

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
CITY OF CARRABELLE COMMISSION MEETING ROOM
APRIL 15, 2014
10:00 AM**

MINUTES

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

Commissioner Absent: Noah Lockley

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

Call to Order (10:00 AM)

Chairman Sanders called the Meeting to order.

Prayer and Pledge (10:00 AM)

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes (10:01 AM)

Motion by Massey, seconded by Parrish, to approve the Minutes of the March 18, 2014 & April 1, 2014 Regular Meetings; Motion carried 4-0.

Payment of County Bills (10:02 AM)

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

Department Supervisors Report

Howard Nabors –Superintendent of Public Works (10:02 AM)

Mr. Nabors had no action items for Board approval.

Mr. Nabors commented on the recent amount of rain and its effect on the roads.

Commissioner Jackel stated that there is a drainage problem in Eastpoint that needs to be addressed. She said Mr. Pierce will confer with Mr. Nabors to discuss a possible solution.

Fonda Davis – Solid Waste Director (10:04 AM)

Mr. Davis had no action items for Board approval.

Commissioner Massey asked for Mr. Davis to help with the cleaning of the Lighthouse property in Carrabelle.

Chairman Sanders thanked Mr. Davis for attending the association meeting in Lanark Village.

Nikki Millender – Parks & Recreation (10:05 AM)

Mrs. Millender stated that scoreboards for D.W. Wilson are here and will be installed for the tournament being held at the park in June.

Mrs. Millender stated that skateboarders are damaging some of the park equipment on St. George Island. She stated some of the damages to the park.

Commissioner Jackel stated that Terry Kemp, of the Lighthouse Park, said she will post signs prohibiting skating in the park. Commissioner Jackel asked for Attorney Shuler's recommendation. Attorney Shuler suggested having law enforcement enforce the rules once the signs are posted.

Commissioner Jackel and Attorney Shuler discussed the need for an ordinance if signage doesn't solve this problem.

There was additional discussion on this matter.

Commissioner Jackel and Attorney Shuler discussed a current ordinance for the destruction of any County property.

Commissioner Jackel suggested including this ordinance language on the signage.

Mrs. Millender asked the Board to consider Susan Riley as a supervisor for the Parks & Rec Dept., with a \$1,500 pay increase, so she can answer calls on the days Mrs. Millender is on vacation.

Commissioner Jackel stated that she would like a job description for this position before a salary increase is considered.

Commissioner Parrish stated that he agreed with Commissioner Jackel. He stated that there will be a problem if one department is not held to the 2% reduction in their budget.

The Board agreed that a job description is needed before any consideration.

Pam Brownell – Emergency Management (10:17 AM)

Mrs. Brownell presented her report to the Board.

Action Items:

She asked for Board approval for Chairman's signature on contract.

Motion by Parrish, seconded by Massey, to approve the Chairman's signature on the debris contract; Motion carried 4-0.

Information Items:

- 1. Emergency Management held its Hurrevac Training at the EOC Office on 04/10/14.*
- 2. Pamela Brownell met with the US Forestry to discuss US Forestry Road that the County maintains for the upcoming year. We will start working on a formal agreement between the US Forestry and Franklin County.*
- 3. Pamela Brownell, Tress Dameron, and Jennifer Daniels attending a training on 04/09/14 at the Franklin County Property Appraisers Office for a web training on how to use the IDAM program.*
- 4. Emergency Management will be holding its Faith Based Provider meet and greet on 04/23/14.*
- 5. Emergency Management will be participating in the Carrabelle Riverfront Festival on 04/25/14 and 04/26/14.*
- 6. Jennifer Daniels will be attending the ICS-300 class on 04/22/14 – 04/24/14 in Tallahassee.*

Mrs. Brownell asked for Board direction on assistance with funding for retro-fitting the roof at the County Jail. The Board and Mr. Pierce suggested that she start contacting the State's Legislative Delegation to request assistance with funding.

Ann Birchwell – Franklin County Library (10:21 AM)

Ms. Birchwell updated the Board on Library events and provided circulation statistics for the Library. She informed the Board that the Friends of the Library will be receiving an award for Most Outstanding Friends Group in the State.

She stated that she is working on her Masters in Library information.

Commissioner Jackel and Ms. Birchwell discussed the Library's circulation statistics further.

Scott Jackson – IFAS – Update on Harvester Training and Licensing (10:24 AM)

Mr. Pierce presented information reminding harvesters to get the required training in order to obtain their licenses. Mr. Jackson was not yet present.

Commissioner Parrish commented on the certification process and wanted the public to know that it isn't the County that is requiring this new training, it is the FDA.

Marcia M. Johnson- Clerk of Courts- Report (10:27 AM)

Mrs. Johnson presented her report to the Board.

1-I need Board approval of a contract between the State Department of Revenue and the County which provides for State approved payments to the County for service of process in child support cases. To explain, when the State files proceedings in child support cases, our Sheriff's department may be required to serve papers on individuals involved with the cases. The Sheriff's Department usually charges a fee for that service of either \$20 or \$70 which is set by law, but they don't collect the monies in these types of cases. With the contract, the County can be reimbursed at a rate of 66% which would help offset our costs of performing this service. The current contract was approved for 3 years in 2011, and this contract period would run for 3 years from July 1, 2014 until June 30, 2017. Attorney Shuler has received a copy of the contract for review.

Motion by Massey, seconded by Parrish, to approve a contract between the State Department of Revenue and the County which provides for State approved payments to the County for service of process in child support cases; Motion carried 4-0.

Department Supervisors Report (continued)

Scott Jackson – IFAS – Update on Harvester Training and Licensing (continued) (10:29 AM)

Mr. Jackson arrived and discussed the certification process further.

Commissioner Parrish and Mr. Jackson discussed this item, further explaining that this new 30 minutes class replaced the 2 hour class.

Alan Pierce – Director of Administrative Services – Report (10:32 AM)

Mr. Pierce presented his report to the Board.

1- Inform the Board that Preble-Rish and the county are still working with DOT to determine the best course of action on the Bluff Road culvert. At this time, DOT is reviewing the drainage calculations as they want to make sure that the proposed culvert replacement will be the proper size. There is still the possibility that they will share in the replacement costs. The Bluff Road paving will continue and the construction company is monitoring the culvert.

2- At a previous meeting the Chairman requested that Preble-Rish inspect Pine St in Lanark Village for the placement of 4 way stops at Pine and Parker, and Pine and Hefernan Drive. Upon evaluation, Clay Smallwood says that it would be suitable for those intersections to be made 4 way stops. The speed limit on those roads is already 15 mph. Board action to designate these 2 intersections as 4 way stops.

Motion by Jackel, seconded by Massey, to approve designating 4 way stops at Pine and Parker and Pine and Hefernan Drive; Motion carried 4-0.

3- At a previous meeting, the Board had requested an update on the Federal Fisheries Disaster funds. I have spoken with Jim Estes, and I have met with other officials involved in the allocation of funds. At this time DEO is drafting a spending plan for all of the funds, and this spending plan will be submitted to NOAA for approval. The spending plan does not alter the allocation of funds the Board has previously seen, but it has more details on which agency will be involved with which activity. The spending plan should be submitted by April 30, and it will probably take NOAA 60-90 days to review and approve the plan. After the plan is approved then the agencies can begin disbursing funds. At this time, DEO will be responsible for the \$500K in Vocational and Educational Training; DACS will be responsible for the \$768K in Processor Facility Upgrades, and then DACS, FWC, and DEP will be administering the \$4.5M in oyster shelling money. There are meetings still to be held with oyster industry representatives and state agencies to determine where the shell planting should take place.

I have also been approached by the owners of the fossilized shell mine on CR 67 to say that other states are seeking inquiries at the mine about acquiring shell. There is not enough active shell available to provide all the shell material that needs to go back into the Apalachicola Bay so some material will have to be fossilized shell. The mine is building a slurry pipe to wash the shells so that they will be clean of mud and silt.

In previous shelling programs, the state of Florida has provided the shell but it appears the state no longer is collecting shell or maintaining a shelling program so some of the federal fishery funds will have to be used to purchase shell.

4- Inform the Board that FDOT did the annual airport inspection on April 10, and the airport passed the inspection.

5- Inform the Board that I will not be at the May 6 Board meeting.

Chairman Sanders asked to have Mark Curenton available to present Mr. Pierce's report at this Meeting.

6- Inform Board that as part of the grant funded acquisition process for the parcel in Eastpoint, county staff will be holding a public meeting to listen to public input on proposed uses for the acquisition. Since we have already said in the pre-application that the principal public use will be parking there will be little room for other public uses, but the application process requires that we hold a public meeting to receive input. Mark Curenton will receive public input on April 29 in the Annex at 5 PM.

7- The Board may recall that in January, 2014, the Board approved a \$1.2M JPA with DOT for the development of a new taxiway that will access the north/south runway with the county's industrial park. FDOT has fully executed the JPA so AVCON is now ready to proceed with designing the taxiway. Board action to sign Task Order with AVCON.

At some point after July there will be another JPA, in the amount of \$1.5M with DOT for additional drainage work for the airport.

Commissioner Jackel and Mr. Pierce discussed the current status of outstanding JPAs and grants. She wanted to be sure that the County wouldn't lose any funding due to deadlines.

Commissioner Parrish and Mr. Pierce discussed the culvert project and the possibility of an increase in flow based on the Airport project.

Motion by Parrish, seconded by Massey, to approve Chairman's signature on Task Order with AVCON; Motion carried 4-0.

8- The Board directed that an application be developed and submitted to FDOT for the funding of a "Planning Study for the Franklin County Segment of the Capital to Sea Trail." The date of the Board action was Jan. 21, 2014. Since that was so long ago and the grant application is now going in I thought I would make a note in the Board minutes of when the grant application was submitted. The deadline for submission is May 1.

Chairman Sanders asked the Board to look at the handout from Leslie Cox, of the Carrabelle Lighthouse Association, relating to this item.

9- Inform the Board that work is proceeding in the design of the extension of the Carrabelle Beach Bike Path from Carrabelle Beach back to the Carrabelle Bridge (Tillie Miller Bridge). The design phase is indicating that some additional right of way along US 98 will have to be acquired as US 98 narrows from 100 feet to a 66 foot ROW in certain areas.

Mrs. Cox commented further on the handout and the project.

Chairman Sanders and Mr. Pierce discussed the project done by FDOT in this area. She asked the Board to contact FDOT about paving the apron.

Motion by Parrish, seconded by Massey, to approve a change order for the Multi-Use Path from Carrabelle to Carrabelle Beach; Motion carried 4-0.

Commissioner Massey and Mrs. Cox discussed the clearing of the path at the Lighthouse.

10- Inform the Board that the Northwest Florida Water Management District has determined that Gulf and Franklin counties will be exempt from the development of a regional water supply plan based upon the results of the 2013 Water Supply Assessment update done by the District. The District has determined that the completion of a major surface water treatment plant in Gulf County and the overall reduction in growth and water demands in the region warrant this decision. The District will re-evaluate this determination by 2018 as part of the next district-wide water supply assessment.

Commissioner Jackel asked the Board to adopt a Proclamation from the TDC establishing Franklin County as a Florida Paddling Trail Blueway Community.

Commissioner Parrish asked if there were any special concessions or consideration for the County's waterways.

Commissioner Jackel stated that this is strictly promotional and not regulatory and Mr. Pierce also agreed.

Chairman Sanders stated that in years past there has been a regulatory proclamation.

The Board discussed this issue further.

David Butler, of Carrabelle, reminded the Board of an upcoming function, Forgotten Coast Paddle Jam 2014, which will involve kayaking in the County.

Motion by Jackel, seconded by Massey, to adopt a proclamation establishing Franklin County as a Florida Paddling Trail Blueway Community; Motion carried 4-0.

Michael Shuler – County Attorney – Report (10:51 AM)

Attorney Shuler had no action items for Board approval.

1. St. Joe Company vs. Franklin County

On Friday, April 11, 2014, the St. Joe Company served its Bert J. Harris Property Protection Rights lawsuit on me. Its deadline to serve the complaint was April 14, 2014. I delivered a copy of the lawsuit to Mr. David Theriaque, also on Friday. The County has 20 days to file a response to the lawsuit.

2. Capital City Bank vs. Franklin County

On April 1, 2014, Judge Reynolds issued an order granting in part and denying in part the county's motion to dismiss another lawsuit filed by the bank in case number 2012-411-CA. The court allowed the due process and equal protection counts regarding the re-platting of South Shoals, but dismissed the two counts regarding the revetment. The bank was given 20 days leave to file an amended complaint.

3. Chambers Bank

Chambers Bank informs me that it has received its bids and will select a contractor this week. They did not do so last week because Mr. Chambers was out of the office and he wants to personally oversee the process.

Two new issues were raised by the bank last week:

First, they wanted the county to waive the tipping fees at the land-fill. I have informed the bank that it is against county policy to waive the tipping fees.

Second, the bank wanted the county to render an opinion regarding grandfathering of their development rights if they demolished some of the buildings on the site. I informed their attorney that he would be required to advise his client on such matters, as the county could not give them legal advice. A copy of my email to their attorney is attached.

4. Eastpoint Water and Sewer District (EPWSD)

On Friday, Ms. Banks, the attorney for the EPWSD delivered to me partial copies of construction plans from 1989. Those plans purport to show that the leachate from the landfill was connected to the sewer lift station at the jail.

I have been informed that the leachate does not connect to that lift station. There was a plan to make that connection at one point, but that it was abandoned in favor of directly connecting to the force main in front of the land due to cost considerations.

These two conflicting stories have to be reconciled before I file a lawsuit, so that I can properly frame the complaint regarding this material fact. I have asked Alan to contact Preble-Rish and have an investigation performed for the purpose of confirming or denying whether the leachate from the land-fill connect to the sewer lift station at the jail.

Commissioners and Public Comments (10:52 AM)

Happy Easter wishes were expressed from Board members.

Commissioner Parrish commented on the Bluff Road project and discussed public comments that he has received.

Mr. Pierce stated that the ABC school is in the process of starting a paving project on their property. He also discussed a parking paving project with the Hospital.

Chairman Sanders recognized Brenda LaPaz, City of Carrabelle Commissioner.

Brenda Austin Cummings

Ms. Cummings did not attend the Meeting.

Stephen Allen, of Carrabelle Cares, discussed the upcoming Carrabelle Waterfront Festival. He presented a rendering of the project. Mr. Allen discussed other projects and events Carrabelle Cares is involved in. He thanked Commissioner Massey for all of his assistance during the festival. Mr. Allen also thanked Pam Brownell, Nikki Millender, and Fonda Davis for their help. He asked for volunteers for the Senior Citizens Center dunking tanks that will be at the festival.

David Butler, of Carrabelle, asked about limits for oyster licensing that might help with the availability of oysters. He discussed the problems with the seafood industry and the possibility of creating quotas to help with the problems with the industry.

Commissioner Parrish commented on this item.

Mr. Butler asked if there could be limits on the use of oyster shells.

Chairman Sanders commented on the use of oyster shells and the licensing for seafood workers. She also discussed communication issues with FWC and the State.

Commissioner Jackel expressed the need to sit down with all of the stakeholders involved and formulate a strategic plan for the Apalachicola Bay. She believes this will help to preserve the Bay for the next generations.

Mr. Butler stated the need for dialogue between all appropriate parties. Commissioner Massey and Mr. Pierce commented on the actions of the SMAART group on this matter.

Chairman Sanders commented on the money coming down from the federal government and how it plays a big part in the recovery of the Bay.

Mr. Butler discussed the School Board's consideration of changing the status of the Superintendent of Schools as an appointed office instead of a constitutional position. He stated that there is a very important workshop coming up so the Board might consider attending in order to get as much information as possible.

Kathy Swaggerty, of Gulf Terrace, thanked FDOT for mowing only what is necessary on Highway 98 and she also spoke in support of purchasing the Island View Hotel property.

Mr. Pierce provided more information on the purchase of this property and steps that are being taken in order to preserve the property. He stated that the plan is to reinstate the property as a maritime hammock.

Chairman Sanders stated that she would like to see the property being used for a recreational area.

Mr. Butler commented on this property and asked about the TDC requesting to increase the 2% tax and adding it to the ballot. He was in support of this increase for the TDC and stated that this purchase would benefit Carrabelle.

Adjourn (11:22 AM)

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

Cheryl Sanders, Chairman – FCBOCC

Attest:

Marcia M. Johnson, Clerk of Courts