

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COURTHOUSE ANNEX – COMMISSION MEETING ROOM  
JUNE 21, 2016  
9:00 AM  
MINUTES**

**Commissioners Present:** William Massey – Chairman, Joseph Parrish – Vice Chairman, Noah Lockley, Cheryl Sanders, Rick Watson

**Others Present:** Alan Pierce – Director of Administrative Services, Michael Morón – County Coordinator, Michael Shuler – County Attorney, Marcia M. Johnson-Clerk of Court, Lori P. Hines-Deputy Clerk to the Board.

**Call to Order**

Chairman Massey called the meeting to Order.

**Prayer and Pledge**

There was a prayer followed by the Pledge of Allegiance.

**Approval of Minutes**

**On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the minutes of the meeting held on June 7, 2016.**

**Payment of County Bills**

**On motion by Commissioner Lockley, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve payment of the County's bills.**

**Rhonda Skipper - Property Appraiser – Request**

Mrs. Rhonda Skipper, Property Appraiser, and Mr. Charles Elliott, Veterans' Service Officer, appeared before the Board. Mrs. Skipper discussed a program started many years ago by then Supervisor of Elections, Mrs. Doris Shiver Gibbs, and Mrs. Ida Elliott. She explained they advertised for families with service members to bring photographs of their family member to the Courthouse where copies would be made, their information placed at the bottom of the photographs, and the photographs displayed in the hall downstairs in the Courthouse. She

reported these photographs are displayed in the hall downstairs but they are falling off the wall. She stated this is an awesome tribute and they would like to purchase frames or boards for these photographs. She reported the cost of the frames would only be around \$1.00 a piece. Mrs. Skipper reported many people come by to see the photographs. Mr. Elliott explained there are approximately 131 photos now and the frames and molding for the entire wall would cost just under \$400.00. He stated they will take everything down and get the wall ready and then place the frames back on the wall. Commissioner Sanders asked the Clerk about this item. Mrs. Marcia Johnson, Clerk of Court, commented this is a good project. **On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve this project and direct Mr. Moron to work with Mr. Elliott on this project and make it a better tribute to the veterans.** Mrs. Skipper stated if anyone has photographs of relatives that have served in the military, they should bring them in. She went on to say the photographs will be scanned and also placed on in a pdf file.

### **Department Directors Report**

#### **Howard Nabors - Superintendent of Public Works**

Mr. Nabors informed the Board the grass is growing up so they will be cutting throughout the county.

Mr. Nabors reported Mr. Garry Myers will retire the end of the month. Chairman Massey asked if he will be replaced. Mr. Nabors answered yes and said they would like to advertise for this position. **On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to allow Mr. Nabors to advertise for this open position.** Commissioner Lockley asked if a retirement party will be held for Mr. Myers. Mr. Nabors answered yes and said he will let the Commissioners know the arrangements. Commissioner Lockley reported Mr. Myers did a good job. Mr. Nabors stated Mr. Myers worked well with the inmate crews.

#### **Fonda Davis - Solid Waste Director**

Mr. Davis appeared before the Board and presented the following report:

### **THE 2016 SOFTBALL STATE TOURNAMENT & BASEBALL STATE TOURNAMENT DATES:**

FOR BOARD INFORMATION: There will be two Dixie Softball team & two Dixie Baseball teams traveling to represent Franklin County in the 2016 Dixie Youth League State Tournament. The Debs & Ponytails Division will be competing on July 8<sup>th</sup> in Okeechobee, Florida and the AAA & Ozone Division will be competing on July 16<sup>th</sup> in Sebring, Florida. **ACTION REQUESTED: None.**

Commissioner Sanders questioned if work is being done on the signs for the county lines. Mr. Davis reported he is talking with the state as he has to get a permit. Commissioner Lockley asked where the games will be held. Mr. Davis responded the girls will play in Okeechobee and the boys will play in Sebring.

### **Pam Brownell - Emergency Management Director**

#### Action Items:

1. On the last Board Report, we left off item 2, approval of Debris Monitoring Contract.

Mr. Moron stated Mrs. Brownell is in Tallahassee today but would like to get approval for the Debris Monitoring Contracts. **On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the Debris Monitoring Contracts.**

#### Information Items:

Hurricane Season Started June 1, 2016.

1. Franklin County EOC Staff continue to promote our Re-Entry Tag program and encourage all residents to apply for their Re-Entry Tag.
2. Franklin County EOC Staff will be attending the FL-604 Procurement Training on June 30. An email was sent out to all Departments Heads encouraging them to send staff who handles purchasing. You can register for this class via SERTrac.
3. June 17 Tress Dameron started a new CERT class.
4. June 16 EOC Staff planted Sea Oats through the grant received from Duke Energy at Carrabelle Beach.
5. June 16 EOC Staff attended CERT Meeting in Carrabelle.
6. June 9 EOC Staff attended the Region 2 meeting.
7. June 8 EOC Staff attended the FMAP Meeting and the Transportation Disadvantage Meeting.

### **Erik Lovstrand - Extension Office Director**

Mr. Lovstrand stated due to the work of Mrs. Michele Huber, Office Manager/Program Assistant, 19 youth have shown an interest in attending 4-H summer camp on Choctaw Bay at Camp Timpooshee. He reported this is the most kids that have been involved for many years. He explained Mrs. Huber has also reached out to local businesses for support and has received about \$1,600 in donations to assist in scholarships for youth to attend camp. He expressed appreciation to these local businesses for providing support to these kids. He said it costs about \$225.00 a week per child and it is tough for some families to pay these costs.

### **Franklin County Extension Activities June 8 – June 21, 2016**

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

#### General Extension Activities:

- Office Manager/Program Assistant developing Facebook network for Extension office.
- Extension Director assisted local clientele in the areas of pecan tree health, soil testing procedures, and sea turtle nests being washed out by storm.
- Extension Director assisted the new Gulf County Extension Director with materials for shellfish harvester trainings in Port St. Joe.

#### Sea Grant Extension:

- Extension Director posted article on Sawfish in the Northern Gulf of Mexico.
- Sea turtle lighting equipment continues to be distributed to beachfront property owners.
- Extension Director attended the Wakulla Fisherman's Association meeting during discussion of mullet net regulations to be addressed at upcoming FWC meeting in Eastpoint during June.
- Extension Director provided required shellfish harvester certification training at the Eastpoint Firehouse for one week.

#### 4-H Youth Development:

- Franklin County's Making Strides 4-H club continues to meet.
- Extension Staff are assisting local parents and youth with registration for 4-H Summer Camp. Staff also sent out letters to local businesses to give them the opportunity to provide camp scholarships for local youth. So far we have 15 youth planning to attend and at least \$750 in committed donations from businesses and individuals to offset camper costs.
- Extension Director and Office Manager/Program Assistant have been taking on-line training regarding UF Purchasing Card use.

#### Family Consumer Sciences:

- Family Nutrition Program Assistant continuing to implement in-school curriculum in 2<sup>nd</sup>-4<sup>th</sup> grade Franklin County classrooms.

#### Agriculture/Horticulture:

- Wakulla County Extension Director provided another gardening program at local library branch.

#### **Anne Birchwell - County Library Director**

Mrs. Birchwell appeared before the Board and presented the following report:

- "Get Ready, Get Set...READ!" is this year's theme for our 2016 Summer Reading for the Franklin County Public Library! Both branches are decorated with a race theme, to entice even the youngest reader to get into reading this summer that will begin on June

23<sup>rd</sup> and 24<sup>th</sup>. This program has been made possible this year, from some hugely generous organizations! Our own County Commissioner Rick Watson and his non-profit organization, "Rock by the Sea" including members Patrick Kelly and Beth Gosnell, donated \$5,000 to the Friends of FCPL our program! This was done through benefit concerts with musical groups like Melodime who promote our library! There was also an additional amount of \$5,000 contributed for the continuation of the library Music as a Second Language, for a total of \$10,000! I was informed that there are also musical instruments that will be donated to FCPL to keep this innovative program going next year. We cannot express how grateful we are for this huge contribution. Other local organizations have also helped to make this year's program happen including St. George Island Civic Club, The Philaco Club, and the Friends of the Library!

- The MUSIC AS A SECOND LANGUAGE program is continuing at both branches of FCPL and we are seeing the music students slowly progress. We will be holding a recital for the students, parents, and peers in August. The students will include vocal, piano, electric guitar, bass and acoustic guitar students. I will keep you informed as the time draws closer. Another huge thank you to Rick's group for the outstanding donation!
- On Monday, June 20<sup>th</sup> Les Harrison of the Wakulla Extension Agency will be facilitating a Plant Clinic at the Eastpoint Branch at 1:30 pm. Participants will learn about native plants and learn about the watering and disease issues that growers face. People are in encouraged to bring examples of their current gardening problems.
- In preparation for reporting library statistics, the staff reviewed the E-government usage at both branches. On the following page, you will see the statistics saved by the staff, as they look to assist the patrons that come to the library for specific assistance with Food Stamp applications, Unemployment, Social Security, Safe-Link Phones. Some of the applications take more time than others. Many also need assistance with creating resumes and filling out applications that are now only available on-line. Many patrons feel overwhelmed with filling out these applications, and the staff is happy to assist them. However, it can be difficult to assist those patrons at the same time as assisting library patrons seeking literary helps. I was encouraged by the chairman to mention that although I did not request any additions to expenditures in my upcoming budget, restoring the full-time position at the Carrabelle Branch would be extremely helpful to the patrons in Carrabelle. According to Erin Griffith the cost for reinstating the part-time to full time position would cost as follows:

The total cost in your request for a part-time position is as follows;

\$15,080.00 Salary  
\$1,153.62 FICA  
\$1,134.02 Retirement  
\$17,367.64

The total cost for a full-time position is as follows;

\$25,000.00 Salary  
\$1,912.50 FICA  
\$1,880.00 Retirement

\$6,140.28 Health, Life, Dental  
\$34,932.78

It would cost an additional \$17,565.14 to transition the permanent part-time position to a full-time position.

**CARRABELLE BRANCH REPORT –**

Submitted by Tonia Chisholm  
Branch Manager

Ms. Carol Davis, a long time Carrabelle resident and teacher, passed away unexpectedly Thursday, April 28th 2016. Ms. Carol Davis was very well known, respected and loved in our community. Her love of children and knowledge was evident in her life's dedication of educating our children and grandchildren who attended Chapman Elementary, Carrabelle High School and Franklin County School during her forty year career.

Ms Davis' family requested that in lieu of flowers, donations be made to the Carrabelle Branch of Franklin County Public Library in the name of Elizabeth "Carol" Davis. A 6ft outdoor bench with an inlay that reads, "In Loving Memory-Elizabeth Carol Davis" has been chosen to be purchased with these donations. It will be placed near the front entrance so that all who enter our library will be offered a seat of rest and be reminded of our friend, Ms. Carol Davis.

Thank you letters have been mailed to each donor.

Chairman Massey stated the Carrabelle Library has always had two full time employees and they are having a difficult time running the facility with one employee. He said the volunteer has taken a job and is only there 2-3 hours a week. Commissioner Watson stated he appreciated the statistics about outreach and inquired if the statistics are also available for last year. Mrs. Birchwell said the e government statistics are not very accurate so they are trying to work on the software. She explained they are going to keep track of the numbers on their own. Commissioner Watson asked if the statistics she provided are ones they kept track of. She responded these statistics are ones the staff is trying to keep track of. Commissioner Watson said it may be useful to track the time it takes for each service they provide. Chairman Massey stated they assisted a person when he was at the library and it took an hour and a half. Commissioner Watson commented it is a great service. Commissioner Parrish reported funding will be addressed during the budget process.

**\*\*\*Kathleen Oman - President - Friends of the Franklin County Library - Discussion**

Mr. Moron said Ms. Oman is not present but will reschedule.

Mr. Jason Puckett, Airport Manager, said the Airfield Pavement Project has been completed and Avcon is coordinating the final pay application and close out documents with Poloronis Construction.

Mr. Puckett reported the Airfield Lighting Upgrade bids are due on June 30<sup>th</sup>. He stated there will be a review process and a recommendation will be made to the Board. He reported 12 companies have asked for bid documents so there is a lot of interest in the project.

Mr. Puckett stated the commercial access road was paired with the drainage improvements at the Airport but now they are going to separate the projects so they can start the drainage improvements portion. He explained they ran into delays with the Corps of Engineers (COE) on doing wetland delineation so they do not want to delay the whole project. He said at this time they are trying to figure out how to separate the projects so they can get started on the drainage issues.

Mr. Puckett reported the FDOT Grant for the Economic Development Study will be issued around July 1<sup>st</sup>. Mr. Pierce presented a map of the area and discussed the airport drainage study. He explained initially the drainage study was going to be part of the development of an industrial park but it was discovered the site was previously an old garbage dump. He reported in order to avoid problems with the site, the industrial site was moved. He said DOT has allowed time extensions as this was going to be one large project but now the drainage and the industrial project will be separated. Mr. Puckett pointed out this was done to allow the drainage project to move forward. Mr. Pierce stated the Airfield Lighting bids will be due on June 30<sup>th</sup> but will be opened at the Board meeting on July 5<sup>th</sup>. Commissioner Sanders questioned if the 100 acres on the east side for industrial property has now been moved to the front side. Mr. Pierce stated there is still some land south of where the County was going to locate the industrial park. He said some of the property was being used by Duke Energy as a staging yard but they are not there anymore. Commissioner Sanders stated she likes the site being in front of the Airport better as the access is better. Commissioner Parrish reported water and sewer are also available there and access to Highway 98. Mr. Pierce described the location of the road and said the traffic will not interfere with the residential area.

Mr. Puckett stated Runway 18-36 is the deficient runway and they are doing everything they can to keep it open. He explained FAA put an instrument approach procedure on this runway without the County requesting it. He reported because of the designation, the FAA will inspect this runway to that standard. Mr. Puckett said since the County did not request the designation; they are asking the approach be removed as they do not need it. He reported this will also change the requirements for the runway. Mr. Pierce stated the airport has 3 runways and DOT only funds 2. He said no funding is being received for Runway 18-36. He explained they may need to move the markings to shorten this runway's landing ability due to a problem with trees. Mr. Puckett stated this is called displaced threshold. Mr. Pierce said this runway may be closed at some point and the County would need to mark it closed. Mr. Puckett reported they are trying to keep it open without spending money.

Commissioner Lockley asked if they have heard anything about the application submitted for a commercial venture. Mr. Pierce reported he has not heard that anyone was awarded this item so it may still be ongoing. He explained it was a business that constructed tugs that are used to move airplanes around on the ground.

Mr. Pierce presented the following item from his report:

1. Inform the Board that the FDOT Airport Economic Development Study JPA came in last week. The FDOT is willing to fund \$120,000 for the study. Board action to accept the JPA and to direct the county airport engineers, AVCON, to get started. (Mr. Jason Puckett, Airport Manager, may want to speak about the study.)

Mr. Pierce said the money will start flowing on July 1st. **On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the JPA with DOT for the Economic Development Study.**

Commissioner Parrish stated if the study is done then they can apply for the economic development pots of BP funds. Commissioner Parrish said there are different pots of money that would help attract businesses to create jobs. Mr. Pierce reported the Speaker of the House said the first \$300 million of State BP money would go into the Triumph fund. He stated when the Legislature acts in the upcoming session then Triumph, in the summer of 2017, would have money and be able to consider projects. Commissioner Parrish said DEO is having 10 minute sessions at the conference and questioned if the County is registered for these sessions. Mr. Moron agreed they can meet with DEO. Commissioner Parrish asked Mr. Moron to arrange the sessions for the Board. He stated they need to build this relationship to access this money.

Commissioner Watson asked if the traffic at the Airport picks up in summer with tourists. Mr. Puckett answered sometimes the summer is not as busy but it starts picking up at the end of summer. He explained in the winter the traffic decreases. He explained they have seen an increase lately but not as much as they wanted. Mr. Pierce questioned if the peak time was the fall. Mr. Puckett agreed the end of summer and start of fall. Commissioner Watson asked if this is related to fishing. Mr. Puckett answered yes.

Commissioner Watson said, in relation to the Economic Study, Gulf County is trying to get funds to expand their railroad which runs very near the Apalachicola Airport. He reported these funds are looking for regional efforts so maybe they can suggest this project. Mr. Pierce explained Mr. Chris Holley, Gulf County Restore Coordinator, has put in a request for a regional transportation study and now is in the final stages of applying for \$70,000 of DEO funds. He said it will address Franklin, Gulf and Liberty Counties and Mr. Holley will complete the study to see what economic connections he can make.

### **Curt Blair - TDC - Update**

Mr. Blair stated the collections report submitted last month showed the 51% increase in February was an anomaly. He explained sometimes these percentages jump based on reporting between lodging facilities. He went on to say March actually showed a 4% reduction over last year. He reported this is why he suggested it is better to look at quarterly statistics than monthly statistics. He stated since October, 2016 they have seen a 14% increase over last year and are expecting a strong summer. He reported if there is a hurricane, things will change.

He said right now lodging companies are reporting strong advance reservations and are expecting a good summer.

Mr. Blair reported, in relation to scholarships, TDC is working with students on a couple of programs to help prepare them for when they leave high school. He informed the Board one scholarship was awarded to Mr. Kendrick Hunter, a Franklin County High School graduate, who is specializing in hospitality and furthering his education at the Culinary Institute of America in New York City. Mr. Blair reported Mr. Hunter left last weekend to go complete his enrollment. He said this is the first scholarship TDC has awarded and they were excited to help. He reported they have conducted hospitality training and are working with the high school to incorporate this training into their curriculum for the hospitality and culinary program. He stated if individuals cannot take the classes then they also have an arrangement with Visit Florida for an online hospitality course.

Mr. Blair stated they have received two grants from Visit Florida. He explained the first grant is a \$2,500 matching grant to be used to produce videos for public service announcements about the bay and oyster industry. He said they now have additional funding to put these videos together. Mr. Blair stated by next month they will have a short video of a themed public service announcement using the Mr. Oyster character. He said this character is used to educate children about going to the beach, cleaning up after themselves and avoiding turtle nests. He stated the second grant is to develop an inventory on a promotional program for pet friendly services. Mr. Blair reported they have learned this is a big draw here. He said they want visitors to know there are a lot of facilities and businesses that are pet friendly.

Mr. Blair reported they currently have a grant before DEO, which is a joint grant with several other counties between Franklin County and Dixie County to designate a Highway 98 corridor for maritime communities. He encouraged the Board as they talk with DEO to keep in mind this application is pending.

Mr. Blair stated the Board has in their packet, a couple of groups of contracts to consider. He said the Visitors' Center Contracts are identical to last year with an extra reporting item which allows them to transport their reports electronically so TDC can get the reports quicker. He stated they are using information to track the activities of tourists locally. He reported these contracts are ready for approval. Commissioner Watson asked if they are keeping records of the number of visitors and if the number is the same or more. Mr. Blair stated it is early to determine as they have only been collecting information for about a year. He said the numbers appear higher but they do not get the collections report from DOR for 45 days so they should have some comparison before long. He explained if their records track pretty well, then they will know they can use the Visitors' Center records. He stated they keep track of nuances that occur in the lodging industry so they can stay ahead of changes. Commissioner Watson asked if they are keeping a record of where the visitors are coming from. Mr. Blair said they are asking but it depends on how many people they get at a time as they have to walk the visitors through signing in. He reported they are beginning to offer incentives to sign in. He explained

the Apalachicola Visitors' Center sometimes get 1200-1500 visitors a month so it is difficult to get this information. **On motion by Commissioner Watson, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the Visitors' Center contracts.**

Mr. Blair reported the 4 vendor contracts have also been provided to the Board. He said the vendors are his company, 2K Web Group, Forgotten Coast TV and Bay Media. He explained these are the vendors they work with every year for marketing. He stated the contracts are fundamentally the same as last year but Attorney Shuler provided some modification for mediation. He informed the Board he would like to renew his contract until September 30, 2018 to allow him to make some end of career planning. He asked the Board to consider renewing his contract for 2 years. Commissioner Watson asked if the TV station and internet provider are capturing hits. Mr. Blair answered yes, but said some media venues are harder to track than others. He reported they get a lot of tracking information from the internet. He said in the next couple of weeks, he will meet with the vendors and look at the data to plan marketing strategies for next year. Commissioner Watson questioned if the data on repeat visitors is captured and if the trend is continuing. Mr. Blair answered yes, they receive this information from a couple of sources and know about 2/3 of the visitors are repeat visitors. Mr. Blair stated they are marketing for new visitors as well as repeat visitors. He said if they visit in the spring, then they market the events in the fall. He reported the lodging companies verify which visitors are coming annually or more frequently through the year. **On motion by Commissioner Watson, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve the vendor contracts and renew the contract with Mr. Blair for 2 years.**

Mr. Blair reported the TDC Board is looking at airports and ways to market the airports to increase activity. He said they are doing a proposal for a "fly-in" to the Carrabelle Airport and it will be coordinated with Camp Gordon Johnston Days. He stated there will be old planes on site and it will highlight the people's ability to travel to the airport. He said a draft proposal and contract were sent for information but it is not ready for approval yet as he is still working with Attorney Shuler on the details. Mr. Blair estimated this proposal and contract should be ready next month. He explained when the TDC Board adopted and approved this item; they also placed money in the promotions budget next year for a similar proposal at the Apalachicola Airport. Commissioner Sanders stated this is a good idea to start utilizing the airports but Ms. Brenda LaPaz, Mayor of the City of Carrabelle, was quicker at accomplishing this than the Franklin County Airport.

Chairman Massey asked Mr. Blair to check on the cement benches on St. George Island to see if they will use them. Mr. Blair said he is looking for a source also. Commissioner Watson stated the St. George Island Plantation has negotiated a contract for purchasing benches and received a good price so Mr. Blair may need to also look at their contract.

Commissioner Watson inquired about the status of the marine statue. Mr. Blair said there is nothing new yet. He explained when the survey was done and the boundaries changed so now they have to relocate the statue. Commissioner Watson reported he recently visited Jacksonville and they have a river walk with statuary that seems to be a big draw.

The meeting was recessed at 9:50 a.m.

The meeting reconvened at 10:00 a.m.

### **Amy Anderson - Eastpoint Medical Center - Update**

Ms. Amy Anderson, Eastpoint Medical Center Manager, stated the goal of the Center is to provide quality primary medical services to the whole Franklin County community. She reported Ms. Diane Napier, their nurse practitioner, has taken another job and moved out of town. She announced Ms. Doris Carmichael has joined North Florida Medical Centers and will start treating patients on June 23<sup>rd</sup>. She said Ms. Carmichael has 33 years experience and treats adult and pediatric patients. She reported they accept most insurance. She explained they offer a discounted fee for services on a sliding scale basis for patients that do not have insurance or are underinsured. She reported a reception is being held for Ms. Carmichael on July 14<sup>th</sup> from 5:30 p.m. to 7:00 p.m. She thanked the Board for allowing her to speak and invited the Commissioners to stop by at their convenience to visit the Center.

### **\*\*\*Barbara Withers - Replat Discussion**

Mr. Moron said they would like to discuss Ms. Withers property before the Board of Adjustment Report as the outcome may affect the report. He informed the Board there is a letter in their packet from Ms. Withers. Mr. Moron asked Attorney Shuler to explain the actions at the last meeting that started the process for the re-plat as Commissioner Parrish was absent. He presented a diagram of Ms. Withers' property. Attorney Shuler explained at the last meeting there was a discussion about this item from the Planning & Zoning report concerning reconfiguration of the lots owned by Ms. Withers. He said this is concerning one full lot and half of an adjoining lot at Alligator Point. He explained the lots have improvements and encroachments that cross over the common boundaries of the two lots. He reported Ms. Withers has a buyer for the ½ lot and in order to retain a lot of record that is buildable and to account for the encroachments; they are moving the common boundary line between the two lots. He stated the purpose is to retain a buildable lot of record because if their property was damaged more than 51%, they are not allowed to rebuild. He said Planning & Zoning approved this item and he has no objection to the reconfiguration. He explained in order to accommodate the lot line reconfiguration the only way to amend the lot line from a platted subdivision is a re-plat. Attorney Shuler reported his recommendation to the Board was to approve the Planning & Zoning recommendation subject to a re-plat. He reported this was followed by the letter sent by Ms. Withers to the Board which she is here to address. Ms. Barbara Withers, owner of the property, appeared before the Board. She said they were not

present at the June 7<sup>th</sup> meeting and asked the Board to reconsider their decision. She reported these 2 ½ lots were purchased in 1965 and she also owned a lot on the bay side. She went on to say the house she purchased is the old World War II Post Office for Camp Gordon Johnston. Ms. Withers informed the Board she needs to sell this ½ lot so she can retire. She reported on May 17<sup>th</sup> this matter was approved with no strings attached and she entered into a contract to sell the property. She reported the variances were the only item to be addressed on June 7<sup>th</sup> but Attorney Shuler brought up the re-plat. She explained the lot line configuration was already approved on May 17<sup>th</sup> and the Planning & Zoning Commission said it was not necessary to do a re-plat as the Board had not been requiring it. She requested the Board approve the reconfiguration without a re-plat. Commissioner Sanders asked Attorney Shuler if at any time he talked with Ms. Withers about the re-plat. Attorney Shuler answered yes and reported the Planning & Zoning Commission meeting referred to in May is an advisory recommendation. He reported there is not an approval until this Board accepts the recommendations and approves the item. He explained he first became aware of this item at the Board of Adjustment meeting in June. He advised the Board he does not regularly attend the Planning & Zoning meetings as the policy has been that the County Attorney does not attend these meetings. Attorney Shuler stated if he had been aware of this earlier then he could have told her early on and she could have planned for the re-plat. He stated he advised her in June that since a platted lot line was being moved as part of the lot line reconfiguration; they would need a re-plat to accomplish this matter. He said this was the first Board of Adjustment meeting in June. Ms. Withers agreed and said the meeting date was June 1<sup>st</sup> but the request was already approved on May 17<sup>th</sup> without the requirement. She asked the Board to make an exception in this case and said her attorney did not think the re-plat was necessary. Commissioner Sanders asked Attorney Shuler his opinion of the situation today after listening to Ms. Withers. Attorney Shuler apologized for the inconvenience but said if there is a willing buyer and seller then they may agree to a contract extension as this is a minor re-plat. He explained they do not have to go through the sketch preliminary but directly to a final plat approval which could be taken care of as soon as the second meeting in July. He advised the Board he does not know any other way to change a platted lot line which is what they are talking about in order for the ½ lot to retain its buildable nature. He informed the Board the closing agent called last week and said the buyer is concerning moving forward that the lot remains buildable and the only way to accomplish this request was a re-plat but it is a minor re-plat. He said the surveyor has the surveys and the issue may be the expense to the seller. Commissioner Sanders asked if this is Attorney Shuler's recommendation to stay with the action they took at the last meeting. Attorney Shuler said he is not trying to create any hardship for Ms. Withers or the buyer but if they need to move a platted subdivision lot line to make this sale happen then legally changing a platted lot lines requires a re-plat. He explained the Board has taken this same action recently on St. George Island but it has been with combining lots together. Ms. Withers asked if the County can agree to allow the buyer to rebuild without the replat. Commissioner Sanders answered no, and said she is the one that made the motion at the last meeting and she asked questions and is going to follow Attorney Shuler's opinion. She went on to say Attorney Shuler's job is to protect the Board at all cost and give satisfaction to the people at the same time. Mr. Daniel Withers stated at the last meeting when Attorney Shuler mentioned the

replat, he talked with Mrs. Amy Kelley, Planning & Building Department, and Mr. Mark Curenton, County Planner, and they said they would get back in touch with them. He said they called back and said they are not requiring a re-plat and they do not need to attend the June 7<sup>th</sup> meeting. He reported then they got a call on June 7<sup>th</sup> that this item was addressed without their knowledge. He urged the Board to reconsider this request. He reported the houses that were built were approved by the Board and they should not be penalized. Commissioner Sanders asked about the cost of the re-plat. Mr. Withers answered \$3,500 and stated Mr. Thurman Roddenberry, surveyor, said it will take 3-5 months to accomplish the re-plat as it is a detailed process. Commissioner Sanders stated she will not change her motion based on the recommendation of Attorney Shuler. Ms. Debbie Kirkland, listing agent for the property with First Story Real Estate, reported they have done some research leading up to this point about what needed to be done and addressed the issues with the appropriate authorities-Mrs. Roxie Allen and her assistant. She explained her and the agent for the buyer, Ms. Robin Hilton, who is also present, asked what they needed to do to sell this property and they were given the instructions by the Planning & Building Department on the exact procedure. She reported it included a new survey with the lot line change that keep the integrity of the square footage of each lot that prevented them from having to do the re-plat. She said they specifically asked if they needed to do a re-plat and were told not as long as the square footage was the same for each lot to make them re-buildable. Ms. Kirkland reported this extra step after the fact is a financial hardship as it is prolonging the sale. She suggested better communication between the attorney, the department, and the County as misinformation is being given and costing the taxpayer money. Commissioner Watson asked Attorney Shuler if this issue has come up before. Attorney Shuler reported he does not attend the Planning & Zoning meetings so if this has happened before, he is not aware of it. Mr. Pierce said the most recent time has been on St. George Island when lots have been combined in the Plantation. He explained there are two platted lots and the Homeowners' Association said to the property owners in the Plantation if they want to reduce the homeowners' assessment; they have to legally combine the lots. He stated the only way to legally combine the lots has been to re-plat it. He explained in the last few years they have had re-plats to combine lots to reduce assessments so there is only one legal description and one building site. He stated in the 28 years he has been County Planner they may have allowed lot line alterations without talking to the attorney. He apologized and said now the attorney has given his opinion and this is what they need to follow. He said this could have happened in the past. Ms. Withers reported this is what they were told was done. Mr. Pierce reported there are a lot of properties that are not platted so if the lot lines are changed there is no plat to amend. Commissioner Parrish asked about the encroachment of the pool right along the lot line on the diagram and on to the other lot. Mr. Withers and Commissioner Parrish discussed the encroachments and the lot lines. Commissioner Parrish stated if they did not encroach over the lot lines then they would not be here today. He reported Lot #3 is a ½ lot. Ms. Withers explained when she bought this property, she and the adjoining property owner who owned the other ½ agreed never to build between them but now the gentlemen died and the heirs sold the property. Mr. Withers agreed in the 70's they did not think about the lot lines but in 2004 when the new house was built on the ½ lot it was surveyed and Planning & Zoning came out and approved everything. He said there were errors

on everyone's part and they are trying to correct the lots. Ms. Withers stated the only reason she built the house on the ½ lot was to protect her investment because the adjoining property owner had built on the other half. Commissioner Watson asked if a title binder has been issued on this contract and is there an exception or requirement to get good title. Mr. Withers answered no and said his understanding is as long as this is approved the title insurance is fine. Attorney Shuler explained title insurance companies do not insure compliance with governmental regulations. He said the reason for this may be the buyers are aware with the encroachments, reconfigurations and changing of the existing lot of record; it will convert from a buildable lot of record to a non-conforming use potentially in the future. He went on to say if the existing structure was destroyed, then they may not be allowed to rebuild. He stated the title company can insure this property without the County doing anything. He said the issue is there was one owner of multiple lots that built structures and improvements across the platted lot lines and it was not a problem until they wanted to sell the ½ lot. He said the County is going above and beyond to help the individual retain the build ability of the ½ lot moving forward but in order to accomplish this there must be a re-plat. Commissioner Watson asked about the time frame to complete this item. Attorney Shuler reported, from the County's standpoint, since all they are doing is adjusting one lot line, it should proceed directly to final plat approval. He said the surveyor needs to prepare the re-plat for these two lots, send it to the County staff for review, have Planning & Zoning look at the proposed re-plat and then make a recommendation to the Board. He reported based on their prior approval of the reconfiguration of the lots, they will probably approve the re-plat and then it would be sent to the Board for approval. He stated the timeframe will depend on how long it takes them to deliver the re-plat to the staff. Ms. Withers asked if the re-plat will be only the two lots and not the entire subdivision. Attorney Shuler stated just the two lots. He explained when they combine the lots on St. George Island; the re-plat is only for the lots being combined. Commissioner Sanders said this was part of her motion that once they did the re-plat and make sure staff approves it then it would come back here but they did not have to go through all the Planning & Zoning meetings. Mr. Pierce explained the surveyor may think they are surveying the whole subdivision but they just need a re-plat of the lots Ms. Withers owns. Mr. Withers said they will get the re-plat, go through Planning & Zoning Board and have them sign off and then come to this Board. He asked if the Board will address it at whatever meeting they can get it ready for. Chairman Massey stated Mr. Moron will place this item on the agenda as soon as they get it ready. Commissioner Sanders reported as much as this property has been surveyed, this re-plat should not be problem. Ms. Withers asked for the approval now subject to the re-plat. Attorney Shuler answered no. Mr. Withers reported they appreciate the clarification because they thought the whole subdivision has to be re-platted. Ms. Robin Hilton, Jeff Galloway Real Estate, said she is the agent for the buyer, said this is private property and just a boundary line change. Mr. Pierce reported the difference is this property is in a platted subdivision. Ms. Hilton said it is platted but asked if it is a subdivision. Attorney Shuler answered yes, it is a platted subdivision. Mr. Pierce stated they have had boundary line changes in Eastpoint as there are areas where there are not platted subdivisions. Mr. Pierce said the two variance requests cannot move forward without the re-plat. Attorney Shuler

agreed everything should be addressed at the same time. Mr. Moron stated these are Items 2 & 3 on the Board of Adjustment report.

### **Board of Adjustment – Report**

Mr. Moron presented the following report:

1. Consideration of a variance request to construct a vertical retaining wall along the shoreline of a man made canal and to include maintenance dredging with fill being placed behind the retaining wall within the Critical Habitat Zone. The property is located at State Road 370 & Mardi Gras Way on property known as 3 Mardi Gras Way, a/k/a Lot 34, Unit 1, Holiday Beach Subdivision, Franklin County, Florida. The request is being submitted by Terri Carter of Florida Environmental & Land Services, Inc., as Agent for the homeowners Brent & Christina Burke. DEP Permit has been received

#### **BOA RECOMMENDED APPROVAL OF THIS REQUEST CONTINGENT UPON RECEIPT OF THE COE PERMIT.**

**Commissioner Sanders made a motion to approve this request. Commissioner Watson seconded the motion.** Mr. Dan Tonsmiere, Apalachicola Riverkeepers, said he reviewed the DEP permit and it appears they are building in the critical shoreline and the dock has a stairway down into it. Mr. Moron said it is fill being placed behind a retaining wall in the critical habitat zone. Attorney Shuler reported there is a map of the area. Mr. Pierce reported fill must be placed behind the wall to stabilize it. **Motion carried; 5-0.**

2. Consideration of an after-the-fact variance for the A/C platform and the outside shower which encroaches five feet into the west side set back on property described as 1533-A, Alligator Drive a/k/a the East ½ of Lot 3, Block M, Unit 3, Peninsular Point Subdivision, Alligator Point, Franklin County, Florida. The request is being submitted by Barbara Withers, Owner.

#### **BOA RECOMMENDED APPROVAL OF THIS REQUEST AS SUBMITTED.**

3. Consideration of a an after-the-fact variance for a concrete pad & a swimming pool within the 10' setback of the west side lot line on property described as 1533 Alligator Drive a/k/a Lot 4, Block M, Unit 3, Peninsular Point Subdivision, Alligator Point, Franklin County, Florida. The request is being submitted by Barbara Withers, Owner.

#### **BOA RECOMMENDED APPROVAL OF THIS REQUEST AS SUBMITTED.**

### **Planning & Zoning-Report**

Mr. Moron presented the report, as follows:

**CRITICAL SHORELINE APPLICATION:**

- 1- **RECOMMENDED APPROVAL: (Unanimous- May 17, 2016 P & Z Meeting)** Consideration of a request to construct a Single Family Private Dock at 2800 US Highway 98 East, Lot 26, Driftwood, St. James, Franklin County Florida. Has State Permits and meets local requirements, contingent upon receiving the Army Corps of Engineers Permit. The walkway will be 200' x 4' with rope handrails, a 10' x 12' terminal platform with a 12' x 4' walkway, 12' x 2' catwalk creating a 12' x 14' un-covered boatlift. Request submitted by Elva Peppers, Florida Environmental, agent for Brian Hearn, applicant. (Proposed House)

Commissioner Sanders asked if 2800 Highway 98 is one of the St. Joe lots going to St. James Bay. Ms. Peppers answered yes. Commissioner Sanders questioned if they are going across marsh or saw grass. Ms. Peppers stated they are going across sea grass but not marsh grass.

**On motion by Commissioner Sanders, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to approve this request.**

- 2- **RECOMMENDED APPROVAL: (3-1 Vote- May 17, 2016 P & Z Meeting)** Consideration of a request to construct a Single Family Private Dock at 3 Mardis Gras Way, Lot 34, Holiday Beach, Unit 1, Alligator Pont, Franklin County Florida. Has State Permits and meets local requirements, contingent upon receiving the Army Corps of Engineers Permit. The walkway will be 34' x 5' with a 10' x 5' catwalk, also requesting to excavate 822 square feet of existing canal not greater than 3 feet in depth to create a 10' x 20' boat slip. Request submitted by Elva Peppers, Florida Environmental, agent for Brent Burke, applicant. (Proposed House)

Commissioner Parrish questioned if this is the dock showing on the diagram from the retaining wall out to the canal. Mr. Moron answered yes in the drawings for the variance. Commissioner Sanders asked the reason why this is being done this way. Ms. Peppers referenced the aerial and said they are at the awkward end of the canal where everyone needs to have access. She explained the dock needs to go out a long way so it will not impact the neighbors. She reported this end of the canal has filled in and that is the purpose of the dredging. She reported they are only dredging for a boating slip. The Board reviewed a map of the area. Mr. Pierce stated this is a private canal. **Commissioner Sanders made a motion to approve this request.**

**Commissioner Watson seconded the motion.** Mr. Tonsmiere said the issue is dredging into the marsh about 15-20 feet. He reported this is not allowed by County Ordinance in terms of protecting the wetland vegetation. He inquired if all these other lots will also dig out the marsh. Commissioner Sanders reported it looks like some of the others already have.

Commissioner Sanders asked if they have their permits from DEP. Ms. Peppers answered yes. Commissioner Sanders asked if they have permits to excavate 822 square feet. Ms. Peppers answered yes. Commissioner Sanders inquired if they have a permit to dig up the marsh. Ms. Peppers said yes, they reduced it all they could and did just the minimum required to park the boat. Mr. Tonsmiere said he is concerned about dredging in the marsh and the precedent it will set. Mr. Pierce stated this is a private canal. He reported they do not allow alternation of a natural shoreline. He explained he does not want to see any more dredging than is necessary

either but he believes there are exceptions for man-made canals. Mr. Pierce went on to say they have the ability to maintain them or the whole canal would become a marsh. Chairman Massey stated DEP would not give permits until it was okay. Mr. Pierce advised the Board DEP would probably say it was a private canal and not review this item. Mr. Tonsmiere suggested reconsidering as it may set a precedent and there is another way she can get the boat slip without going into the marsh. He explained it appears from the photograph that other people have made accommodations for their boats without having to dredge the marsh.

Commissioner Sanders asked if there were any objections. Mr. Moron stated none that he knows of. Commissioner Parrish stated he normally does not agree with dredging but this is a special situation as it looks like if they place a dock out to reach the water, they will block the access of another property owner. He reported he agrees with Mr. Tonsmiere but there looks like no other way to get the access. Commissioner Sanders agreed. Commissioner Sanders reported if you review the actual picture, you will see they are not able to get out with a boat if they do not do this. Commissioner Lockley stated it is private so they can do what they want.

**Motion carried; 5-0.**

#### **Marcia M. Johnson - Clerk of Courts – Report**

Clerk Johnson appeared before the Board and presented the following request:

1. I am requesting the Board to schedule two days for budget workshops – Tuesday, July 19<sup>th</sup> and Wednesday, July 20<sup>th</sup>. The 19<sup>th</sup> would be set in the afternoon at 1:30 P.M. There is a regular board meeting that same morning. The 20<sup>th</sup> would begin at 9:00 A.M. and be set for all day. These dates work well for the finance department and do not conflict with scheduled court sessions.

**On motion by Commissioner Lockley, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to approve the budget workshop dates of July 19, 2016 at 1:30 p.m. and July 20, 2016 at 9:00 a.m.**

#### **Alan Pierce - RESTORE Coordinator – Report**

Mr. Pierce presented the following report.

The first 5 items are not directly related to RESTORE.

1-This item was handled earlier in the meeting.

2- Inform the Board that Mr. Brian Mimbs, aide to Senator Rubio, contacted Commissioner Watson and advised him that federal agencies are now developing their budgets for next year so it would be a good time to write a letter to the USACOE and request funding for the Eastpoint Channel. I called Mr. Waylon Register, USACOE in Panama City, to advise him the Senator's office had asked us to write a letter. Mr. Register informed me that the COE has already put the Eastpoint Channel into their budget for next

year. Mr. Register said that even though the Corps has put the dredging in their budget a letter of the kind Senator Rubio suggested would not hurt.

Board action to write Col. James A. DeLapp, District Commander, USACOE Mobile District, stating the Board supports the Corps' budget which includes the Eastpoint Channel, with copies to our federal delegation.

**On motion by Commissioner Parrish, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to write a letter to the Corp of Engineers with copies to the federal delegation.** Commissioner Lockley stated a letter also needs to be written about the Apalachicola Channel. Mr. Pierce explained the COE will do this in their existing budget but the first step is to get a permit and they said the permit for the 2 Mile Channel does not require any more money but they need to re-permit the existing spoil disposal area. He said they feel like they can do this within their existing budget. Commissioner Parrish said they need to get the permit for Creekmore Channel and then seek the funding. He went on to say Eastpoint Channel already has a permit. Mr. Pierce explained the Eastpoint Channel took longer because they are doing open water disposal.

3- It is always possible that the Corps' budget is not fully funded, or that the federal government gets into a protracted budget stalemate as it did several years ago, so it is proper for the Board to continue to seek back-up funding for Eastpoint through the efforts that Dewberry is making. Dewberry is also seeking funding for the Two Mile Channel. After speaking with Mr. Register, I called Dewberry and reminded them that the budget for the Two Mile Channel needs to include some \$250K for the rehabilitation of the spoil disposal areas. The disposal areas need to be dug out and the exterior walls rebuilt.

On this matter of Dewberry applying for projects through the Gulf Environmental Benefit Fund (GEBF), does the Board have other projects it wants to submit? There is a cost of about \$2K per application for anything above the 2 dredging projects.

Mr. Pierce stated artificial reefs were discussed and would be a regional project with Wakulla County and Gulf County but there could be other projects the Board wants to submit. Commissioner Parrish reported several people have asked about artificial reefs but they need to make sure these reefs are not in prime shrimp trawling areas. Mr. Pierce questioned if the Board will support them as long as they are not in shrimp trawling areas but reminded the Board there are many steps to getting a site approved for artificial reefs. Commissioner Parrish reported people want a site more to the west. Chairman Massey discussed the location of the current artificial reefs. Commissioner Watson said if artificial reefs were requested would the county have a \$2,000 fee with Dewberry. Mr. Pierce was not sure if the County would have to pay a \$2,000 fee or a pro-rated share since it would be a regional project. Commissioner Watson stated the projects are looked at more favorably if they are regional so he would support going after the artificial reef project. Commissioner Parrish reported if there is one application for several reefs, then the counties should split the costs. **Commissioner Parrish made a motion for Mr. Pierce to get with Dewberry and get the specifics on how this would**

**work and report back to the Board at the next meeting. Commissioner Watson seconded the motion. Motion carried; 5-0.** Commissioner Sanders stated Gulf, Franklin and Wakulla Counties all have Dewberry working for them and she would like to see a big picture with a regional design to benefit all the counties. She explained then all three counties will know what the other one is doing and plan ahead. Mr. Moron said Dewberry needed the information by the first week in July. **Commissioner Parrish amended his motion to be contingent upon protecting the shrimping grounds and a joint application between the two counties and costing \$1,000 a piece. Commissioner Watson seconded the motion.** Commissioner Lockley asked what counties are involved because they talked about 3 but the motion was for 2. Mr. Pierce reported Gulf County may be interested also so the counties may be Wakulla, Gulf and Franklin. Commissioner Lockley stated he would like to make sure it is a regional program. Chairman Massey reported they are probably meeting today about the same thing. Mr. Pierce stated he knows Wakulla County is involved but is not sure about Gulf County. Chairman Massey said Wakulla County passed their artificial reefs project last week. Commissioner Parrish stated if they could strategically place these reefs so they are accessible from Gulf County and Franklin County then they could just do one reef and split the costs of the application. **Motion carried; 5-0.**

4- Inform the Board that a Mr. Dean Sanders, real estate agent, has submitted a request to the state for the purchase of 17,000 acres of land in Franklin County, in a project titled, "The Bluffs of St. Teresa." The acquisition, if approved, would put into public ownership most of the vacant land between Bald Point State Park, and Tate's Hell State Forest. The state acquisition process is long as there is a great deal of competition for state funds. I spoke to Ms. Paula Allen, in Div. of State Lands; she said that if the project passes the first review then Franklin County would be notified of the potential acquisition. The Board has not received any direct notice of this project yet, but the news media has picked it up.

Mr. Pierce reported this happened Friday. He said Ms. Peppers is on the Acquisition & Restoration Council (ARC) if anyone has any questions. He said 5 properties were on the list, 4 passed and 1 was withdrawn. He reported the Board will be getting a letter from the State but does not need to do anything now because the review process is lengthy. He informed the Board the Legislative appropriated \$15 million this year and the proposed acquisition price of this property is \$25 million. He stated people are excited about the prospects but they do not know if this parcel is even near the acquisition level. Commissioner Sanders reported she knew Mr. Saunders was selling the land because someone approached her about it and the sign had been up for months. She expressed concern that before they start with ARC, the State usually come and let the Board know and that has not happened. Commissioner Sanders said they need to find out who is pushing this acquisition. She reported they also need to see a management plan of what they intend to do with this land. She went on to say since St. Joe Timber Company has left the County, the land has always been in hunting leases and no access has been given. Commissioner Sanders expressed concern that they will move ahead without contacting the Board since there is only 12-15% in private ownership of land left in the county.

Commissioner Sanders said it will all depend on the best management practices when Tates Hell supports traditional uses but Bald Point is more coastal. She questioned where this puts the County with respect to all the other items with St. Joe Company in relation to the possible Bert Harris Act. Commissioner Watson asked if the property was purchased by the Mormon Church. Mr. Pierce said the owner is titled as Ochlocknee Timberlands but the address is Salt Lake City. He went on to say it is not Desiree Ranch but may be a subsidiary. Mr. Pierce presented a map showing the amount of property in public ownership 25 years ago and the amount now. He said the property has environmental value but also significant economic impact. He stated if this property is acquired by the state then the only development on the east end of the County will be along the coastline. Commissioner Parrish reported the rest of the property will then be off the tax rolls. He went on to say the funds to provide infrastructure and services to the people will only be paid by the people who live along the coast and the two municipalities. Commissioner Parrish stated, in relation to budgets, if the County had additional growth and development then the burden could be spread out more but now it is comprised of the few people who pay taxes. He reported if the County wants to do anything then taxes have to go up because the burden is not spread out. He said the State owns all the property but do not pay any taxes. Commissioner Parrish stated it is also all about protecting our environment and eco-system. He said when this piece of property is taken out, then there is no other land to be developed to increase the tax base. Commissioner Sanders stated she appreciates Mr. Pierce showing this map. She reported this shows who is paying the taxes in the County. Mr. Pierce reported Liberty County has the same arrangement but theirs is national forest. Commissioner Sanders stated Liberty County is also maxed out with 10 mills. Commissioner Sanders said there are more items here than just the sale of the land. She stated she loves the Bluffs of St. Teresa land but is concerned about the legal part of this proposal and the affect on the tax base. Ms. Peppers described the process for ARC. She said this property passed the first review on Friday and this will allocate state money to further investigate and perform environmental surveys. She explained after this is done, it will come back for a second review and if it is approved, then the project will be placed on a list. She stated in December the property would join a long list of properties on the state purchase list and each person on the council will rank the properties. Ms. Peppers said the list then waits until the State comes up with money for acquisition. Mr. Pierce pointed out there was a bond issue the voters approved that was supposed to generate money for land acquisition but it has not happened. He said the bond issue could have generated \$300 million a year according to the bond promoters but last year the Legislature only funded \$15 million. Ms. Peppers reported there are a lot of properties on the list but it will still take a while. Mr. Tonsmiere reminded the Board of the visioning process completed with St. Joe Company to try and put together a reasonable plan. He explained there were sensitive areas and they negotiated over buffers and other items. He suggested the Board ask DEP when they are doing the evaluation to let the County have a little discussion. He asked if there is some place in the process for the Board to have a discussion or meeting. Ms. Peppers reported the process is open so the County

could write a letter to the committee or meet with anyone on the committee at any point. She explained all the management details come after the acquisition. Mr. Tonsmiere asked if part of the property could be purchased and not the entire parcel. Ms. Peppers said part of the property could be purchased. Mr. Tonsmiere inquired about the discussion for purchasing a portion of the parcel. Ms. Peppers suggested speaking with the Saunders Real Estate who is presenting the property. Mr. Tonsmiere said he agreed with the discussion about protecting the tax base but it is also an ecologically important area so the County needs to find their place in the process early on. He informed the Board he will try to check on this matter.

Commissioner Parrish stated usually when the state wants the property it is shut down and the public is excluded even though it was purchased with public funds. He went on to say it is managed by a public agency but the average citizens cannot use the property. Commissioner Parrish said conservancy should be to allow people to enjoy the property but it does not happen. He reported this is such a large tract of land they will not have enough individuals to patrol the land and insure all activities going on are legal so they fence off the area and no one gets to use it. He reported this is the same situation as occurred with Box R Ranch. He stated the only way you can go on the property is if you are selected for a hunt during a certain number of days but all the other times no one is allowed on the property. He explained you can develop in a certain way and not have expanse development but still have conservation lands and the tax base so all the property taxes can come down some because more people are paying. Commissioner Parrish stated normally the state will want the whole parcel, fence off the property and the county and taxpayers get no benefit from the property. Commissioner Watson stated it may be worthwhile to contact the realtor and owner of the property and see what the plans are. He said another company had a large project in Alachua County but withdrew a portion of the property to go on the list. He suggested now is the time to make contact. Commissioner Lockley asked if there is any way to ask the state for more money for the conservation property as some citizens are barely making enough money to pay their taxes. Mr. Pierce said the Legislature has funded payment in lieu of taxes for a 10 year period. Commissioner Sanders reported all of these are over except for maybe one. Commissioner Lockley stated it should be more than they are paying. Commissioner Parrish stated the problem is the money goes to the school board. Commissioner Sanders reported proceeds from the sale of timber on these lands also goes to the school board. Mr. Alan Feifer, Concerned Citizens of Franklin County, said he is a resident of Alligator Point and this property fronts Alligator Point. He explained this is a one time opportunity to do as Commissioner Watson suggested and contact the owner. He explained maybe a public/private partnership could be developed and a committee or task force be appointed to contact the owner. He said this is an opportunity as the County wants to grow the tax base and make the land accessible to the people for a variety of purposes. He reported the issue of 17,000 acres needs to be discussed and there needs to be some guidance from the Board. He said this goes back to the visioning process and some of the work is still salvageable.

5- Inform the Board that when TS Colin came through last week the only significant damage to county roads was Gulf Shore Blvd. The temporary access road the Board built two years ago washed out completely. I have spoken to Mr. Jim Martinello and Mr. Mr. Tony McNeal, DEP, about the situation. At this time the county does not have permission to rebuild the temporary access, so 4 home owners are having to do the best they can using ATVs to get to their houses. Even though FEMA has authorized the use of some \$400K to rebuild the road I cannot seem to get anyone in Washington to authorize the use of these same funds to relocate the road. The state, the property owners, and the county all want to relocate the road, but for some reason it is not being acted on in Washington. On Friday morning, after talking to Commissioner Sanders, I did call and talk directly to Mr. Brian Koons, Florida EM Director. I told him of the great delay that has been going on in Washington. I gave him the details and he said he would investigate and get back with me. On Friday afternoon, Mr. Koons did call and say he had made contact with FEMA and is expecting an answer within a week.

Mr. Pierce stated Mr. Koons can make an official request and FEMA has a deadline to respond to him. Mr. Pierce said the main Alligator Point Road and the enhanced revetment just completed suffered little damage. Commissioner Sanders reported one of the things holding back Gulf Shore Blvd. is there was some confusion as some people thought this was Alligator Point Road which is totally different.

6- RESTORE update:

- A) At this point all documents and contract amendments have been submitted to Treasury. Dewberry and I believe the county's planning grant award will be forthcoming and should be effective July 1. Once we receive the grant award, then the county can officially begin the process of developing a Multi-Year Implementation Plan for the BP funds.
- B) Inform the Board that the approval of the Multi-Year Implementation Plan (MYIP) is only just the beginning of the process of trying to get Treasury to allocate funds. Other counties ahead of us in the MYIP process of run into these additional problems with Treasury:

\*Before any project on the MYIP is approved, Treasury is requiring a project use "best available science." Other counties are complaining that they are spending an inordinate amount of staff time trying to document "best available science." At this time I do not believe any county in Florida has been able to start any project using RESTORE funds.

\* Franklin County will be receiving approximately \$1.5M into its account at Treasury every year for 15 years. Treasury has not agreed to let the counties bond projects to future payments, so unless the Board wants to self-finance projects, and then repay itself as BP payments come in, the schedule of projects on the MYIP can not exceed the timeline for the money to come in. If the first project on the MYIP contains \$10M worth of RESTORE funds, Treasury will not approve the project for 7 years, as that is how long it will take for the money to be paid into the account.

\*Administrative costs for RESTORE projects is capped at 3% of the funds, but other counties are finding that in order to comply with Treasury's multiple requests the administrative costs have been greater than 3%.

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

Mr. Moron presented the following report:

1. Inform the Board that Preble-Rish has finished designing the Bald Point widening and resurfacing project and has submitted the plans to DEP for approval, as part of the road is seaward of the CCCL. Because this road resurfacing is a state grant, Preble-Rish as the road designers, cannot inspect the construction. So, on July 19, the Board will open bids for the widening and resurfacing of Bald Point Road, and will also open RFQs for an engineering firm the do the construction inspection services. The RFQs will then be turned over to your review committee to come back with a recommendation of the most qualified firm, but because of State restrictions, it cannot be Preble-Rish. I will put these two items on the July 19th BOCC agenda.
2. Inform the Board that Eastpoint and St. George Island fishing pier improvement projects are progressing. As the Board is aware new bathrooms will be installed at both of these locations as part of the improvement project. Eastpoint Sewer and Water District (EPWSD) has asked for a letter from the Board requesting EPWSD to own and maintain the sewer line from the vacuum pit on Patton Drive to the new restroom including the small lift station that will serve the restroom. I recommend that the Board direct Attorney Shuler, Clay Smallwood (P-R), and I to meet with Mr. Billy Fuentes and Attorney Banks (EPWSD) to discuss this matter further and "nail down" the wording of the letter that would acceptable to both the County and EPWSD. Board action.

**On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to direct Attorney Shuler, Mr. Clay Smallwood and Mr. Moron to meet with Mr. Fuentes and Attorney Banks to discuss this matter.**

3. The Trust for Public Land (TPL) recently entered into a contract for the design and construction document development phase for the Island View project. TPL is currently working on a draft and final version of a professional services agreement to be executed with the County. However, Board action to authorize the Chairman's signature on a Temporary Easement to allow for early site work related access is need at this time. Attorney Shuler has reviewed the easement agreement and recommends Board approval. A copy of the agreement is attached. Board action.

**On motion by Commissioner Sanders, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve the Chairman's signature on a Temporary Easement.**

4. Inform the Board that Kathy Balentine, Transportation Director of Gulf County Transportation, has submitted an application for a grant that would pay for the purchase and installation of mobile surveillance camera systems for our five Franklin County vehicles. To qualify for the grant a resolution or motion from the Board agreeing to contract with FDOT for the equipment. The County will pay for the equipment and installation upfront (\$12,000) and then will be reimbursed from FDOT. I have discussed this matter with the Finance office and they stated that this is normal and have no problem with it. This same system has been installed in Gulf County vehicles. A copy of the grant application is attached. Board action.

Mr. Moron said this will record everything going on in the van. **On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to contract with FDOT for the purchase of the equipment.** Commissioner Lockley asked how long they have left on this contract. Mr. Moron agreed to check and see when they will bid these services. He stated the local company that used to have this contract can bid again. Commissioner Lockley reported he hopes they will because he does not like to see another county coming in providing the services. Mr. Moron stated the County is thankful this company in Gulf County stepped in instead of having no transportation. Commissioner Lockley said they did keep some of the local drivers but not all of them.

5. Board action to authorize the Chairman's signature on a Notice of Limitation of Use for the Vrooman Park project. Mr. Curenton stated that the Board has signed this agreement on other Florida Recreational Development Assistant Program (FRDAP) grants in the past and is need to close out the Vrooman Park project. A copy of the document is attached.

**On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the Chairman's signature on a Notice of Limitations of Use for the Vrooman Park Project.**

Commissioner Sanders inquired if the County received \$50,000 for the D.W. Wilson Park for soccer. Mr. Moron answered yes, and said it will be part of the budget beginning July 1<sup>st</sup>.

6. Board action to authorize the Chairman's signature on an auction services contract. This company will create an inventory list of all of our old or damaged equipment (computers, office furniture, etc.), create an online marketplace (similar to ebay), and manage the auction. The buyer will pay all fees and this agreement is non-exclusive. I have attached a copy of the contract.

Mr. Moron said the company is Bidilla, Inc. and they will be used for the County and the constitution officers. He explained the County will receive money for equipment they no longer have a use for. **On motion by Commissioner Lockley, seconded by**

**Commissioner Watson, and by unanimous vote of the Board present, it was agreed to authorize the Chairman's signature on the auction services contract with Bidilla, Inc.**

Commissioner Parrish asked if the proceeds from the auction will go back in the general fund. Mr. Moron answered yes. Mr. Moron said this company will also auction vehicles for the County.

7. At the last meeting I informed the Board that Mr. Curenton met with FDOT regarding their five-year plan. FDOT asked that the Board provide a wish list of future projects, in order of priority, by the first week in August. Commissioner Lockley asked if any of the projects could be located within the City of Apalachicola or the City of Carrabelle. Mr. Curenton didn't see a problem with the projects being in any of the Cities as this is a "wish list" that doesn't require any engineering or cost estimates at this time, but reminded me that the Board would have to agree to list the projects in order of priority. I will add this item to my July 19<sup>th</sup> report.

Commissioner Parrish said he would like to see Highway 98 repaved from 12<sup>th</sup> Street to Tilton Road. He said they have repaved from Tilton Road to the County line and from the bridge to 12<sup>th</sup> Street but need to complete the area that is in between. He stated there is an area east of Tilton Road that is bad. Mr. Moron said Highway 98 between Eastpoint and Carrabelle also needs to be repaved. Commissioner Sanders stated they say the road is not bad enough but it is really a problem when it is raining.

8. The County received a notice from FDOT that any political signs placed on State right-of-way will be removed by FDOT. The right-of-way includes the roadway surface, concrete or grassy median, intersections, entrance and exit ramps, and a strip of land, usually bordering either side of the road. A copy of the notice is attached.
9. The County has received yet another proposed aquaculture lease modification from the Division of Aquaculture from the Department of Agriculture and Consumer Services (DACS). Another existing leaseholder in Alligator Harbor is asking to get their lease modified to use the whole water column. The Board has sent numerous letters stating the County's concern for the conflict of other people wanting to use the water surrounding the leases. Despite our statement of concerns DACS has approved the modifications. A copy of the modification is attached. Board discussion.

Commissioner Sanders said they should not respond as they have written letters before and in 2001 were concerned about the full use of the water column but it was only used to plant clams. She said their argument was this area is only used by people who have the clam operations. Mr. Pierce said Alligator Harbor oysters are making it to the marketplace now in restaurants in Apalachicola. Commissioner Sanders reported they are growing great there and there is also an area that was discovered years ago outside of the Carrabelle River that had the same salinity as Alligator Harbor.

10. Board action to re-appoint Ted Mosteller to another three year term on the CareerSource Gulf Coast Board. His current term expires on July 1, 2016.

**On motion by Commissioner Sanders, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to re-appoint Mr. Ted Mosteller to another three year term on the CareerSource Gulf Coast Board.**

11. Remind the Board that there is a 1:30 PM workshop this afternoon to discuss Inmate Medical options with the Sheriff's Department and the management of Weems with Mr. Mark O'Bryant, CEO of Tallahassee Memorial Hospital. Mr. O'Bryant has asked the Board to allow him to make his presentation at 1:30 PM which would allow him the opportunity to attend another meeting later this afternoon.

Commissioner Sanders asked if anyone knows what Mr. O'Bryant will present. Mr. Moron said nothing has been sent to him.

Mr. Moron stated the Hospital Board meeting has changed to this Thursday instead of the last Thursday of the month. Commissioner Lockley asked what time the meeting will be held. Mr. Moron answered 9:00 a.m.

Mr. Moron informed the Board the Area Agency on Aging will attend the next Board meeting to discuss the lead agency and their RFP so it will be presented before the budget workshops.

Commissioner Sanders asked if the Resolution addressing nets has been completed. Mr. Moron said it was approved at the last meeting but the Chairman needs to sign the Resolution. Commissioner Sanders asked if it will be sent to Wakulla County Commissioner Ralph Thomas before the meeting tomorrow. Mr. Moron stated it will be sent this afternoon.

Commissioner Sanders inquired if Mr. Moron has the times for the FWC meeting tomorrow. Mr. Moron said he sent a request to Mr. Steve Shea for the agenda but has not received it so he will call him again.

Chairman Massey reported east of Carrabelle around Highland View there are 4 trees on the side of the highway that are getting ready to fall and need to be addressed. Commissioner Sanders said she called about the same trees. Mr. Moron agreed to contact Transfield about these trees.

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

Attorney Shuler did not have a report at this time.

### **Commissioners & Public Comments**

Commissioner Watson stated he and Mr. Curenton met with the Division Director of Historical Resources requesting the grant match be decreased from 50% to 10% for the Armory. He said they seemed positive and will let the County know something next week.

Mr. Ted Ruffner, a property owner in Gramercy Plantation, stated last year on June 15<sup>th</sup> they came before the Board and asked them to look into resolving some issues where Gramercy Plantation violated the County's stated requirements of the Development Order. He reported there is also a mistake in the zoning maps that needs to be resolved. He explained when the County approved the Gramercy Plantation development in 2000; they required the developer to have a water treatment plant for the commercial area until Eastpoint sewer was available. He reported extensive plans were prepared that included a water treatment plan and spray fields. Mr. Ruffner read an excerpt from the Development Order addressing this water treatment plant and spray fields. Mr. Ruffner said a couple of years ago they sold 16 acres designated for the spray field to a sand and gravel company who is pit mining sand out of the area. Mr. Ruffner said you can see the pit mining on Google earth maps and Mr. Pierce has taken pictures of the mining. He explained the zoning on the county paper map was never correctly amended to show the Gramercy Plantation area. He explained the property was incorrectly shown as C-1 when they purchased the property. He said it should have been sold as R-1 since the development was approved and there should not be any sand or rock mining allowed in R-1. Mr. Ruffner asked the Board to correct the zoning so they will stop mining in the subdivision and the developer will not sell any more land. He said he is not sure what the Board can do to enforce the Development Order but he asked before and has not seen any action from the County. Attorney Shuler stated the Board directed him to look into this matter and he met several times with representatives from the homeowners' association, Mr. Ruffner and representatives of the developer. He reported his understanding was this issue was resolved internally. Mr. Ruffner said they were supposed to develop 110 lots but they only platted 70 so they have not been paying taxes on 40 lots for 15 years. He explained years ago they were going to put in a golf course but dropped that and said they would plat 110 lots. He stated the County is missing out on tax revenues. Attorney Shuler reported he will need to review his file and communicate with the parties to see where they are because he was under the impression it was resolved but clearly that is not the case. Mr. Ruffner said the zoning need to be fixed. Attorney Shuler agreed to look back into all the issues.

Mr. Burt Boltz, a resident of Alligator Point, discussed the National Fish & Wildlife Foundation developing a Gulf Environmental Benefit Fund for the deployment of the BP funds. He said they are soliciting abstracts for environmental improvement projects and he suggested restoration of the beaches at Alligator Point may be a worthy project. He explained the important issue was unanimous approval from residents who want beach re-nourishment. He said the permit has just been renewed for another 10 years and he that was met very favorably by the Alligator Point Taxpayers' Association. He stated they have a list of priorities and one of them is property preservation. He reported there may potentially be a project available for re-nourishment of Alligator Point.

Mr. Feifer asked if the change to the Hospital Board meeting was noticed in the newspaper and what the requirement is for advertising. Attorney Shuler said he is not sure how they have been noticing their meetings but he will speak with Mr. Cooper. Mr. Cooper stated normally

they publish the meetings for the year in the newspaper but a couple of times the meeting changed and the public did not know. He questioned how they make decision at a meeting that may not be legal.

Mr. Pierce said the Road Paving Project is moving forward and there may be more money available as the engineering services were deducted twice. He stated Mrs. Erin Griffith, Finance Department and Mr. Clay Smallwood, Preble-Rish, are getting together to determine the amount but this may represent \$20,000-\$30,000 per district.

Chairman Massey asked when the lines will be done on Ryan's Drive. Mr. Smallwood said he will look into this matter. Chairman Massey said they told him they were coming back and they have not.

**Adjourn**

There being no further business to come before the Board, the meeting was adjourned at 11:50 a.m.

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William Massey - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts