreed and explained that this ordinance will affect the entire county.

Motion by Parrish, seconded by Jackel, to take public comment but not take any action until all Board members are present; Motion carried 4-0.

Chairman Massey opened the floor for public comment.

Sharon Rider, a resident who lives in a motor home on a private lot in the County, asked how this Ordinance will better the life of the residents in the County. She explained how long she has been in the County, organizations where she and her husband volunteer in the County, and why she lives in a motor home.

Sharon Eaton, of Gulf Terrace, stated that she has a tractor trailer and would like to continue to park it on her property. She explained the benefits of allowing campers and travel trailers on personal property. She discussed some of the other items in the Ordinance that she deems unfair.

Robert Browning, a visitor who owns property in Lanark Village, stated that he enjoys visiting and stated how this ordinance would create a hardship while he is visiting. He asked the Board to consider fairness with who can have RVs on their lots. He thinks this Ordinance would hurt tourism and suggested allowing power poles for the campers.

Bill Willis, lot owner on Carrabelle Beach, was against those who bring campers and leave them their permanently, not visitors, and supported the Ordinance, with some tweaking.

Bobby Miller stated that this Ordinance would not allow him to store his travel trailer that he uses for hunting when travelling and thought that the Ordinance was close to invading private property owner rights.

Barbara Sanders, resident of St. George Island, stated there was a difference between storing and living in RVs, especially on St. George Island, where building on stilts is required for flooding. She discussed the rights of property owners who build and their rights to enjoy their property. She discussed the difference between R1 and camping and the need to follow the County's zoning laws.

Pandora Schlitt, resident of St. George Island, stated that the zoning rules should be clarified then enforced and, if necessary, variances should be required as needed.

Sharon Eaton discussed the need to know the difference between the incorporated, unincorporated areas and the rural areas of the County and how to apply these rules.

Jeff Mocombe, lot owner and resident of St. James Bay, explained why he was never able to build his home. He stated that he has a lot with a RV on it and likes to use it ever so often.

Tom Wood, resident of St. George Island, stated that he has a neighbor next to him who keeps his property like a dump and thanked the Board for considering this Ordinance.

Oleta Moses, a resident, who has her elderly parents living in a FEMA trailer on her property so they are close to someone who can check on them yet they have their own private place.

Rainer Eaton asked that the tractor trailer section is removed from the Ordinance, as he can live with the other portions of the Ordinance. He stated that it would be better to address cleaning up the areas of the County that need to be cleaned up rather than focusing on this Ordinance.

Wanda Rose, of Carrabelle, stated that the problem isn't with visitors staying in RVs; the problem is RVs that are set up in R1 zoned areas as single family homes and believes this should

be addressed. She recommended exceptions for elderly parents who live on property where homes are already built.

There were no more comments from the floor.

Commissioner Jackel asked Attorney Shuler to address the comments regarding the advertisement of this Ordinance.

Attorney Shuler explained the error regarding the language of tractor trailers in the Ordinance. Commissioner Jackel stated that it is a good thing to hear from the public on these issues. She asked Attorney Shuler if he needed to re-visit anything on the Ordinance after hearing the comments today.

Attorney Shuler explained the Ordinance further. He spoke about the intentions of property zoning and discussed County zoning laws that have been in place since the 1980's.

Recess (12:03 PM)

Chairman Massey called for a recess.

Reconvene (12:10 PM)

Chairman Massey reconvened the Meeting.

T. Michael Shuler – County Attorney Report (12:10 PM)

Attorney Shuler requested action for a “shade” meeting on April 7, 2015 beginning at 1:05 PM.

Motion by Jackel, seconded by Lockley, to approve an Attorney-Client session closed meeting to be held on April 7, 2015 beginning at 1:05 PM, to discuss litigation with the St. Joe Company; Motion carried 4-0.

Action item:

1. Travel Trailer Ordinance (Public Hearing at 11:00 a.m. E.T.)

Attached is the proposed amendment to the existing ordinance regulating travel trailers in Franklin County.

A summary of the material changes proposed for the Board's consideration is stated below:

A. The current ordinance allows use of travel trailers for up to 14 days when visiting premises furnished with adequate toilet facilities. This has been interpreted to allow multiple visits on the same property per year, provided that they did not exceed 14 days during any one visit. The proposed amendment to the ordinance limits this to a maximum of 14 days per calendar year for all visits.

B. Travel Trailers with self-contained toilets are limited by the current ordinance to durations not to exceed 7 days or the capacity of their storage tank. This has also been interpreted to allow multiple stays per year, provided that no stay exceeds the 7 day limit. The

proposed amendment to the ordinance limits this to no more than 7 days per calendar year for all visits.

C. The proposed amendment to the ordinance further limits the number of travel trailers that can be used during construction as follows: 1 for an office plus 1 for storage. The current ordinance has no such restriction.

D. The proposed amendment to the ordinance requires that the parcel of land on which the travel trailer is placed must be residentially zoned and it must be improved with a residence. The current ordinance does not have such a restriction.

E. The proposed amendment to the ordinance bans the storage or parking of travel trailers on vacant parcels. The current ordinance does not have such a restriction.

This item was addressed during the Public Hearing that was held earlier during the meeting.

2. International Municipal Lawyers Association

I request that the board authorize membership in the International Municipal Lawyer's Association. It is similar to the Florida Association of Counties, and will allow me to leverage the resources of larger governmental entities and consult with their attorneys. Herb Thiele, the County Attorney in Leon County, has been a member of IMLA for many years and recommends membership. His letter is attached.

The annual membership cost is \$265.00

Action Requested: Board approval of annual membership in IMLA.

Motion by Lockley, seconded by Parrish, to authorize Attorney Shuler's membership in the International Municipal Lawyer's Association and to reimburse him \$265 for membership costs; Motion carried 4-0.

3. County Court Probation Services

Under Florida law, Franklin County is responsible for the provision of probation services to the court, either through a county employee or through a contract with a private entity. In Franklin County, a contract with a private entity is required to have the approval of the county court judge.

In 2012, Franklin County entered into a three year probation services contract with "Florida Probation Services, LLC," to provide county court probation services. From 2009 to 2012, those probation services were provided by a different private entity named "Judicial Correction Services, Inc."

The current contract with Florida Probation Services, LLC, expires on March 16, 2015.

There are three options for the board to consider:

A. First, the Board has the option to renew the existing contract for up to three years, or

B. Second, the Board may place an advertisement requesting qualifications from companies providing probation services, and then select the private entity that is most qualified. A contract would then be submitted to Judge Russell for his consideration. If he did not approve the contract, you would move down the list of candidates and continue that process until a contract is approved, or

C. Third, the board could provide probation services by hiring a county employee.

NOTE: If the board desires to hire a county employee or advertise, I recommend that you also extend the current contract so that necessary probation services may continue during the selection process. If you should select another private entity, or if you decided to hire a county employee, you would exercise your termination privilege with the current company, At your direction, I have discussed this matter with Judge Russell. Judge Russell has confidence in the current probation officer, Mr. Billy Rogers, and requests that Franklin County continue the current probation services contract.

Regarding the extension request, Judge Russell understands that the county may file claims against the two companies to recoup the loss of public funds under their control, and he further understands that the Board may require the company to provide evidence to Franklin County concerning its protocols for the receipt and accounting of probation monies received by the company and then given by them to the Clerk of Court for distribution. Other than his request that the current contract be extended, Judge Russell makes no comment on any pending matters.

A form of the extension approved by both Judge Russell and Florida Probation Services, LLC, is attached for your consideration. I approve of the extension as well and recommend it to you, but I also recommend that the company verify with your auditor the sufficiency of its protocols for the receipt of probation monies, and the chain of custody of those funds before they are delivered to the Clerk of Court for distribution.

Please note that the extension provided for your consideration is the same contract that was agreed to in 2012, with two exceptions:

A. First, the extension is a year to year contract, instead of a three year term. Given Franklin County's termination privilege, the contract has always been a 90 day contract as to the county. The private entity has a 150 day termination privilege.

B. Second, the probation company requested, and Judge Russell agreed, that the monthly supervision fees be increased from \$40.00 per month to \$45.00 per month.

Action requested: I recommend the following to the Board for its consideration:

- 1. Approval of the contract extension requested by Judge Russell.*
- 2. Authorize a demand letter from Franklin County notifying both Florida Probations Services, LLC, and Judicial Correction Services, Inc. of a claim on their insurance policies for breach of contract due to the theft of probation funds under their control, and directing them to notify their respective insurance carriers of this claim.*
- 3. Require Florida Probation Services, LLC, to provide to your auditor information concerning its current protocols for the receipt and accounting of probation monies received by the company and then given by them to the Clerk of Court for distribution.*
- 4. Other options as directed by the board.*

Commissioner Jackel asked if Florida Probation Services agreed to all terms of the contract.

Attorney Shuler stated that the Company has agreed to the extension of the contract.

Commissioner Jackel stated that she supported Judge Russell's recommendation for this Company.

Chairman Massey asked how the Company feels about continuing services while possibly being sued by the County.

Richard Stewart stated that he has retained an attorney in Atlanta regarding any litigation resulting from being sued by the County, and if needed, he would provide an audit of his company to the Board each year as he does in Bay County.

Commissioner Jackel stated that she is in favor of adding that language to the contract.

Motion by Jackel, seconded by Parrish, to renew contract as discussed and presented; Motion carried 4-0.

Informational Items:

4. Possible Incorporation of St. George Island as "The Village of St. George Island." I have been informed that those involved in planning the possible incorporation of St. George Island have recently come to the understanding from the League of Cities that if they incorporate, Franklin County could, but will be under no legal obligation, to enter into an inter-local agreement to provide municipal services to them. They are giving additional thought on the issue of incorporation and intend to deliver a letter to the board for consideration. I do not yet have the letter. The information provided by the League of Cities is correct, Franklin County will be under no legal obligation to provide municipal services following incorporation.

Unless the Board has additional instructions, I will continue to meet with them on an as needed or requested basis.

5. City of Apalachicola vs. Franklin County

The City has not responded to your request that they schedule the joint public meeting.

6. D. W. Wilson Park (Apalachicola)

Recently, the board has considered the issue of the construction of a soccer field at D.W. Wilson Park. The soccer field would have been located at the eastern boundary of the Park. The board has received some complaints from neighbors as to the proposed location of the soccer field.

Commissioner Parrish asked me to investigate options for relocating the soccer field at D.W. Wilson Park in Apalachicola. My investigation of the public records concluded that Franklin County owns an additional parcel of land approximately 6 acres in size south of the existing park. A copy of an aerial map showing the parcel is attached.

This parcel is located at the west end of the park abutting Pal Rivers Road and should not be objectionable by neighbors as the soccer field would be located on the opposite side of the park from them and there are no houses at this location. The land abutting this parcel is privately owned, so it is possible that houses could be built there in the future.

My investigation was limited to ownership only. I have not conducted any analysis of the suitability of the property for a soccer field.

7. Franklin County vs. Orion Marine

A copy of the trial order is attached. Jury Trial is scheduled for three days beginning September 21, 2015.

Commissioners' & Public Comments (12:18 PM)

Commissioner Jackel reminded everyone of the Chili Cook-Off this weekend and the Rib Cook-Off next weekend and the benefits to the St. George Island and Eastpoint Volunteer Fire Departments.

Adjourn (12:19 PM)

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

William Massey, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts