

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FRANKLIN COUNTY COURTHOUSE ANNEX
SEPTEMBER 18, 2012
9:00 AM**

MINUTES

Commissioners: Pinki Jackel – Chairman, Bevin Putnal – Vice Chairman, Cheryl Sanders, Noah Lockley, Joseph Parrish

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

Call to Order (9:01 AM)

Chairman Jackel called the Meeting to order.

Prayer and Pledge (9:01 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes of the August 21, 2012 Meeting (9:03 AM)

Motion by Lockley, seconded by Sanders, to approve the Minutes of the August 21, 2012 Meeting; Motion carried 5-0.

Payment of County Bills (9:03 AM)

Motion by Putnal, seconded by Parrish, to approve the payment of the County's Bills as presented; Motion carried 5-0.

Department Supervisors Report

Hubert Chipman – Superintendent of Public Works (9:03 AM)

Mr. Chipman discussed some of the problems he is having with the morale of some of his staff because there were salary adjustments made in another County department. He asked the Board to discuss the possibility of some adjustments for his department.

Chairman Jackel stated that Mr. Chipman should have presented this request at the budget hearings. Mr. Chipman said that he presented his budget in the manner he was told to present it and he feels like he has let his staff down by not asking for raises.

Commissioner Putnal commented on some of the employees who have been moved up but had not received raises.

Commissioner Sanders asked Mr. Chipman to be sure all of his employees are certified and all CDLs are current as soon as possible.

The Board discussed vacancies and equipment with the Road Department.

Commissioner Sanders explained that the Solid Waste Dept. decided not to fill a vacant position but to use the funding to increase the salaries of the employees who will absorb the responsibilities of the vacant position.

Motion by Parrish, seconded by Lockley, to authorize Mr. Chipman to advertise to fill vacant position at the Road Dept.; Motion carried 5-0.

Chairman Jackel asked for the installation of signs which reflect the years that the Dixie Youth League softball teams have won State Championships and also one for the Franklin County School champions.

Motion by Sanders, seconded by Putnal, to authorize signs recognizing the years the Dixie Youth League Softball teams and the FCS softball team have won State Championships and have them installed; Motion carried 5-0.

Chairman Jackel asked Mr. Pierce to restrict Power Drive to residential traffic only and not commercial traffic, and post signage if possible.

Chairman Jackel asked Mr. Chipman to look at crosswalks on Highway 98 in Eastpoint. Mr. Pierce stated that he will contact FDOT about installing signs in that area.

Fonda Davis – Solid Waste Director (9:17 AM)

Mr. Davis presented his report to the Board.

SOLID WASTE TRANSFER STATION:

FOR BOARD ACTION: The Waste Disposal Agreement between Franklin County and Waste Management (Contractor) for the Transfer Station expires on March 10, 2013. The initial term of the agreement was for a period of five (5) years, with the County's option to extend the agreement for one (1) additional period of five years provided County and Contractor are in agreement and the County determines that the Contractor has successfully performed services in conformance with the agreement during the initial term. According to this agreement the County may elect not to permit such extension by giving the contractor written notice prior to the end of the initial term.

REQUESTED ACTION: Motion to extend the current agreement for one (1) additional period of five (5) years or authorization to advertise for RFP Bids to provide for operations of the County's Transfer Station.

Commissioner Sanders asked Mr. Davis to verify that Waste Management will provide adequate equipment to allow the haulers to do their job satisfactorily.

Chairman Jackel and Attorney Shuler discussed changing the term of the renewal and addressing some of the concerns discussed with Waste Management. Attorney Shuler suggested not voting on the motion at this time.

Chairman Jackel spoke in favor of the County getting other bids.

The Board discussed this matter and decided to look at the contract closer and try to negotiate some of the items.

Motion by Lockley, seconded by Parrish, to extend the current Waste Disposal agreement for one (1) additional period of 5 years; Lockley and Parrish withdrew their motion and second.

Commissioner Lockley stated that because of the re-paving of the roads, rain water run-off is settling in yards and causing mosquito problems in certain locations in his district.

Mr. Pierce stated that he will get with the engineer to look at this issue.

Chairman Jackel asked Mr. Davis to be sure that areas in her district are covered with trash pickup.

Commissioner Sanders said all of the Commissioners feel this way.

OCTOBER 2011-AUGUST 2012 AMNESTY DAY COST AND REVENUE:
BOARDS REQUEST:

PER

AMNESTY DATES	CUST	CASH SALES	CHARGE SALES	AMNESTY TONS	EMPLOYEE *EXPENSE	EQUIPMENT EXPENSE
SAT OCT 15, 2011	54	\$10.88	\$0.00	96.43 TONS	\$900.00	\$1624.00
WEDS NOV 16, 2011	78	\$24.89	\$1603.70	84.78 TONS		
WEDS DEC 14, 2011	43	\$71.62	\$1488.03	64.18 TONS		
SAT JAN 21, 2012	52	\$63.49	\$15.07	83.87 TONS	\$900.00	\$1624.00
WEDS FEB 22, 2012	56	\$119.98	\$1674.48	78.87 TONS		
WEDS MARCH 21, 2012	47	\$290.60	\$1835.43	19.15 TONS		
SAT APRIL 21, 2012	44	\$0.00	\$0.00	62.18 TONS	\$900.00	\$1624.00
WEDS MAY 23, 2012	49	\$114.80	\$1601.94	70.00 TONS		
WEDS JUNE 20, 2012	60	\$75.73	\$1789.10	72.29 TONS		
SAT JULY 21, 2012	75	\$17.16	\$954.75	82.29 TONS	\$900.00	\$1624.00
WEDS AUG 22, 2012	63	\$114.37	\$2145.48	75.00 TONS		
TOTALS	621	\$903.22	\$13107.98	789.04 TONS	\$3600.00	\$6496.00

***EMPLOYEE'S COST – ESTMATE OVERTIME FOR 5 EMPLOYEES, INCLUDING BENEFITS TO WORK SATURDAY AMNESTY**
 REQUESTED ACTION: None

Right-of-Way Debris Pickup / Recycle Material Hauled August 30th – September 11th FOR BOARD INFORMATION:

**AUGUST 30TH – SEPTEMBER 11TH
 RIGHT-OF-WAY DEBRIS PICKUP**

<i>Apalachicola</i>	<i>Eastpoint</i>	<i>St George Island</i>	<i>Carrabelle</i>	<i>Lanark</i>	<i>Alligator Point</i>
68.14 TONS	24.22 TONS	5.31 TONS	26.55 TONS	32.23 TONS	46.83 TONS

RECYCLE MATERIAL HAULED

	<i>Apalachicola</i>	<i>Eastpoint</i>	<i>St George Island</i>	<i>Carrabelle</i>	<i>Lanark</i>	<i>Alligator Point</i>
<i>Cardboard</i>	3.81 TONS	5.75 TONS	2.65 TONS	.78 TONS	0	3.81 TONS
<i>Plastic, Paper, Glass, Aluminum</i>	2.78 TONS	.98 TONS	3.87 TONS	2.45 TONS	1.20 TONS	1.84 TONS

REQUESTED ACTION: None

Nikki Millender – Parks & Recreation Director (9:27 AM)

Mrs. Millender had no items for Board action.

- *For Board Information: On September 11, 2012 Franklin County Parks & Recreation installed a Beach Warning Flag & Sign at Lighthouse Park on St. George Island. Parks & Recreation Beach Clean-Up crew will be responsible for changing out the warning flags as needed on a daily basis. This system will warn swimmers of the current daily rip tide conditions in order to help ensure the public's safety while swimming at our beach.*
 REQUESTED ACTION: None
- *For Board Information: Fort Coombs Renovations/Armory and Convention Center*

Section One: Summary:

EMO/ARCHITECTS, INC. (EMO) has completed the Construction Documents for the Task Two services for partial re-roofing and gutter repairs, and has submitted them to Franklin County on 12 September 2012 for review and approval/approval with comments. Through 13 September 2012 EMO has completed 100% of the Final Architectural Construction Documents (Drawings and Specifications). EMO has developed a probable project schedule for the remainder of the Task Two services, which is attached for ready reference.

Section Two: Activities and Progress:

Basic Services

400	Construction Documents	100% Complete
500	Bidding/Negotiations	0% Complete
600	Construction Administration	0% Complete

EMO has submitted a copy of the 100% Preliminary Architectural Construction Drawings and Specifications dated 28 August 2012.

Commissioner Lockley and Mrs. Millender discussed beginning the basketball program in the County.

Commissioner Sanders and Mrs. Millender discussed the timeline of the Armory project.

Pam Brownell – Emergency Management Director (9:29 AM)

Mrs. Brownell had no items for Board action.

Action Items: None

Information Items:

- *September 10, 2012 Emergency Management met with FEMA and State personnel to revisit roads that were damaged by TS Isaac and to finalize project work sheets for the protective measures taken during that time. Hopefully the county will start seeing some reimbursements soon.*
- *The debris management class that was scheduled for September 11-12 was canceled by the state. They will reschedule this class for a later date.*
- *Mike Rundel attended our Region 2 meeting in Tallahassee September 4, 2012.*
- *Joyce Durham and I attended the Resource Fair at the Eastpoint firehouse on Sept 14, 2012. Joyce did re-entry tags and worked the case management table.*
- *Mike Rundel and Steve Kearney instructed an Emergency Vehicle Operations Class (EVOC) Sept 15&16, 2012 at the Franklin County Emergency Operations Center.*
- *Emergency Management has requested the Federal Emergency Preparedness Association (FEPA) inform its members of Franklin County's current economic circumstance with hope that corporate members will donate to our cause and help the residents of our county.*
- *Emergency Management has scheduled the basic CERT class for October 18-20, 2012 for anyone who might want to become part of Franklin County Community Emergency Response Team.*

Bill Mahan – Extension Office Director (9:29 AM)

Mr. Mahan presented his report to the Board.

Franklin - UF IFAS Updates

- 1) *U.S. Commerce Department has declared a national fishery disaster in New England – According to an AP news release on September 13th, a national fishery disaster has been declared in New England, opening the door for tens of millions of dollars in relief funds for fishermen. U.S. Sen. John Kerry said he's secured a commitment from Senate Majority Leader Harry Reid to include \$100 million for fishermen and fishing communities in emergency assistance legislation. He said the job after Thursday's declaration is to fight for the money in a potentially reluctant Congress. Kerry and others have long pursued the disaster declaration, saying the industry is being devastated by federal fishing regulations. They say fishermen have been following rules designed to stop overfishing, but key fish stocks continue to decline, mandating ruinous catch limits. Kerry says the \$100 million request includes direct aid and funds to improve fishery science.*
- 2) *Board of County Commissioner's Bay Emergency Meeting – I attended the Board's Emergency Meeting on September 6th to hear from FL Department of Agriculture and FL Fish & Wildlife Commission representatives about the condition of the Apalachicola Bay.*
- 3) *Workforce Board and Franklin Promise Meeting – I met with Kim Bodine, Executive Director of Workforce Board FL Office in our district and Joe Taylor, Executive Director of the Franklin's Promise Coalition to coordinate any assistance that the Extension Office can provide to assist them in helping to respond to the needs of our community members. As a result of the meeting, I have made Christy Murphy available to assist at the resource Fair on September 14 and for planned training workshop to teach volunteers how to assist people in registering online for assistance from the different state agencies like the Automated Community Connection to Economic Self-Sufficiency ACCESS.*
- 4) *Franklin County Seafood Worker's Meeting – I attended the FCSWA's Meeting held on September 10th.*
- 5) *UF Apalachicola Bay Conference Call – Dr. Jack Payne, Senior Vice President for Agriculture and Natural Resources has assembled a committee of UF faculty to determine how UF can assist the Franklin County community in responding to the condition of the Apalachicola Bay and its fisheries. An initial conference call was held on September 12th, for an interdisciplinary team of faculty to receive an update on what is happening in Franklin County and to discuss and prioritize what UF can do to assist. The committee is chaired by Dr. Karl Havens, Director of the FL Sea Grant Program.*
- 6) *FL Sea Grant – FL Department of Agriculture and FL Fish & Wildlife Commission Meetings – Dr. Steve Otwell and I met with FDACS Division of Shellfish & Aquaculture staff on Friday September 14th to discuss the state of the Apalachicola Bay and other oyster harvesting areas that have seen large oyster population die-offs. We also met with officials from FL FWC to discuss what has happened.*

- 7) *Clean Marina Workshop – I was invited by Jeanne Williams, FL Department of Environmental Protection NW Florida Clean Marina program Coordinator to speak at the Clean Marina Compliance Assistance Workshop on September 27th at the Carrabelle Boat Club. I will be teaching participants about FL Sea Grant role as a partner in the Clean Boating Partnership and about the importance of protecting our coastal water quality. The workshop will be held from 1:00 PM – 4:00 PM.*
- 8) *Estuaries Day Sea Turtle Education Display – I will be working with Kelly Roberts and Angela Holden from the FL Fish & Wildlife Commission’s Imperiled Species Management Section to setup an educational booth and teach people about sea turtles at the Estuaries Day Program at the Apalachicola National Estuarine Research Reserve on September 28th. The program is from 1:00 PM – 5:00 PM.*

The Board and Mr. Mahan discussed future calls and meetings with DACS to be conducted concerning the Bay and how to structure them.

Commissioner Putnal stated that an independent study of the Bay would be best. He said he didn’t trust anyone except someone who doesn’t answer to any of the government agencies or BP.

Commissioner Sanders mentioned someone she knew in Panacea that has previously done testing in the Bay.

Commissioner Lockley asked Mr. Mahan to research the cost of an independent study and research of the Bay.

Ms. Kim Bodine- Gulf Coast Workforce (9:34 AM)

Kim Bodine, Executive Director of the Gulf Coast Workforce Board, updated the Board on the resource fair that was held recently in the County. She said well over 500 people attended the fair and the agency partners even stayed late to accommodate attendees.

Chairman Jackel thanked Ms. Bodine for her efforts with the resource fair.

Alan Pierce – Director of Administrative Services – Report

Mr. Pierce presented the following item from his report.

3- Ms. Kim Bodine, Gulf Coast Workforce, is on the agenda to present options for the Board. One of those options is for the Board to hire up to 15 workers to assist in debris removal created by T.S. Debbie. These workers would be hired for up to 6 months and be paid \$10/ hour. Ms. Bodine will also be discussing a much larger pool of potential workers who would be “trainees”. The trainees will be hired to provide a variety of jobs but the debris workers are going to be limited to removing debris and cleaning up the county from T.S. Debbie. Ms. Nikki Millender, Parks and Rec Director, can use some if not all of the 15 debris removal workers. If the Board is interested it needs to sign an agreement with Gulf Coast regarding the workers. I have provided the County Attorney with a copy of the proposed Agreement.

Ms. Bodine further explained the debris removal project and agreement.

Motion by Putnal, seconded by Sanders, to approve agreement with Gulf Coast Workforce to hire 15 workers to assist with different County departments; Motion carried 5-0.

Ms. Bodine explained how the funding for this project will work and also discussed the process for seeking disaster and emergency funding from the Federal Government.

Commissioner Sanders suggested sending a letter to the Dept of Agriculture and Ms. Bodine said she doesn't believe any kind of encouragement would hurt.

Commissioner Lockley and Ms. Bodine discussed the process for helping all of the seafood workers, not just the oystermen. Ms. Bodine stated that their first priority would be for people who aren't eligible for unemployment compensation but who have been displaced.

Motion by Sanders, seconded by Putnal, to send a letter to the Department of Agriculture, with copies to the Governor and Federal and State Legislative Delegation, supporting the request to acknowledge that Tropical Storm Debbie affected the Bay, which is in the DACs report; Motion carried 5-0.

Commissioner Sanders asked about the Eastern Shipyard building company that will be built in Port St. Joe.

Ms. Bodine explained the worksite training program and the Eastern shipyard building company, which could create up to 200 worksites. She stated some of the agencies, such as the Chambers, that they are partnering with to assist the displaced workers in Franklin County. Ms. Bodine also spoke about helping applicants get their GED among other services.

Chairman Jackel asked Ms. Bodine to ask Gulf County to consider transporting Franklin County high school students to allow them to possibly participate in an evening welding program. Ms. Bodine discussed the welding program further and stated that she would check into this request.

Commissioner Lockley and Ms. Bodine discussed volunteers and a full time position for the food stamp program. Ms. Bodine stated that all Franklin County applications are being expedited now because of the condition of the Bay.

Chairman Jackel and Ms. Bodine discussed the process for the training program and asked that she be contacted for further information.

Ms. Bodine stated that there will be another resource fair within the next two weeks. She discussed fair sites throughout the County. She also stated some of the other training programs offered by her agency, such as LPN, RN, CNA and corrections. She said they will fund training for these programs.

Chairman Jackel asked Shannon Hartsfield, President of the Franklin County Seafood Workers Association, to update the Board on the seafood industry in the County. Mr. Hartsfield discussed the problems with the older seafood workers finding other types of employment.

Chairman Jackel discussed her conversation in July with Leslie Palmer, of DACS, regarding FEMA funding for any assessment damage that should have been done to the Bay because of TS Debbie. The Chairman said Ms. Palmer informed her that DACS had determined that the conditions of the Bay were due to the drought so they wouldn't be sending claims to FEMA. Mr. Hartsfield stated that he was concerned because the DACS wasn't looking at the same concerns as the seafood workers are and discussed a tour he took with DACS Commissioner Putnam and other State Representative. He said he believed that Commissioner Putnam was going to take the steps to truly do a good assessment on the Bay but he said that didn't happen. Chairman Jackel stated concerns with not having an assessment done when Commissioner Putnam toured the Bay.

Mr. Hartsfield stated that there was nothing on East Hole and was surprised that there was no report on that. He said he tried to explain that the oystermen were working that area before the Summer Bars were opened.

Commissioner Putnal reiterated his concerns that there needs to be an independent study done on the Bay.

Commissioner Sanders expressed her concerns with the State's attitude regarding this matter.

Ricky Banks, Vice President of the FCSWA, commented on the past actions of DACS, asked the Board about NOAA marine fisheries receiving \$500 million in funding and wanted to know if the County can seek some of that funding to help with the Bay.

Chairman Jackel explained the process for this funding and stated that there might be a possibility of the County receiving some of the funding but it was a long term solution.

Mr. Banks also stated that the Bay was in much better condition before the storms.

Toni Rearden, of St. George Island, stated that she has been volunteering with this matter and stated some of her experience with Emergency Management and FEMA. She explained how the FEMA process works and reminded the Board that by their action they have already asked DACS to do an assessment of the Bay. She explained the process further and gave the Board important information concerning receiving help from FEMA. Ms. Reardon discussed a variety of other disaster programs that might be available to the County.

Chairman Jackel asked Mr. Pierce to verify that DACS did do an assessment.

Ms. Rearden continued to explain the process further and gave some recommendations on how the seafood workers could do a damage assessment.

Chris Millender, of the Seafood Workers Association, suggested that the Board might review the dealers' reports, which would support the possibility that the storms did damage the Bay.

Recess (10:25 AM)

Chairman Jackel called for a recess.

Reconvene (10:50 AM)

Chairman Jackel reconvened the Meeting.

Open Bids - 30 ton Condenser for Annex (10:50 AM)

Mr. Pierce opened and read the bids for the condenser for the Courthouse Annex.

Benson Heating & A/C, Tallahassee, FL – Base Bid \$45,663.00

Keith Lawson Company, Tallahassee, FL – Base Bid \$54,962.00

CES, Tallahassee, FL – Base Bid \$49,528.00

Hodges Heating & Air, Tallahassee, FL - Base Bid \$56,902.00

LMI, Thomasville, GA – Base Bid \$36,428.00

GW Service Heating & Air, Port St. Joe, FL – Base Bid \$42927.00

Motion by Sanders, seconded by Parrish, to forward the bids to Mr. Pierce for a recommendation; Motion carried 5-0.

Curt Blair - TDC Update (10:55 AM)

Mr. Blair distributed information and reviewed the financial report. He explained that there was a dip in June due to Tropical Storm Debbie and discussed approval for funding for the Small Grant Program.

Mr. Blair requested Board action for the three Visitor Center contracts. He stated that there are no changes in the Carrabelle and Apalachicola Chambers but discussed changes to the management of the Visitor Center on St. George Island. He stated that the Apalachicola Maritime Museum had offered to take over the SGI Visitors Center in October and will keep the center open seven days a week.

Chairman Jackel and Mr. Blair discussed the visitor center contracts.

Motion by Lockley, seconded by Putnal, to approve the three Visitor Center contracts as presented; Motion carried 5-0.

Mr. Blair reviewed the TDC marketing and final grant budget, which includes the Gieger contract in the amount of \$37,500, which is half of what it has been in previous year and \$15,000 to each of the three Visitor Centers in order for them to do press tours. He requested board action to approve the budget.

Paul Parker, of Alligator Point, commented on the budget and gave reasons for his support of the Gieger contract. He gave the Board some idea of the return investment the Gieger contract has provided for the County.

Alice Collins, lodging provider on St. George Island, commented on the budget and also supported renewing the Gieger contract. She discussed rooms that have been booked because of the stories the customers read in articles and on the internet.

Diana Prickett, of Resort Vacation Properties, discussed the expense she would incur if it wasn't for the contract with Geiger and was also in support of it.

Chairman Jackel and Ms. Prickett discussed the benefits of the Gieger contract for the County. Commissioner Sanders, the Board's Representative on the TDC, discussed the decrease in the Gieger contract and discussed the benefits of this program.

Mr. Blair explained how the County has changed from a regional destination to a national destination and how Gieger has played a role in this change.

Motion by Putnal, seconded by Sanders, to reduce Geiger funding to \$35,500 and distribute the other \$2,000 for the Chambers of Commerce in Carrabelle and Apalachicola evenly; Motion carried 4-1; Lockley opposed.

Motion by Sanders, seconded by Putnal, to approve the TDC promotions budget; Motion carried 5-0.

P & Z Report (11:19 AM)

Mr. Pierce presented the request to the Board.

Recommended Approval- Unanimous: Consideration of a request for Commercial Site Plan Review of a 2400 square foot building that will be used for an automotive repair shop located at 318 US Highway 98, Eastpoint, Franklin County, Florida. Request submitted by Robert Crosby, applicant.

Motion by Parrish, seconded by Lockley, to approve a request for Commercial Site Plan Review of a 2400 square foot building that will be used for an automotive repair shop located at 318 US Highway 98, Eastpoint; Motion carried 5-0.

BOA Report (11:20 AM)

Mr. Pierce presented the report to the Board.

1. Recommended Approval – Unanimous: Consideration of a request for a variance to construct a rip rap revetment within the Critical Habitat Zone on property described as Lot 7, Kinja Bay Subdivision, St. George Island, Franklin County, Florida. The request was submitted by Dan Garlick Associates, Inc, agent for Paul Aughtry, III, Owner. (This approval was made contingent

upon Dan Garlick meeting with adjoining neighbor Mr. Vester and the land owners in the adjoining subdivision of Cara Bay and coming to an agreement regarding their objections.)

Motion by Parrish, seconded by Sanders, to table request for a variance to construct a rip rap revetment within the Critical Habitat Zone on property described as Lot 7, Kinja Bay Subdivision, St. George Island; Motion carried 5-0.

2. Recommended Approval – Unanimous: Consideration of a request for a rip rap revetment within the Critical Habitat Zone on property described as Lot 9, BRE, Inc., Alligator Point, Franklin County, Florida. The request was submitted by Randy Taylor, agent for Pier 9, LLC. (This is an unbuildable Lot with no house. The lot has an existing dock and owner wishes to preserve remaining land and road for use of dock.)

Motion by Putnal, seconded by Sanders, to approve request for a rip rap revetment within the Critical Habitat Zone on property described as Lot 9, BRE, Inc., Alligator Point; Motion carried 5-0.

Jay Abbott – MSBU Request / Heather Encinosa – Neighbors, Giblin & Nickerson Law firm (11:21 AM)

Fire Chiefs Jay Abbott and Steve Fling appeared before the Board. Chief Fling read a statement discussing the MSBU and requested an amendment to increase the current MSBU fee from \$50 to \$95.

Chief Abbott read a statement which stated that the United Firefighters voted to allow each fire district to establish its own MSBU rates and they are asking that the Board start the process to have a public hearing.

Steve Carney, representing Mason Bean of the St. George Island Civic Club, stated that the St. George Island Civic Club supports this action and distributed a letter to that effect.

Jim McCloy, President of the Alligator Point Taxpayers Association, stating that all of their members have been polled and 100% were in support of this issue.

Attorney Shuler introduced Heather Encinosa, Wakulla County Attorney.

Attorney Encinosa discussed her background and presented some information regarding MSBUs, such as legal requirements, implementation and collection.

Attorney Encinosa reviewed her hand-out with the Board and gave advice on going to independent districts and implementing changes to the MSBU.

Chairman Jackel and Attorney Encinosa discussed the fact that the Board has the ability to levy a separate assessment to fund EMS.

Commissioner Lockley and Attorney Encinosa discussed the F.S. 191 Independent District option further.

Motion by Putnal, seconded by Parrish, to authorize a public hearing to hear input on the increase to the MSBU; Motion carried 5-0.

Chairman Jackel allowed the Fire Chiefs present to question Attorney Encinosa.

Chief Abbott explained the unique situations of Franklin County.

Chairman Jackel and Attorney Shuler thanked Attorney Encinosa for appearing with no charge to the County.

Chief Fling asked Attorney Encinosa about the current status of Franklin County versus what the UFA is proposing. She stated that she didn't have enough information to answer this question.

Marcia M. Johnson – Clerk of Courts – Report (11:52 AM)

Mrs. Johnson had no report for the Board.

Alan Pierce – Director of Administrative Services – Report (11:52 AM)

Mr. Pierce presented his report to the Board.

1- Provide Board with original letter and declaration regarding Bay that was approved on the Board meeting on Thursday night, Sept. 6.

This item was discussed earlier in the Meeting.

2- Provide Board with copies of letter from Congressman Southerland and our federal delegation to US Secretary of Commerce asking a federal declaration of a fishery failure pursuant to Section 312(a) of the Magnuson-Stevens Fishery Management Act. This federal request as well as the request from Governor Scott will be reviewed by the Secretary of Commerce. If the Secretary believes the request has merit it will then be sent to NOAA for review and ultimately to the National Marine Fisheries for validation of the scope of the failure.

Commissioner Sanders and Mr. Pierce discussed problems with the lack of a timeline for this matter.

Commissioner Sanders discussed problems with Progress Energy's lack of cooperation with the displaced seafood workers.

The Board and Mr. Pierce discussed this matter further.

Motion by Sanders, seconded by Putnal, to send a letter directly to Progress Energy explaining the situation with the seafood workers and asking for some patience and cooperation concerning their electric bills; Motion carried 5-0.

3- Ms. Kim Bodine, Gulf Coast Workforce, is on the agenda to present options for the Board. One of those options is for the Board to hire up to 15 workers to assist in debris removal created by T.S. Debbie. These workers would be hired for up to 6 months and be paid \$10/ hour. Ms. Bodine will also be discussing a much larger pool of potential workers who would be "trainees". The trainees will be hired to provide a variety of jobs but the debris workers are going to be limited to removing debris and cleaning up the county from T.S. Debbie. Ms. Nikki Millender, Parks and Rec Director, can use some if not all of the 13 debris removal workers. If the Board is interested it needs to sign an agreement with Gulf Coast regarding the workers. I have provided the County Attorney with a copy of the proposed Agreement.

This item was addressed earlier in the Meeting.

Mr. Pierce discussed the possible assessment done by DACS. He said that Mrs. Brownell stated that the only assessment DACS has done is from September 6th. Chairman Jackel asked for a copy of this assessment as she had given hers to someone else.

4- Inform Board I have applied for an Emergency CCCL permit from DEP to rebuild Gulf Shore Blvd. In the emergency permit I said we would rebuild the road as temporary access while we worked to permanently relocate access to the 7 affected lots through Bald Point State Park. We have submitted a proposed route to the Park for their review.

5- Inform the Board that FEMA has been in the county the last week writing PWs associated with damages from TS Debbie. At this point, the county is seeking approximately \$350K in reimbursements for emergency actions and permanent repairs to county roads and debris removal. The PWs for the damaged county buildings have not been written yet.

6- Board action to sign the biannual renewal for the county's participation in the Community Rating System. This is the program which provides a reduction to flood insurance premiums.

Motion by Sanders, seconded by Parrish, to approve the Chairman's signature on the biannual renewal for the County's participation in the Community Rating System; Motion carried 5-0.

7- Inform the Board that FWC has written a letter asking for clarification on the 14 day camping restriction the county has requested in FWC managed areas. Does the Board intend to have FWC enforce a maximum camping stay of 14 days all year long, or just during the non-hunting season? Currently it is allowable to camp for more than 14 days in designated camping areas during hunting season. Board direction.

The Board discussed this matter and agreed to impose a non-hunting season 14 day restriction. Commissioner Parrish warned that during hunting season some people would stay longer so it would be hard to implement this issue.

Mr. Pierce discussed an idea to impose a fee to control this matter.

8- Board action to close Millender St. on Sept. 28, from 11 AM to 6 PM, in order for the Estuarine Research Reserve to celebrate Reserve Day with the public. The Board closed the street last year at the request of the Reserve. The street is a dead end and the closure will not block access to any homes or businesses.

Motion by Putnal, seconded by Sanders, to approve the closure of Millender St. in Eastpoint on Sept. 28, from 11 AM to 6 PM, in order for the Estuarine Research Reserve to celebrate Reserve Day; Motion carried 5-0.

9- Board update on flood map meeting. On Wednesday, September 12, FEMA, the Northwest Florida Water Management District, the Florida Division of Emergency Management and two private companies, Dewberry and URS, met with county and city staff about the new preliminary flood maps for Franklin County. The procedure for producing the maps was explained and the steps the local governments will have to take to adopt a new floodplain management ordinance to implement these maps were discussed. After the staff meeting there was a workshop for the public to come in and learn about the new maps and what the potential changes in the flood zones would mean to them individually. There are significant changes in parts of the county. As an example, the bay side of St. George Island is now a V Zone when before it was an A Zone. Property owners should go to the FEMA website to see if there are changes to their property. The website is <http://portal.nwfwmdfloodmaps.com/>

10- The airport advisory committee met on Thursday, Sept. 12 to review and rank the responses to the FBO advertisement. There were 4 proposals and the ranked in order to most qualified to the least. The committee recommends the Board enter into immediate negotiations with the first firm and if that fails move to the next. The committee also suggested the Board consider retaining an aviation attorney to assist with negotiations and lease.

- 1. Crystal Air, Inc. out of Chattanooga, TN*
- 2. Trident Aircraft out of Gulf Shores, AL*
- 3. Fly High Apalachicola out of Lexington, KY*
- 4. Apalachee Winds Aviation out of Rock Hill, SC*

Commissioner Parrish was not in favor of outside council on this matter because of the short length of the contract.

Chairman Jackel stated that she has received calls stating that since Attorney Shuler is a property owner there might be a conflict.

Attorney Shuler explained that this wouldn't cause a legal or ethical conflict or else he would step aside on his own.

Commissioner Sanders asked Mr. Ted Mosteller about the committee request regarding the attorney conflict.

Ted Mosteller, of the Apalachicola Airport, stated that concerns about attorney conflict were brought up by members of the Airport Committee.

Chairman Jackel expressed her concerns about how things might appear to the public and stated that it was her responsibility to bring their concerns to the Board.
Commissioner Lockley expressed concerns of funding to pay for additional attorney fees.

Motion by Sanders, seconded by Putnal, to accept the recommendation of the Airport Committee with a restriction of a 3 -5 year limit on the agreement; Motion carried 3-2, Lockley and Parrish opposed.

Chairman Jackel and Mr. Mosteller discussed an upcoming inspection at the Airport.

11- Board action to approve DOT CIGP funding to widen and repave CC Land Road.

Motion by Putnal, seconded by Sanders, to approve the DOT CIGP funding to widen and repave CC Land Road; Motion carried 5-0.

Mr. Pierce stated that he is seeking a PW for repairing the fishing pier on SGI. The Board discussed this issue, including liabilities and responsible parties for this item. Attorney Shuler stated that he has contacted the County's insurance company but hasn't heard back from them at this time.
Chairman Jackel discussed this matter and offered some options to repair the pier. She said this is a major project and asked that the public bear with the Board.
Attorney Shuler informed the Board that this is a unique area of law and stated that he is in the process of finding someone who can help the County with this matter.

Dan Tonsmiere informed the Board that the new commander for the Army Corps of Engineers will be in the County on October 22nd for a briefing in the same manner that has been done in the past. He said they would like to use the Annex for that briefing. Mr. Tonsmiere said Mr. Hartsfield will be taking the Commander out oystering and then up the River. He asked the Board to mark their calendars for this event. Mr. Pierce said he will verify the availability of the Annex.

Commissioner Lockley and Mr. Pierce discussed the structural safety of the fishing pier. Clay Kennedy, of Preble-Rish, stated that he was not performing a safety inspection until after the design phase, not the preliminary phase of the project.

Commissioner Sanders suggested moving on the County employee health insurance issue.

Motion by Sanders, seconded by Putnal, to approve the blended health insurance plan option for the employees with both Blue Cross Blue Shield and Capital Health Plan; Motion carried 5-0.

Attorney Shuler advised the Board that they need to revoke the Agent of Record status for Mr. Fenstermaker.

Motion by Lockley, seconded by Sanders, to revoke the Agent of Record status for Mr. Fenstermaker; Motion carried 5-0.

Michael Shuler – County Attorney – Report (12:27 PM)

Attorney Shuler presented his report to the Board.

1. Hospital By Laws Amendment

a. The proposed amendments to the hospital by laws is attached for your consideration. The proposed changes appear at page 4, paragraph 3.6 entitled "Appoint of Board Members." Additions are underlined. Deletions are ~~strikethrough~~.

2. Weems Hospital District

a. Attached is a letter I sent to the Auditor General of the State of Florida regarding the annual report for the district.

b. Is the Board interested in examining whether the hospital district can be activated to operate the hospital? It has taxing authority which could be used to support the ambulance and free up ad valorem taxes. However, to my knowledge, no one has ever looked at the special act of the legislature creating the district to examine its powers and geographic boundaries.

3. Capital City Bank

a. FEMA has approved the extension of the grant until November 2013.

b. I will present the resolution formally authorizing the condemnation at the next board meeting on October 2, 2013.

c. In response to actions by Capital City Bank, the Florida Department of Environmental Protection has filed an amended Notice of Violation for the placement of concrete debris in the area to the East of the rock revetment south of South Shoals subdivision. The affect of this amendment is to approximately double the length of the revetment that the county may have to remove concrete nibble from. If the county is required to remove the concrete debris from the increased area now at issue, it will substantially increase the cost of removal due to the increase in the length of the revetment at issue and may leave that part of Alligator Drive East of South Shoals in increased danger of erosion.

d. Judge Francis dismissed the banks lawsuit for the second time, but gave them one final time to try to state a cause of action. The bank has until on or about October 1, 2012 to attempt to file a third amended complaint. A copy of the order is attached.

4. Orion Marine Group, Inc/St.George Island Pier

Orion Marine Group has filed an action in the Federal Northern District Court under the "Ship owner's Limitation of Liability Act," seeking to limit its liability for the damage its barge did to the county's fishing pier to the value of the vessel that did the damage. According to their marine survey, their vessel is valued at \$105,000.00. A response is due on or before October 31, 2012. A copy is attached.

Orion's letter to me indicates that they desire to continue a dialogue. Once we receive the report from Preble-Rish, I will contact Orion's attorney.

5. Medicaid Legal Task Force

FACT created a task force to take the lead in challenging the legislature's amendments to the Medicaid reimbursement statute regulating payments for nursing home and hospital stays. FAC has hired outside counsel to represent the counties.

Although AHCA has decided that Franklin County owes no Medicaid backlog, I recommend that we join with the counties who will, instead of dismissing, hold the case in abeyance. The advantage to this is that if ACHA should for some reason send us an amended decision that we owe them money, we will still be in the case.

I understand that a lot of counties are abating and FAC will handle it.

6. Lanark Village Burned Out Apartments

I have again followed up with Nancy Vine and Daniel LaFleur about cleaning their burned out apartments. They applied for a demolition permit, but they are required by the county to complete an asbestos inspection first. Mr. LaFleur has hired a firm who I am told should finish their report on or before September 14, 2012. A copy is attached.

7. Health Insurance Quote

Mr. Fenstermaker has completed his quote, does the board want to revoke his agent of record designation now?

8. Bill Ruic and AIATC, Inc.

Attached is a copy of the check showing that Mr. Ruic has paid off the \$863.00 final judgment against him

Chairman Jackel stated that representatives of the Sheriff's Department would like for the Board to impose a curfew at the Eastpoint Pavilion and Boat Ramp.

The Board discussed possible problems night time seafood workers might have with the curfews.

Commissioner Parrish expressed concerns with imposing a curfew on boat ramps. He said he has never heard of having a time limit on a boat ramp and asked Attorney Shuler to provide more information on this matter.

Motion by Putnal, seconded by Sanders, to set a public hearing to consider imposing an ordinance for a curfew at the Eastpoint Boat Ramp and Pavilion; Motion carried 5-0.

Commissioners and Public Comments (12:34 PM)

The Board and Chief Jay Abbott discussed possible dates for the MSBU public hearing.

Adjourn (12:35 PM)

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

Pinki C. Jackel, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts