

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COURTHOUSE ANNEX – COMMISSION MEETING ROOM  
JANUARY 17, 2017  
9:00 AM  
MINUTES**

**Commissioners Present:** Joseph Parrish – Chairman, Noah Lockley-Vice-Chairman, Cheryl Sanders, William Massey, Ricky Jones

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

**Call to Order**

Chairman Parrish 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 Massey, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to approve the minutes from the meetings held on January 3, 2017 at 9:00 a.m. and 10:30 a.m.

**Payment of County Bills**

On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to approve payment of the bill list and supplemental bill list.

**Department Directors Report**

**Howard Nabors - Superintendent of Public Works**

Mr. Nabors informed the Board the Road Department is fixing shoulders at intersections throughout the County.

Mr. Nabors said as soon as the machine is out of the shop they will get to the road at Alligator Point. Commissioner Sanders stated the contractor who did the paving left some boulders on the side of Elder Street and asked if Mr. Nabors could take care of them. Mr. Nabors agreed to take care of the boulders.

**Fonda Davis - Solid Waste Director**

Mr. Davis said the County is still searching for a recycling center site at Alligator Point. He reported the residents were worried about the site that was suggested.

Mr. Davis stated the Animal Control Department is running good.

Mr. Davis presented the following report:

**LEWIS & CLARK CIRCUS AT KENDRICK PARK IN CARRABELLE**

FOR BOARD ACTION: Lewis & Clark is requesting the use of Will S. Kendrick Sports Complex on February 20, 2017 for a Circus event. **ACTION REQUESTED: Motion authorizing Lewis & Clark Circus to setup at Kendrick Park on February 20, 2017.**

Chairman Parrish asked if the circus will provide event insurance to hold the county harmless. Attorney Shuler suggested the Board approve this request contingent upon his review of their insurance certificate and a requirement that they name the County as an additional insured on their policy. Commissioner Lockley asked if they pay to use the complex. Mr. Davis stated in 2015 the circus said they would make a donation but it was never received. Commissioner Sanders instructed Mr. Davis to remind them that they still owe the County for a donation if they told him they would provide one. Chairman Parrish asked if the donation was for the Parks & Recreation Department. Mr. Davis answered yes. Commissioner Lockley suggested they provide a donation for both years. **On motion by Commissioner Sanders, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize Lewis & Clark Circus to set up at Kendrick Park on February 20, 2017 contingent upon the Attorney's approval and upon their donating what they said for last year and this year.**

**Right-of-Way Debris Pickup/Recycle Material Hauled December 29<sup>th</sup> – January 11<sup>th</sup>**

**Pam Brownell - Emergency Management Director**

Mr. Moron stated Mrs. Brownell is out of the County today. He presented the following item from her report:

Action Items:

1. Approval and signing of State Contract for the Mass Notification System for the County. This system is being paid for by the State and will provide alerts, notification for public safety messages.

Mr. Moron reported there is no cost to the County for this contract. **On motion by Commissioner Massey, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve and sign the State Contract for the Mass Notification System for the County.**

Information Items:

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. Weather Stem will be installing the wind gauge on the Eastpoint side of the County Fishing Pier. Weather Stem is donating the wind gauge to Franklin County Emergency Management. This system will allow access to real time weather information by visiting our website and clicking on the link. We anticipate having the system installed by the end of this month
3. Tress and Pam will be attending the FEPA 2017 Training and conference on January 29<sup>th</sup> -February 3<sup>rd</sup>.
4. EOC hosted the meeting on 11/17/17 to update the Environmental Sensitivity maps for the Area Contingency Plan.

Mr. Moron read item #2 and said Mrs. Brownell wanted him to point out this item. Chairman Parrish reported this will provide information to the residents about the sustained winds and when the bridges may close during tropical storms.

**Erik Lovestrand - Extension Office Director**

Mr. Moron stated Mr. Lovestrand is out of town but the end of the year report is included in the Board packet. Ms. Michele Huber, Extension Office, presented the Board with copies of the end of the year report. She reported this will provide a better understanding of what their office does for the community and the environment.

**Lisa Lance-Library Director**

Mrs. Kate Aquiar, Library Board, said they are proud to introduce Mrs. Lisa Lance, Library Director, who started to work last Monday. Mrs. Lance informed the Board she is purchasing a condo on the river and will be residing in Carrabelle. She stated she appreciates the opportunity to serve as Library Director. She reported there are several events scheduled and the Friends of the Library have been very supportive with raising funds. She stated the Soup, Bread and Book sale will start on January 28<sup>th</sup> at 11:00 a.m. and there will also be another one on February 25<sup>th</sup>. Mrs. Lance reported the ARP tax aid will start on February 2<sup>nd</sup> at the

Eastpoint Library. Mrs. Lance said she will be working at both library locations throughout the week getting to know the community and staff. She offered to answer any questions. Mr. Moron reported the applications that have been received for the Library Assistant position in Eastpoint are about 90 days old and he questioned if the Board would like to re-advertise this position. Commissioner Massey asked how many applications have been received. Mr. Moron answered over 10. Commissioner Sanders inquired if 90 days is too long for the applications. She expressed her opinion that the same people would probably reapply if the position is readvertised. Commissioner Jones suggested contacting the applicants to see if they are still interested in this position. Commissioner Lockley asked about the tax event. Mrs. Lance reported it starts February 2<sup>nd</sup> and will run to April 13<sup>th</sup> and individuals do need to sign up. She went on to say it will go back and forth between both locations from 10:00 a.m.-3:00 p.m. She reported there will be a sign up sheet and they are working on advertising for this event. Chairman Parrish stated the Eastpoint Library has an organization called Friends of the Library and they need a similar organization in Carrabelle. He said they need a support system in Carrabelle also and it will be beneficial to Mrs. Lance and the Library. Mrs. Lance reported they have volunteers in Carrabelle now and they are trying to incorporate more volunteers. She explained this is part of her strategy of working in both locations so she can become familiar with the community. Chairman Parrish stated Mrs. Lance residing in Carrabelle will help. Mrs. Lance said everyone has been helpful and they are enjoying the Carrabelle area. Commissioner Massey asked about a donation received for guitar lessons. Mrs. Lance stated they are working with this program this week. She reported they have already received two applications and will be moving forward with Music as a Second Language. Chairman Parrish welcomed Mrs. Lance to the community and wished her good luck.

Mr. Jason Puckett, Airport Manager, appeared before the Board. He said there are 4 current projects going at the airport and he wants to provide an update.

Mr. Puckett reported they are working on the electrical upgrades and the materials have been ordered. He anticipated starting this project the middle of February.

Mr. Puckett said Avcon is working to advertise the Airport Drainage Project for bid the end of the month.

Mr. Puckett reported a meeting was held with the Airport Advisory Committee (AAC) on the Commercial Access Road Project. He stated they are working with the Northwest Florida Water Management District to get the wetland permitting and wetland delineation done.

Mr. Puckett stated in relation to the Economic Development Plan, BRPH is working on this project and meeting with the AAC and other stakeholders to figure out what opportunities exist at the airport.

Mr. Pierce pointed out the current Fixed Base Operator's (FBO) lease expires in November of this year and the Board may need a recommendation about this lease. Mr. Puckett said his

recommendation is to put this item out for bid and commented it will probably be the consensus from the AAC also. Chairman Parrish suggested Mr. Puckett get with the AAC at their next meeting and then bring a recommendation to the Board.

### **Marsha Lindeman-Health Department-Update**

Ms. Lindeman said Mrs. Helen Cook, Nursing Director, provided an overview of their work during budget time. She reported some of the Board members were present when Mr. David Walker, Health Department, provided a presentation to the Legislative Delegation. Ms. Lindeman said the mission of the Department of Health is to protect, promote and improve the health of all people in the state. Ms. Lindeman stated in relation to protection, they protect individuals from diseases from other people, animals and the environment. She reported 100% of the two years old and kindergarteners in Franklin County are up to date on their immunizations. She stated more than 400 flu vaccines have been administered and over half have been in the school system. Ms. Lindeman said the HPV virus causes cervical cancer in women and some cancer in men and they have more than doubled these immunizations the last year. She reported they monitor and provide treatment to tuberculosis patients but there were no active cases last year. She stated there were no new HIV cases in 2016. Ms. Lindeman said 27 animal bites were reported and investigated this last year. She reported one animal was tested for rabies but was not positive. Ms. Lindeman said this year they spent a lot of time educating the public and working with Mosquito Control about the zika virus. She stated their environmental health section does a lot of septic tank inspections and are also involved with well permits. She explained they also work with Department of Environmental Protection (DEP) about fuel tank inspections. She went on to say in the spring and summer they monitor beach water for bacteria. Ms. Lindeman reported Franklin County did not have any reported vibrio cases but Gulf County did have two cases. She said in relation to preparation and response they work closely with EOC about individuals with special needs. She explained they did not have to send anyone to the special needs shelter during the two storms last year. Ms. Lindeman reported after Hurricane Matthew, Franklin County and Gulf County deployed 8 people from the Health Departments to the east coast to help with facility inspections. She stated in the last two years the use of tobacco in youth has dropped from 15% to 8%. She reported the SWAT (Students Working against Tobacco) programs continue to reduce these rates. She stated e-cigarette use dropped in Franklin County but this is not the trend statewide. Ms. Lindeman reported smokeless tobacco use was up a little. She said they have School Health Clinics in both schools and these clinics are extremely busy. Ms. Lindeman reported the Franklin County School has completed 2,083 office visits, 762 health screenings and provided over 700 medications so far this school year. She stated the ABC School had over 900 visits, 600 screenings and has given out over 500 medications. She said these clinics help keep the school absenteeism rates down. Ms. Lindeman referenced the "Closing the Gap" grant received from the state that allows them to focus on health promotion like healthy eating and healthy living primarily in the African American churches in Franklin County and Gulf County. She stated this is the first time they have focused the health education in churches. She explained they are trying to train and transfer this knowledge to the church leaders so this program will continue.

She discussed a program called "Choices" that is for grade 6-9 in all schools in the County. She said this program helps students identify what their life goals are and how to make healthy choices to achieve those goals. She reported they have worked to strengthen the message for Healthy Babies, Healthy Start and Healthy Living. She explained Safe Sleep for babies is a real focus now. Ms. Lindeman reported they are trying to increase access to WIC services this year. She explained only 46% of families in this community that are eligible are enrolled and receive WIC services. She said they are hoping to blend the Leon County staff that services WIC in this area with their staff to increase these numbers. She stated the Health Department has a new telephone system and now anywhere you call the telephone is answered and you do not get an answering service. Ms. Lindeman reported new generators have been installed in Carrabelle and Apalachicola and this allows the refrigerators with vaccines to have electricity during prolonged outages. She commented they have also instituted a badge access system that allows their employees easier access to the buildings. Ms. Lindeman said the IT Services have been upgraded and regionalized. She reported the Health Department has provided assistance to Gadsden County and Santa Rosa County with an electronic medical records transition. She stated the environmental staff at the Health Department has also assisted Wakulla County when they had a reduced staff. Ms. Lindeman reported their budget is \$2.1 million and she provided a breakdown of this amount. She explained 31% comes from General Revenue, 39% from grants, and 30% are local funds. She stated the local funds are clinic fees, environmental health fees and the support provided by the County. Chairman Parrish questioned in relation to the WIC program, if they are getting this message out to the public about the importance of this program. Ms. Lindeman agreed this is a good suggestion. She reported the WIC Program Office from Tallahassee did an orientation for WIC on the levels of benefit. She explained they are committed to bringing in a local position to work in the WIC Program and when it is set up then they will advertise what is available. Chairman Parrish said getting this information out to the public will increase the participation rate.

#### **Kim Wren-Estuary-Request**

Ms. Wren, Assistant Manager and Stewardship Coordinator at the Apalachicola Estuarine Research Reserve, said they are planning a couple of projects and they would like to coordinate with the County and get their input. She provided maps showing the suggested projects. She explained the first project is improvements to Millender Park. She said this park is heavily visited and they want to improve the ADA (Americans with Disabilities) access to the park. She explained some funding was received through the Florida Coastal Offices ECO Tourism Initiative and the improvements will be completed in a phased approach. She reported they receive funding and their fiscal year begins in July. Ms. Wren stated Phase I will enhance the handicapped parking and install a sidewalk to the picnic pavilions. She said they would like to coordinate with the County on the road removal during Phase II. She informed the Board the road was left in bad shape after Hurricane Hermine. She explained they would like to remove some of the rubble and develop a vehicle turn around. She reported eventually they would like to have a kayak launch area down on the beach. She said designs plans will be developed of an observation platform. She referenced the location of these items on the map. Ms. Wren

described the platform as an ADA accessible 20 X 20 structure with a bench located in the shade. Ms. Wren reported in the future they would like to have a pier that is also ADA accessible and goes out over the breakwater. She stated the breakwater construction will continue as part of the Cat Point Living Shoreline which is scheduled in 2018. Chairman Parrish reported they are constructing living shorelines all over the country but they need the proper signage and monitoring. He expressed concern about the commercial fisheries if an illness comes from this living shoreline and is attributed to Apalachicola Bay. He said if oysters are growing in this area there should be a sign so visitors know that they are not for consumption but are being used for monitoring water quality. Ms. Wren agreed this is a great point and explained there are also plans for a kiosk and this information can be included. Commissioner Sanders reported this is the same kind of passive project they are planning for the Ell's Court property. She agreed there is a lot of rubble at the end of Millender Street so they are doing good work and she also loves the ADA access. Commissioner Jones asked about the overall paving of the road and how it will look since there is a lot of rubble at the end of the road. Ms. Wren agreed the road is in bad shape at the end. She said the vehicle turnaround area is okay but they need the material moved out and then it will create a natural slope so people can access the kayak launch. Ms. Wren said the second project is Unit 4, East Hole which is on St. George Island east of the bridge. She explained this parcel is 77 acres and consists of one single parcel of 7.2 acres and 253 individual residential building lots. She said the parking area is at 6<sup>th</sup> Street and has been enhanced. Ms. Wren pointed out this area is part of the Great Florida Birding Trail and consists of estuarine salt marsh habitats, wet flat woods and scrub habitat. She explained the site is fragmented by the platted county roads. Ms. Wren reported they received some funding from the Division of Recreation & Parks to do some land management and get their public lands in maintenance mode. She explained this property has not been burned in many years and they have a wild lands urban interface situation with the homeowners. She reported they would like to reduce the heavy fuels on this property by allowing staff to burn this area. Ms. Wren stated they do not want to burn it now but they do want to prepare the area for future burning efforts. She said in 2012 they coordinated with the Florida Forestry Service to burn this area but a storm was approaching so they only got 12-15 acres burned. She reported prior to 2012 the site was burned in 1999. She stated some property owners have contacted her about concern over wildfires as this parcel lies along the Florida Circumnavigation Salt Water Paddling Trail and has a campsite. She reported there is a site on the site that deters individuals from having fires but there is no enforcement. She stated the fuel levels are a concern and this area needs to be addressed. Ms. Wren reported they are seeking approval to re-establish the right-of-ways for access. She described the location on the map of these areas and where they would like to mow. She stated these areas were mowed in 2012 but they have not been maintained since then. She introduced Mr. Dylan Shumaker, St. Joseph Bay Buffer Preserve Manager, who is their burn boss and can answer any questions about burning and the equipment that will be used. Ms. Wren referenced the maps and explained the blocks in yellow are state owned and will have additional mowing. She reported the red blocks will be disked for 12 feet as they need adequate distance to protect the private property owners while they are burning. Ms. Wren said a survey is being completed so they will know exactly where the lot lines are. She stated the blue blocks are County owned

right-of-ways that have not been maintained. Mr. Pierce reminded the Board when the State bought the property; the County did not abandon the roads so these are County owned roads. Chairman Parrish asked if they are just asking for permission to mow these right-of-ways that have not been maintained and do not plan to disk the areas. Ms. Wren agreed these areas will not be disked. She reported in the future they would like to continue the conversation about taking these areas back so they can maintain them. She expressed interest in doing a hydrology restoration project to restore this site back to its original condition to further protect the bay. Commissioner Sanders said there are gates shown on the property and asked if these gates will be open at certain times. Ms. Wren reported the gates will be closed when they are prepping the site. Ms. Wren stated Mr. Shumaker will talk with each homeowner about this project and future plans. Commissioner Sanders said her problem is public dollars buy public lands for public use and she does not like gates. She reported she understands keeping people out when the work is being done but then people should be allowed in when it is appropriate. Commissioner Lockley reported the State owns 85% of the County now and if they ask for more, he will be against it. Ms. Wren said they are trying to coordinate the access for burning. She explained they are trying to keep everyone informed and she offered to answer questions. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to allow them to mow the right-of-ways in preparation for the burning.**

The meeting recessed at 9:50 a.m.

The meeting reconvened at 10:00 a.m.

### **Curt Blair-TDC-Report**

Mr. Blair presented the following report:

#### **Numbers:**

- Collections: Collections are in for October, the first month of this fiscal year. Collections recorded were up a little over \$20,000 from last October which was a 26% increase. We remind you that monthly numbers vary significantly and tend to level out over the year, but nonetheless the numbers are strong.
- Visitor Centers: For the 2016 calendar year we had 26,494 visitors to our visitor centers. This compares with a little over 23,000 in 2015.
- Web Hits: I have attached a new report this month that shows activity on our Web site. This report compares web visits to the TDC Web site for years beginning with 2009 when we started with a little over 40,000 visits for the year. Last year (2016) we totaled 235,361 visitors. These visitors contribute to building our email data base which is a key element to our monthly marketing program. We now exceed 42,000 email addresses.

#### **TDC Policies and Procedures amendments:**

During the course of this last year, the TDC Board approved a series of changes to its policies and procedures. I have attached a summary of those changes which were approved for



inclusion in our Policies document at the last TDC meeting. The county attorney and I have worked to insure that the proposed changes are consistent with Florida Statutes. These changes relate to a variety of issues including modifications to the appointment process, conflict of interest (to conform with Ch 112 of the Florida Statutes), and meeting and address changes. I have included the entire policies and procedures document in your information folder for your reference.

Mr. Blair explained this will be a change in the selection process for organizations that recommend appointments to the TDC Board. He reported there are three local governments and two chambers that make recommendations. He explained when a member's term is up; this amendment would allow TDC to bring a recommendation to reappoint a member before having to advertise. He explained the second change addresses the policy if you miss 3 meetings without an excuse then the 4<sup>th</sup> meeting you are off the TDC Board. He said this amendment would allow the Board to accept an excuse in advance and the absence would not qualify for removal. Mr. Blair reported a reimbursement policy was added to allow them to do business with TDC Board members. He explained TDC Board members cannot do business with TDC and that remains the same but it does allow instances when they can. He reported this is specifically in the area of doing events and putting tourists together and some of the Board members are lodging providers and restaurant owners. He stated they can do business with a TDC Board member if it is determined in advance they are a sole source or demonstrate in advance they are part of a rotation process where everyone has equal access. He reported the change to the conflict of interest policy for Board members and staff is because some members are on other boards. He said the policy also addresses gifts received from vendors. He stated they have a book and all gifts are recorded in this book so everyone will know what was received. He reported this policy also addresses staff. Attorney Shuler said he has reviewed the changes. He pointed out the state has laws that govern the reporting of gifts and they must comply with these laws. He suggested Mr. Blair contact him to make sure they are following state statute. Attorney Shuler said he reviewed the changes and does not have any further recommendations. **On motion by Commissioner Sanders, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve the changes contingent upon Attorney Shuler meeting with Mr. Blair to make the statutory changes.**

#### **DEO Us 98 Corridor Grant:**

We reported several months ago that a grant had been approved by the Department of Economic Opportunity (DEO) to help design and promote a US 98 Corridor that would highlight local coastal communities. This initial grant includes Franklin, Taylor and Dixie Counties with the anticipation that other counties would be added in the future. The application submitted on behalf of the three counties and the Apalachee Regional Planning Council (RPC). DEO and RPC propose a contract with Franklin County to administer the grant through my subcontract with the county. The TDC voted last week to recommend that the county participate in the grant. Unfortunately, with delays at DEO and the holiday, the final contract with DEO has not been received. We would ask that the County authorize the acceptance of the grant and, subject to approval by the County Attorney, authorize contracting for the work.

Mr. Blair said DEO has assured him the grant is on the way but Attorney Shuler was hesitant to approve the grant when it has not been received. Commissioner Sanders asked for Attorney

Shuler's recommendation. Attorney Shuler said the Board can decide to reject or approve any offer of the grant but they also have to determine who will administer the grant. Attorney Shuler reported a presentation needs to be made about who will administer the grant. Mr. Blair said the County can contract with his firm to complete the work. He explained as mentioned in the scope of work there are 4 deliverables and the first one is almost completed but they are waiting for a signed DEO contract before it is billed. He stated his company expects to do the work and coordinate with the other counties. Attorney Shuler reported the issue he reviewed as whether there was any prohibition to TDC applying for the grant, the county receiving the grant and then contracting with Allyn, Inc., the firm that administers the TDC. He stated he does not find any conflict of interest that would prohibit the Board from awarding the grant contract to Mr. Blair's firm. He stated if federal funds were involved then the new super circular restriction would apply but in this case there are no federal funds. He said he asked Mr. Blair to find out if there are any other restrictions that would be imposed on the County by DEO or ARPC in terms of restrictions and limitations on how the grant is awarded and there are not any further restrictions imposed by the state agencies. He reported state conflict laws do not prohibit the award of this grant to Mr. Blair's firm. Attorney Shuler explained the County bid policy requires bids for purchases of tangible items above \$10,000 but they are not required by local bid policy to bid out contracts for services. He stated he has looked at all of these items and there are no technical violations of ethics that would prevent the County from awarding the grant administrator to Mr. Blair's firm. Chairman Parrish reported if the Board moves forward then the action must be contingent upon receiving the awarded funds. Attorney Shuler agreed and said the grant is for \$75,000. Commissioner Sanders said one of the issues they discussed at TDC was that Franklin County received this grant because they are a member of the ARPC. She said the other counties are represented by another planning council. Commissioner Sanders stated if they do not get the grant funding then there will not be any work. Chairman Parrish pointed out there is some delay in funds coming from Tallahassee which is why he cautioned about the contingency for receiving the grant funds and not completing work until the grant funds are received. Commissioner Sanders asked Mr. Blair to identify why the three counties are coming together and what the grant is about. Mr. Blair said this grant will bring together participation from counties starting with Levy County and up the coast to Port St. Joe. He explained the grant objective is to get the route identified and get information on what maritime activities, events and venues can be promoted in these counties. He stated the grant includes developing a marketing strategy for promoting the area. He said they envisioned more counties being involved but only had about a week to get the grant together. Mr. Blair reported this grant includes contacting the other counties along the route to gain their participation in the project. He stated the second year will include the other counties. Chairman Parrish reported it was strange that Wakulla County was skipped. Mr. Blair said they did not have time to include the other counties. Commissioner Sanders reported it was brought to the attention of TDC that the majority of people who visit are from the Tampa area. She agreed it is a good idea and can grow. **On motion by Commissioner Jones, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve this grant contingent upon the grant funds being approved. On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote**

**of the Board present, it was agreed to allow Allyn of Franklin to administer the grant contingent upon grant funds being received.**

Mr. Blair informed the Board 30-A TV is doing a series of advertisements and some promotional activities. He said they will do another day of filming in the next few weeks. He stated they are also doing the filming for the PSA's as part of the Visit Florida grant.

Mr. Blair reported the Kayak Basin TV series will be here January 30-31<sup>st</sup> and will travel around the County with an emphasis on what a great place it is to kayak.

### **African History Month:**

African American History month is soon to begin. The EPVC will be hosting an art display by Orin Speed of original African American Art during the month of February with a reception from 3:00-5:00 P.M. on February 4.

Chairman Parrish stated some Commissioners will be traveling on that date to a conference and will be unable to attend.

Chairman Parrish reported the next TDC Board meeting is scheduled for Wednesday, February 8 at 2:00 P.M. at the EPVC.

### **Mike Cooper-Weems-Report**

Mr. John Graham, Chief Financial Officer, referenced the balance sheet, income statement and graph for the month of December. He stated the collections for October-December are trending up. He reported the days cash on hand is 15. Mr. Graham said the ratio of assets to liabilities is 2.7. He stated the income statement for December shows a \$54,000 loss for the month. He explained October and November were break even months. He discussed the amount of gross charges written off for the month. He said the net revenue as recorded matches the cash recorded. Mr. Graham said the revenue was low for the month of December but that is typically seasonally this way. He referenced over \$500,000 in LIP and DISH payments due from Medicare. He stated the money is reimbursement for serving indigents and people who cannot pay for their hospital care. Commissioner Massey asked if the Hospital is paying Tallahassee Memorial Hospital (TMH) or vendor bills. Mr. Graham reported they have paid one payment in the last 3 months to TMH. He stated the LIP and DISH payments have a significant impact on payments. Commissioner Massey asked if they are up to date on vendor payments. Mr. Graham answered yes. He stated the current liabilities are the amount that is owed to TMH. He said this liability was separated out so they can monitor the amount. Commissioner Sanders reported on September, 2015, the amount due to TMH was \$286,040.00 and in December, 2016, the amount is \$644,431.00. She stated the Hospital has not been paying anything to TMH. Mr. Graham said they pay what they can and maintain communication with TMH. Commissioner Lockley asked what they owe TMH for. Mr. Graham explained they are reimbursing TMH for his salary and Mr. Cooper's salary. Commissioner Lockley said he does not

think the County needs to be under a management plan like this one. He expressed his opinion that all the employees should be under the same management plan. He reported they are receiving extra benefits that the other staff is not getting. **Commissioner Lockley made a motion to do without the management agreement with TMH. Commissioner Sanders seconded the motion.** Commissioner Lockley reported these two individuals are making the most money and getting benefits and other employees are not getting these benefits. Mr. Graham reported TMH is trying to get an agreement in place. Commissioner Sanders said she agrees with Commissioner Lockley. She expressed concern about the increased liability to TMH and that the Hospital has only made one payment. She said they are paying TMH to keep Mr. Graham and Mr. Cooper here. Mr. Graham agreed that is what the payments are for. **Motion carried; 5-0.** Attorney Shuler said he will review the contract and let them know what the termination date is. Commissioner Lockley reported the terminate date is today. Commissioner Sanders stated she would like Attorney Shuler to get this contract as the Board has never seen it. Attorney Shuler advised the Board to comply with the terms of the current contract because he does not know when the term expires. **Commissioner Lockley amended the motion to comply with current contract and direct Attorney Shuler to review the termination date in the contract. Commissioner Sanders amended her second.** Attorney Shuler reported they can send the Notice of Termination but he is just not sure when the actual termination date will be. Mr. Cooper reported there have been no updates but phone calls were scheduled after the email was sent yesterday and he should have some clarification by the end of the week. Mr. Cooper informed the Board in December the Hospital had an annual inspection by the State and a plan of correction was sent in yesterday. He reported it was a good inspection. He said the inspection is to insure they are meeting state requirements and fire safety requirements to be a hospital. Mr. Cooper stated this inspection serves as a survey from CMS or Medicare that they are meeting their conditions of participation. He explained 2 surveyors were here for 3 full days and an emergency inspector comes in for 1 full day. He went on to say they check policies and procedures through records research and interviewing patients and staff. He said when the inspection is received they must decide which items are cosmetic and which affect patient safety. Mr. Cooper commented pretty much all but one item was cosmetic this year. He reported there was a list of things on the fire safety part. Mr. Cooper described the items on this report. He stated the Hospital had a good inspection compared to their neighbors. He reported all of the inspectors complimented the Hospital on the cleanliness. Commissioner Massey asked if Mr. Cooper feels they will receive the LIP funding. Mr. Cooper answered they think the delay was due to the election in November and trying to see if the new administration will be easier to work with in relation to federal funds. Mr. Cooper said there are 4 groups in this fight, the federal government, the state government, the Florida Hospital Association and the Alliance of Safety Net Hospitals. He explained the process used for these contributions. He said Florida is one of nine states in the country that handle their indigent money this way. Mr. Cooper explained the responsibility for indigent care is 50% federal money and 50% state funds and he explained the process for reimbursement. Mr. Cooper stated Weems Memorial Hospital is the number 1 hospital in the state for the percentage of overall business being indigent. Mr. Cooper was not sure if the Hospital would receive all their funds or not but estimated these funds to be 18-20% of the Hospital's overall

budget. Commissioner Lockley asked when the Board will receive the amount from Culpepper Construction. Mr. Moron stated Commissioner Lockley is asking for the guarantee maximum price (GMP) for the new hospital. Mr. Cooper answered the GMP is \$10.25 million. Commissioner Lockley reported the contractor never attended a meeting to provide this price. Mr. Cooper explained he was informed to stop the process and that is why they have not appeared. He said this project has not moved for 4 months. Commissioner Lockley asked why it is taking so long for Alliant, TMH and Weems to get together. Mr. Cooper explained they were going to attend this meeting but Alliant had a change in leadership and now the agreement is in limbo. He said a telephone call is scheduled this week and he hopes to get some clarification. Commissioner Lockley reported the Board needs a meeting with TMH and Alliant to hear their intentions. He explained people are asking questions and the Board needs the answers. Mr. Cooper stated they want to appear after the agreement is worked out. Mr. Cooper stated they are trying to coordinate the meeting but he has no authority to have them meet. Mr. Cooper reported he should have an update by the end of the week. Chairman Parrish asked Mr. Cooper to keep the Board informed. Mr. Cooper stated there are other opportunities if this one does not work out. Commissioner Sanders said if they have stopped the contractor working on the hospital, then why are bills being paid out of the capital account. Mr. Cooper said they are still paying the contract with Adams and the architect. He reported the architect's cost have gone down because they are not designing but they did prepare documents for the Planning & Zoning variance that was required. Commissioner Sanders questioned if this is all they are billing the County for. Mr. Cooper stated Adams is paid a flat fee. Commissioner Sanders requested Mr. Moron contact the Finance Department for a list of the bills that are being paid out of the Capital Account concerning the new hospital. She expressed concern that the project has stopped and money is still being paid out. Commissioner Sanders asked Mr. Moron to have this list ready at the next Board meeting. Mr. Moron asked how far back they would like the list to go. Commissioner Sanders stated since October 1<sup>st</sup>. Commissioner Sanders questioned where the County stands with Alliant and TMH. Mr. Cooper said he does not know as they have severed the relationship with TMH. Commissioner Sanders asked the ambulance director to provide an update on the EMS services. Mr. Michael Murphy, EMS Director, said they are operating as usual. He stated the new ambulance as received on the 4th and so now the ambulances are a 2015, 2016 and a 2013. Commissioner Sanders asked how the radio communications are. Mr. Murphy answered the radios are good. He went on to say there was an antennae problem but they installed a new antenna. Commissioner Sanders stated the past couple of weeks there have been special tributes to first responders and she wanted to recognize them. She thanked Mr. Murphy and the ambulance staff for the job they are doing. She reported the county is 70 miles long and if it was not for the first responders, they would be doing without many times. Mrs. Donna Butterfield, a resident of St. George Island, suggested Commissioner Sanders amend her request for information on how much has been paid out for various companies toward the rebuilding of Weems. She reported a public records request for the Agency for Health Care Administration (AHCA) was submitted and she found out on August, 2016 Weems submitted a plan for the 2016 addition and renovations of Weems Memorial Hospital. She stated AHCA has 29 issues with the plan. She read the list of three companies included on the communication.

She reported if the Board goes back further then they will get a good feel of what amount of money is coming out of the capital outlay account when a decision to rebuild Weems has not been made. Mrs. Butterfield stated Mr. Cooper is moving forward with rebuilding Weems and the public has not been made aware of it. She offered to provide a copy of this letter to the Board. She reported they need to know how much money has gone to these three firms.

### **Michael Moron-Advisory Board of Adjustment-Report**

Mr. Moron presented the following item:

The following item was reviewed in the Critical Habitat Zone:

1. Consideration of a request for a variance to construct a vertical Board and Post Retaining wall around a Self-Contained Spoil Area within the 50 ft. Critical Habitat Zone to contain spoil material from a future offshore dredging operation. The property is in a VE Flood Zone and borders on the Apalachicola Bay. The property is located at the Northwest corner of Franklin Boulevard a/k/a as 41 West Bayshore Drive, St. George Island, Franklin County, Florida. The request is submitted by Garlic Environmental Associates, Inc, agent for George Floyd owner of AMM, Inc.

Commissioner Jones asked Mr. Curenton to provide some information about the Critical Habitat Zone (CHZ) in the Ordinance as he is new to the Board. Mr. Curenton stated the CHZ was set up in the Critical Shoreline District Ordinance. He explained the critical shoreline is the first 100 feet landward of mean high water or state jurisdictional wetlands. He said there are some special regulations because of the proximity to the water about what can be done and what cannot be done in this area. He reported the CHZ is the first 50 feet landward of mean high water or state jurisdictional wetlands. He stated the CHZ was originally intended to be left in its natural state and provide a natural vegetative buffer to protect the bay. He explained a few things are allowed in the CHZ such as docks but the intent of the Ordinance was for the CHZ to be left in its naturally vegetative state and not developed, cut or changed. Mr. Curenton said his recommendation was based on them completely doing away with the CHZ by filling it and that was why he recommended not approving the variance. Mr. Pierce stated this Critical Shoreline District Ordinance is unique to Franklin County and was done when the County was designated as an Area of Critical State Concern. He said there were a series of things the State wanted the County to do to protect Apalachicola Bay. He explained the Septic Tank Abatement Ordinance was another item that the State wanted at that time. He explained it covers the areas representing the Apalachicola Bay watershed. Commissioner Lockley said they cannot dredge in the area. Mr. Curenton said they want to re-dredge the old channel and the boat basin and need an uplands place for spoil disposal on site as part of their state permit. He explained they have asked for a variance to go right to the water's edge with the wall and dredge material. Commissioner Lockley said this is not an act of God, they are causing it by dredging the area and they should not get a variance this way. Commissioner Sanders said she also has concerns with the fill being put back adjacent to that and doing away with it. She

reported the Board voted several months ago about another project across the street. Commissioner Sanders stated the Critical Shoreline District Ordinance has the CHZ and she is going to uphold it. Attorney Shuler presented a copy of the 2004 Ordinance for the Board of Adjustment that lists the different criteria the Board is supposed to consider when determining whether to grant or deny a request for a variance. He asked Mr. Curenton to go through the criteria for the Board. Attorney Shuler stated Mr. Curenton has explained why putting the fill from the offshore dredging is a violation of the Ordinance but he needs to address the factual determinations required to be considered in the Board of Adjustment variance requirements. He asked Mr. Curenton to go through each of the factors to consider in granting or denying the variance. Mr. Curenton read #1, as follows:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

Mr. Curenton said he does not know of any peculiarities with this land different from any other C-3 waterfront property in the County. Attorney Shuler asked if Mr. Curenton's understanding is the reason to fill the CHZ is the result of the fill from the offshore dredging. Mr. Curenton answered yes, this is his understanding. Attorney Shuler inquired if there is some dredging of the property. Mr. Curenton agreed there is some dredging of the original boat basin. Attorney Shuler asked if the need for the variance into the CHZ is from the dredging on site or the offshore dredging. Mr. Curenton stated his understanding is the majority of the fill material will come from the channel dredging offshore. Mr. Curenton presented #2, as follows:

2. The special conditions and circumstances are not the result of an action by the applicant.

Mr. Curenton stated the applicant is dredging and putting the material on the property. He explained his understanding is they need more property than they have available to place the fill without going into the CHZ setback. Mr. Curenton read #3, as follows:

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings, or structures in the same zoning district.

Mr. Curenton stated they are asking to go 50 ft into the 50 ft. setback and everyone else in the C-3 district has had to abide by the C-3 setback. Chairman Parrish asked if C-3 is the zoning on the property. Mr. Curenton answered yes, it is zoned C-3 Commercial/Recreation. Mr. Curenton presented #4, as follows:

4. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.

Mr. Curenton said other landowners in the C-3 district are required to respect the 50 ft. setback. Mr. Curenton read #5, as follows:

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Mr. Curenton explained the applicant has reasonable use of the property and can use the property without the variance. He reported permission was granted to place spoil on part of the property. He stated Mr. Floyd says he cannot put all of the spoil on the site without going into a 50 ft. critical habitat zone. Mr. Curenton read #6, as follows:

6. That the grant of this variance will be in harmony with the general intent and purpose of this ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Mr. Curenton stated completely filling the CHZ with 6-8 feet of spoil material is not in harmony with the general intent of the Critical Shoreline District Ordinance. Attorney Shuler asked Mr. Curenton how long he has worked for the County. Mr. Curenton answered 28 years as Assistant County Planner and also County Planner. Attorney Shuler asked if part of the job is to administer the Critical Shoreline District Ordinance and also the Board of Adjustment Ordinance. Mr. Curenton answered yes. Attorney Shuler questioned if Mr. Curenton's opinion is the applicant self created the need for the variance himself by doing offshore dredging as opposed to a hardship based on peculiar circumstances on his property. Mr. Curenton answered yes; it is a self created hardship. Attorney Shuler asked in the administration of the Board of Adjustment is it inconsistent for the Board of Adjustment to grant a variance when the hardship is self created by the applicant. Mr. Curenton said that is what the 2<sup>nd</sup> requirement addresses. Commissioner Sanders stated when they wanted to dredge the Eastpoint Channel; they were not allowed to put the spoil back on the breakwater. She reported before the school was built, they wanted the County to truck the spoil to that site. Commissioner Sanders said the spoil from the Creekmore Channel had to be put away from the water body across Highway 98. Attorney Shuler explained this is a quasi judicial hearing and Mr. Floyd has the right to ask questions of Mr. Curenton. Mr. Dan Garlick, agent for Mr. Floyd, said they did not know there was going to be a quasi judicial hearing today or they would have done things a little different. He inquired if they can ask Mr. Curenton questions. Attorney Shuler agreed that is the process. He informed the Board he was involved with the CHZ before Mr. Pierce and Mr. Curenton and actually wrote the rule for the CHZ. He said the request does not look the same as the way it was presented. He explained they are not eliminating the CHZ. Mr. Garlick stated they are placing sand on sand and they need something to hold the sand back. He explained the CHZ is eliminated when its function is taken away such as taking away habitat or stormwater runoff and they are not doing either one of these things. He reported this area has sand on it from previous dredging operations in 1959. Mr. Garlick stated Mr. Floyd will provide some history that explains how they got to this point because something was there before. He explained a couple of years ago they applied to DEP and it was approved in March, 2015 and neither he nor



the County would like to take dredge material and place it back in the bay like the Corps of Engineers is doing right now. He reported that would create an issue with stirring everything up in the water and they do not want that to happen. Mr. Garlick said their hardship is there is a channel they are trying to do something with and they have some land to put sand on but if they do not have the right amount then they cannot do the project. He explained they are not eliminating the CHZ by taking away its function as they are placing sand on sand and need a wall to hold the sand. He explained by holding the sand in place and allowing it to stay there, they are actually taking things that could be deleterious to water quality and not letting them get back into the bay so it is actually better for water quality. He stated nothing impervious is being put within the CHZ, they are only placing sand. Mr. Garlick reported the sand will be higher and allow for more percolation. He reported there have been several projects approved where sand is placed on sand and he has received several variances for putting vertical walls with rocks. He explained the reason is to prevent more erosion. He went on to say they can demonstrate they have lost 30-40 feet on this site and the CHZ is out in the bay. He pointed out the Board of Adjustment approved the variance and it also went to Planning & Zoning and he thinks both Boards realized they are not eliminating the CHZ and that is why they approved it. Attorney Shuler asked if Mr. Garlick has any questions for Mr. Curenton. Mr. Garlick said he would like to reserve the right to question him later. Attorney Shuler asked if Mr. Curenton would respond to their position that pumping 6-8 ft. of spoil will not destroy the CHZ. Mr. Curenton stated it will definitely destroy any vegetation and if they put the spoil then the same vegetation will not grow there. Mr. Garlick reported if there is not vegetation now then it may mean the area cannot support vegetation. He said it does not mean they cannot replace vegetation that was there. Mr. Curenton reported they can try and replant it but it will not be the same as what is there today. Mr. Garlick stated the County supports dune restoration by planting. Attorney Shuler asked if restoration has been proposed to re-establish anything in the CHZ that has been destroyed. Mr. Curenton said it has not been proposed because it is the first 50 ft. Mr. Garlick answered they propose to replant. Mr. George Kirvin Floyd, director of the Apalachicola Maritime Museum, provided a presentation of the history of the property. He showed slides and a video of the boat building classes and a paddlewheel boat which has been renovated. He explained this area will be a safe harbor for the paddlewheel boat. Mr. Floyd stated if this project does not move forward then he will fill in the basin and move in an RV park but he does not want to do that. Mr. Floyd said the paddlewheel boat is coming here and he needs a harbor. He reported the paddlewheel boat will make a tour of 20 coastal communities in conjunction with the grant funding they have received promoting Franklin County and paddlewheel transportation to the community. He said his family has been here since 1842 and this is not about making a profit, it is about bringing new opportunities. Mr. Floyd reported this is a one of the kind opportunity. Mr. Floyd thanked the Board for their time and consideration. Chairman Parrish asked for comments from the Board. There were no comments from the Commissioners. Chairman Parrish asked for comments from the public. Mr. Larry Hale, a resident of St. George Island, said he has been living on the Island for 41 years and when he arrived on the Island there was a viable harbor on this property and provided some past history of the harbor. Mr. Hale reported it is a terrible thing on St. George Island to try and find a place to launch a boat. He stated the County built a boat ramp but it is a poor boat ramp although it

is heavily utilized. He said it is dangerous especially on an east wind. He reported there is no place to tie a boat off so you must have someone else drive the vehicle out while you stay with the boat. He pointed out sometimes you cannot get a boat out if there is a north wind and it is low tide. He reported this project will be an asset to St. George Island and is desperately needed. He said this will create opportunities in Franklin County. Mr. Mason Bean, a resident of St. George Island, said you could not pick a more conscientious owner. He reported they need a safe harbor to launch a boat for continued tourism and for emergency purposes. He said he hoped the Board will approve this project and continue to encourage the project. Mr. Shannon Hartsfield, Seafood Workers' Association, reported on an east wind commercial oystermen cannot put their boats in at the boat launch. He stated they need somewhere to launch their boats in a safe harbor and go out to work especially in the summertime as there is nowhere to park. Mr. Hartsfield reported there is nothing being done on this site that was not done before and the seafood workers need something like this. Commissioner Massey asked if Mr. Floyd is going to let the seafood workers use the property. Mr. Hartsfield reported members of the Seafood Workers' Association can use the property because they complete their paperwork. He said it only costs \$5.00 to be a member. He stated they will need the AP number from the seafood license and a sticker on their truck to come in and out of the gate as there will be limited access. He estimated they only have 35-40 boats and about 70% are trailered every day. He stated there are not any places to leave the boats in the water without breaking the law. He reported there are only about 30-35 boats left in the channel in Eastpoint as the rest are trailered. Mr. Floyd said he met with Mr. Hartsfield last week and they discussed this property being a great resource for the Seafood Workers' Association. He said this is part of the maritime heritage and the only stipulation is that the seafood workers have a current drug test and no felony record. Mr. Floyd explained the reason for this stipulation is they are trying to bring back the Boy Scout Troop #22 and they will be using the property also. He explained are no youth activities and this will essentially be a youth activity center. He stated the Seafood Workers' Association will use the property at no charge with the two stipulations. He reported they cannot have boat slips in the basin but they will have a face dock. Mr. Floyd stated they would like to have a kiosks and market seafood working with one of the dealers. Mr. Hartsfield stated Mr. Floyd will pay for the drug tests and background checks. Commissioner Lockley asked about the oystermen that do not belong to the Seafood Workers' Association. Mr. Floyd said they should spend \$5.00 and become a member of the Seafood Workers' Association and then they will have access to the property. Mr. Hartsfield reported the cost is \$5.00 and they complete all the paperwork. He stated they have over 200 members and no one is denied membership. Commissioner Lockley said there are over 1,000 individuals who are not members. Mr. Hartsfield estimated there are only about 200 oystermen now. He reported some individuals are holding their licenses but are not oystering. Commissioner Jones stated it has not been clarified yet but in looking at the building codes and comprehensive plan if this basin has more than 10 boat slips then it will not only affect the areas shown on the slides but also the area to the east of the bridge near East Hole. Mr. Hartsfield said there are no boat slips. Commissioner Jones stated you cannot do away with the impact by just making one dock and he asked if Mr. Hartsfield is aware of that. Mr. Hartsfield said he talked with Mr. Kal Knickerbocker, Department of Agriculture & Consumer Services, and if there are not more than

10 boats then there will not be an issue. Mr. Hartsfield explained the way it is planned there will never be more than 5-6 boats. Mr. Floyd stated they will not do anything that will result in bay closures. He said the boats will be allowed to tie up overnight. Commissioner Jones reported his background is in the oyster industry like a lot of people and he wants to make sure Mr. Hartfield understands his concerns. Mr. Hartsfield reported he has the same questions and talked with Mr. Knickerbocker about these issues. He explained Mr. Floyd would have to approach the County if he wants to keep more boats on this property and that will never happen. He stated they have lost Hotel Bar and Nick's Hole and all that is left is East Hole. He said his biggest concern was that nothing happens to East Hole but he wanted to make sure they have access to East Hole. He explained it is hard to go across the bay on a south wind. Commissioner Sanders inquired how many oysters boats will be allowed in this area. Mr. Floyd reported as many as will fit on the property. Commissioner Sanders asked how many are allowed. Mr. Floyd stated he plans to have 12 boats on one side. Commissioner Sanders reported there are over 200 oystermen but they will be limited to 12 boats. Mr. Floyd said most people will just be launching and going out. Commissioner Sanders explained if they are just launching then it will be different than allowing boats to tie up. She reported this will limit how many people can use this property. Mr. Hartsfield stated most of them are looking for access to a boat ramp to launch their boats more than a place to leave their boats. He explained most oyster boats cannot use the boat launch on St. George and the boat ramp at the fishing pier has filled in and they cannot use it except on a storm tide. Commissioner Sanders stated Mr. Floyd is selling this project as an economic driver but there will be limited access. She went on to say she is also concerned because when a problem occurs it will move to the east and encompass the whole area. Mr. Hale said there is a serious problem with erosion on the causeway now and the state keeps dumping dirt in this area and it just washes away. He reported there is a private contractor the state hired but no one is supervising what they are dumping. He stated this problem could undermine the approach to the bridge if a storm occurs. Mr. Hale explained the other side of the bridge is filling in with the sand from the causeway and the State is doing nothing about it. He reported they do minimum maintenance on the causeway. Mr. Dan Tonsmiere, Apalachicola River Keepers, stated this is not about denying Mr. Floyd's good work with the Maritime Museum or that the harbor can have great benefits if all the things that are committed to are done. He said it is about the Critical Shoreline District Ordinance and the variance. He said this Ordinance is the cornerstone of the Comprehensive Plan to protect water quality, wildlife habitat and the community character. He explained these buffers are widely recognized as one of the best ways to prevent stormwater pollution impacts, protect wetlands from degradation, maintain wildlife habitat and ecological functions including habitats along the Gulf, the bay and the wetlands that provide additional water and nutrients that drive the food web. Mr. Tonsmiere said Mr. Floyd can protect his shoreline with a living shoreline. He stated the validity of the harbor idea is not being questioned. He referenced a part of the presentation Mr. Floyd made about walls being placed at the St. James Golf Course and said they met the buffer and restored the hydrology of the wetlands on the site to be better than it was before. He explained they also reduced bad nutrient impacts off of this site. Mr. Tonsmiere said putting a bulkhead will destroy the critical shoreline. He reported if the water comes over the bulkhead and washes the sand out then

they will have wetland impacts. He suggested there are other options that will save the developer the cost of building the seawall. Mr. Tonsmiere pointed out in the trial in Portland where Florida sued Georgia over protection of the bay; Georgia's primary defense was that it was Florida's mismanagement that caused the collapse of the bay. Mr. Tonsmiere said Florida's legal team did a good job at showing how the government managed at every level to protect the bay. He reported preserving the integrity of this Ordinance is critical to the health and protection of the bay. He explained there are other options than placing a bulkhead around the property to put spoil on the site. He said there are opportunities to use this spoil for beneficial uses and there may be additional funding. He asked the Board to protect the integrity of the Ordinance. He informed the Board Georgia has a 75 ft. streamside buffer statewide. Mr. Tonsmiere said the bulkhead is the biggest issue and it can be moved so this kind of variance is not needed. He asked for the Board to vote to deny this variance. Mrs. Dottie Thornburg, a resident of St. George Island, stated she has talked with several people on the Island who are against the whole project as it stands currently and the questions arise from the River keepers position. She questioned how a paddlewheel boat will be in this harbor with oyster boats. She suggested Mr. Floyd offer a 99 year lease in writing to the seafood workers so there is no misunderstanding or threat of them being kicked out of the area. She said her husband and her are present representing some other individuals and are asking the Board to deny the variance. Mrs. Barbara Sanders, a resident of St. George Island, stated the choice today is not whether or not to have a marina but whether or not to grant the variance. She reported this is a good ordinance and says this Commission recognizes the need to maintain the seafood industry and aquatic recreational resources of Franklin County for the benefit of current and future residents. She read the following from the Ordinance:

the intent of the ordinance is to maintain good water quality by protecting wetlands and by guiding development and land use on adjacent uplands thereby creating a buffer to reduce the adverse impacts of pollution of freshwater and marine resources.

She pointed out this is the buffer Mr. Curenton is talking about. She explained the ordinance has criteria, the Critical Shoreline District and the purpose is to maintain a natural low maintenance vegetative buffer not something 6 feet high. She explained there are requirements such as an approved stormwater management plan and they have not seen one. Mrs. Sanders reported there must be a clear demonstration of hardship and as Attorney Shuler pointed out you cannot create your own hardship. She stated there is case law that says monetary reasons are not a hardship. She went on to say it does cost money to truck the spoil from the site but the County has paid for spoil disposal in the past. She said this bulkhead will run for about a mile and will cost approximately \$250,000-\$300,000. She discussed alteration and use of the site. She said these items must be accompanied by an approved mitigation plan. Mrs. Sanders stated all Mr. Floyd has presented is what he wants to do but he is required to have a site plan and that is where the commitments to the Seafood Workers' Association would be addressed. She reported these things have to be done in writing so you can plan for the future. She asked the Board not to approve this request and keep the Ordinance in place for all development in Franklin County. Mr. Ron Bloodworth, a resident of Apalachicola, said he

lived on St. George Island for years. He said he built his home there in 1966 and moved his family to the Island when there were only 12 people living there. Mr. Bloodworth said he worked with the owner of the dredge boat and all this property was pumped onto this site. He stated this is a much better plan than to let the shoreline erode. He urged the Board to take the advice of the Board of Adjustment. He stated there is no need to have these Boards unless you are going to follow their recommendations. He said this project will benefit the Boy Scouts, the oystermen and tourism.

The meeting recessed at 12:35 p.m.

The meeting reconvened at 12:45 p.m.

Chairman Parrish said they have heard a lot of presentations and are trying to allow for due process but there are some loose ends that need to be tied up and some other things that need to be discussed. He reported he does not want to see this project turned down nor does he want to see it approved. He said there are more opportunities for County staff and the project applicant to get together and tie up some of these loose ends. He suggested tabling this item until the next meeting or a little longer until they work through these issues and present all these facts to the people. Chairman Parrish stated he would like to see a master plan for the whole project and he thinks that would be advantageous to the applicant and the public. He said the Board needs all the facts to make an informed decision. He stated then they can make a determination on whether or not to approve this variance. Attorney Shuler said in order to make a record that is protective of the Board, he would like to give Mr. Floyd an opportunity to ask questions of persons who commented and gave testimony to the Board as he has a procedural right to ask questions, waive the right or reserve the right to ask questions at the continued hearing. Mr. Garlick asked the Board to table this item to a certain date so this does not go on for too long. Chairman Parrish stated he would like the applicant to meet with County staff. He stated better information needs to be provided to the public. Mr. Floyd said he would like to meet with staff and come up with a recommendation and appear at the next meeting. Chairman Parrish reported if the issues are resolved then County staff will place this item on the agenda. Mr. Floyd asked if a comprehensive plan or everything they want to do on the site is required when they come back. Chairman Parrish stated if they are just addressing the seawall and the 50 ft. setback on the CHZ then he would say no but having a broad plan where people can see how he will develop this property would be advantageous. Mr. Floyd said he has the plan with him. Chairman Parrish stated they need better answers to some of the issues addressed today. He reported he is not trying to delay this project but he feels this is the way they should proceed. Chairman Parrish explained he is trying to give Mr. Floyd every opportunity to present his information to address some of the concerns of the public before the Board votes on this project. Mr. Floyd stated they spent a good amount of time with County staff. Mr. Floyd asked if Mr. Curenton is still of the opinion that because the basin is manmade that there is no Critical habitat. Attorney Shuler said he does not recommend the Board negotiate and suggested Mr. Floyd meet with staff. Mr. Floyd reported he would just like the Board to vote. Chairman Parrish stated they will take a vote if that is what he wants. Mr.

Floyd reported if it is turned down then he will move forward with a different plan. Chairman Parrish asked Mr. Floyd if that is how he wants to proceed. Mr. Floyd said he does not want to drag this out since he has been at it for three years. Mr. Floyd reported they will meet with staff over the next two weeks and be at the next Commission meeting. Commissioner Sanders stated Mr. Floyd wanted a vote and now he wants this matter tabled. Chairman Parrish said he presented the options. Commissioner Massey stated he would like to see a nice marina if Mr. Floyd can work it out. Mr. Floyd stated he has another plan if this does not work out. He said the Board can do it now or at the next Commission meeting. He explained he has devoted a lot of time to this project and has worked with staff and if they cannot work it out in the next two weeks then they will not solve it in the next three months. Commissioner Massey stated they are trying to give him the benefit of trying to work this out and then come to the next meeting. Mr. Floyd agreed it is good to have a short deadline. Commissioner Lockley reported it may not happen at the next meeting. Mr. Floyd said the next meeting is his preference. Mr. Garlick agreed they should table this matter until the next meeting. Chairman Parrish stated they are not going to go through another 3 hour presentation at the next meeting. He reported public comment has been taken and his direction is for Mr. Floyd to work with County staff to address some of the issues. **Commissioner Massey made a motion to table this request until the next meeting. Commissioner Jones seconded the motion.** Attorney Shuler again advised Mr. Floyd he has a right to question any witness from the public that addressed the Board because they may not be present at the next meeting or waive the right to question them. Mr. Floyd thanked the Board for considering this matter at the next meeting and said he will allow Mr. Garlick to ask the questions. Mr. Garlick said they will see everyone at the next meeting. **Motion carried; 5-0.**

The meeting recessed at 12:55 p.m.

The meeting reconvened at 2:00 p.m.

### **Michael Moron-Planning & Zoning-Report**

Mr. Moron presented the following report:

#### CRITICAL SHORELINE APPLICATION:

- 1- Consideration of a request for the Dog Island Yacht Club maintenance dredging project. The spoil cell location is 50' landward of the Mean High Water line to comply with the Franklin County regulations while minimizing impacts to existing vegetation and parking facilities and utilizing uplands. No dredge material will be deposited within 50' of the Mean High Water Line. The request is being submitted by Elva Peppers of Florida Environmental and Land Services, Inc. as agent for The Dog Island Yacht Club.

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

#### SKETCH PLAT APPLICATION:

- 2- Consideration of a request for Sketch Re-Plat approval to combine Lots 54 & 55 of Plantation Beach Village as a one unit subdivision named Prince Beach Properties. Request submitted by Thurman Roddenberry, agent for Elizabeth Morris Prince, owner.

Commissioner Sanders asked if this will be one unit for two lots. Mr. Moron answered yes. Mr. Pierce explained that we have done this before when a homeowner owns two properties and wants to combine them into one tax deed. Commissioner Jones asked Mr. Moron to explain this request. Chairman Parrish stated they are combining two lots and making a larger lot. He reported it reduces the density by making one home site instead of two. **On motion by Commissioner Jones, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve this request.**

FINAL PLAT APPLICATION:

- 3- Consideration of a request for Final Re-Plat Approval of a 7 lot subdivision within Resort Village named Resort Village II. The re-plat consist of Lots 1, 2, 8, 9, 10, 11, 12, 13, 21, 22, 23, 24, 25 & 26 of Resort Village replacing those lots would be Lots 1-7 Resort Village II, a 7 Lot Subdivision. Request submitted by Barbara Sanders, agent for SGI Limited Partnership, applicant.

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

ZONING ADMINSTRATOR'S REPORT:

Mr. Moron stated the Planning & Zoning Commission would like the Board to start thinking about an Ordinance regulating how far out into the water docks can be built. Chairman Parrish said he would like to have a motion directing Attorney Shuler to move forward with this issue. He reported the guidelines from Department of Environmental Protection (DEP) say the dock cannot go more than 25% of the width of the water way on which the structure is located. He explained if people on both sides of the canal do this then it allows 50% for navigational purposes. Commissioner Sanders reported she has been worried about this since the last two requests at Alligator Point. **On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to direct Attorney Shuler to start following through on this matter.** Attorney Shuler asked if this is just limiting the length of docks in canals or also docks into the open waters of the bays. Chairman Parrish said specifically canals. Mr. Pierce stated DEP has restrictions on where docks are placed in relation to depth of the water.

CRITICAL HABITAT SITE PLAN APPLICATION:

- 4- Consideration of a request for Commercial Dredge, Fill and Spoil Cell site placement on property located at the Northwest corner of Franklin Blvd. and West Bayshore Drive, also known as 41 West Bayshore Drive, St. George Island, Franklin County, Florida. The owner proposes to construct a 6' wooden Post and Board Retaining wall around the perimeter of the property, with a 6' swale to contain the spoil which will extend 50' into the Critical

**Habitat Zone. The request is submitted by Dan Garlick with Garlick Environmental Associates, Inc.**

Mr. Moron asked to table this request. **On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to table this request until the next meeting.**

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

The Clerk did not have a report at this time.

**Alan Pierce – RESTORE Coordinator – Report**

Mr. Pierce presented the following report:

1- Provide Board with written comments that I made to the Legislative Delegation meeting on Jan. 5. I went over my comments with the Chairman before I made them, and they are as follows:

A. Franklin County has a \$500K Historic Preservation grant in process. The grant is for a sprinkler system to be installed in the Historic Ft. Coombs Armory in Apalachicola. The building has never had a sprinkler system. This deficiency came to the attention of the State Fire Marshall and the State Fire Marshall is requiring the county to install a sprinkler system for the building, or reduce the occupancy level of the building to the point where it cannot serve as a convention center or hold any large scale meetings. Franklin County needs legislative support for our grant so that we may comply with the Fire Marshall's order.

B. Inform the Delegation that Franklin County has yet to receive its contract for its FRDAP grant that was awarded through last year's legislative appropriation. There appears to be some delay in getting some of the contracts out as we should have gotten our contract by September.

Mr. Pierce said this contract has now been received and the Board will address it later in the meeting.

C. We appreciate the support the Delegation provided for last year's top priority, which was the funding of an expanded UF/IFAS Extension Office in Apalachicola. There has been some delay in expending the funds as the original building selected by UF has run into significant cost over-runs. The county and UF are exploring other sites so that the legislative intent of an expanded and improved Extension Office in Apalachicola will still be met. Last year's appropriation is still being held by the Dept. of Ag.

D. We appreciate the support of the Delegation in keeping the TRIUMPH funds in the Panhandle. TRIUMPH funds will be important to all of us, including Franklin County, as we try to diversify our economy.



Mr. Pierce said the Legislature has \$428 million this year to allocate to the Triumph Committee and then they will appropriate money for projects in the panhandle. He stated they do not know if the Legislature will do anything but the money is there.

2- This evening the county RAC will meet to begin the development of criteria for ranking RESTORE projects. In order to give the Board an idea of the difficulty all counties are having getting funds out of Treasury, I am providing an excerpt of the reports other counties made at a recent RESTORE Coordinator meeting.

Hernando- MYIP approved 2 years ago. 2 applications submitted, 4<sup>th</sup> round of questions from Treasury.

Pasco- MYIP approved; 3 applications submitted; 2 have come back for more questions.

Citrus- MYIP drafted with 3 projects. Change in BCC so projects being reviewed.

Monroe- MYIP approved with 3 projects, but BCC decided to do only 1 project. Feels counties should push back against Treasury for making process so onerous.

Santa Rosa- Finally got planning grant. Have some pause over 15 projects.

Escambia- Have not written or submitted MYIP yet.

Bay- Submitted MYIP Had more projects in draft MYIP than funds so BCC is reducing projects.

Wakulla- Still trying to get planning grant approved to write MYIP.

Franklin- Planning grant awarded, and working on MYIP.

Mr. Pierce stated some counties have the MYIP approved but no county is spending money on projects. Mr. Pierce said the process is very slow. He stated the RAC meeting will be here tonight at 5:00 p.m. He explained this meeting will be to talk about criteria for ranking the projects.

3- Inform the Board that Clay Smallwood and I are meeting FEMA on Alligator Point tomorrow to introduce the new FEMA staff to the old problem.

4- Present Board with final site plan for the improvements at Island View Park. The major change in the park is that DOT disallowed the second access point on the east end. They did agree to a deceleration lane to get vehicles out of the flow of traffic but they only approved one access point. Mr. Doug Haddaway, TPL, hopes they will be going out to bid on the construction in the next few months. All costs for the improvements shown on the site plan are coming out of state and federal funds. Board action to accept site plan. (Show site plan.)

Mr. Pierce said this will still be a County park when the improvements are done. Mr. Pierce presented the site plan and went over the access point. He said the parking area was reduced since the other access point was removed. He stated the improvements will be rehabilitating the two piers and making them ADA compliant. He said there will be a boardwalk and gazebo along with educational kiosks. He stated the north side will be vegetation and they will be re-establishing the natural forest. He reported hopefully in the future both sides will be connected and the road will be relocated. Mr. Pierce explained the County obtained a grant to

buy this land and the State of Florida negotiated improvements using BP money. He stated DEP will provide 10 years of maintenance money for the park. Commissioner Sanders asked Mr. Smallwood if he will review this site plan because she is concerned about the curve in the road. She said the turn lane should help the problem but she asked Mr. Smallwood to review the plan and see if it will minimize the problem. Mr. Pierce explained this was negotiated with the engineers and DOT and DOT has already approved the turn lane. **On motion by Commissioner Sanders, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve the site plan.**

5- Inform the Board that I wrote a letter of support as the county RESTORE Coordinator for something The Nature Conservancy (TNC) has asked for. The TNC has been promoting the idea that NRDA funds, and other BP funds, be allocated to projects that improve watersheds. The state of Florida has bought into the idea of watershed planning, and so the TNC is trying to get funding out of the Gulf Council's BP funds to create two more national estuary programs (NEP) in the Florida for two more watersheds. There is one NEP program in Tampa Bay that is credited for dramatically improving the water quality in Tampa Bay. The TNC has asked the RESTORE Coordinators from the 8 impacted counties to support the concept and their deadline for a letter of support was Friday, Jan. 13. I informed the Chairman of the request and my response before I wrote the letter.

There is a difference between an NEP and the NERR we already have. An NERR- National Estuarine Research Reserve is an entity that focuses on research on all aspects of the Apalachicola Bay. An NEP focuses on improving or maintaining the water quality, and an NEP can seek funds to make water quality improvements. There is no guarantee that the Apalachicola Bay would get an NEP, and my letter does not request an NEP for the Apalachicola Bay as the TNC asked us not to start promoting one bay over the other, but to support the concept. I believe supporting the concept will help get attention, and perhaps funds, to help the Apalachicola Bay. Provide Board with copy of letter.

Mr. Pierce stated there may be a presentation later about this item.

6- Inform Board that with the assistance of Commissioner Jones, I have reviewed and recommend the Board submit the following project to FDOT for CIGP funding- this grant is for improvements to county roads that reduce congestion on the state highway system. I recommend we submit to FDOT the paving of S. Franklin to Creamer St, and then all of Creamer St to Begonia St, and then north on Begonia to US 98. Show map.

The grant deadline is March 10, 2017. The county still needs to come up with 2 SCOP projects.

Mr. Pierce presented a map of this area and described this route. He reported the state will probably support this idea as it will help if there is ever any congestion on Highway 98 and traffic has to be detoured. Commissioner Sanders and Chairman Parrish agreed this is a bad road. Mr. Pierce said he will have Mr. Smallwood provide a cost estimate. **On motion by**

**Commissioner Massey, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to submit this project.**

Mr. Pierce said a response has not been received from DOT in reference to the County's request to take Alligator Point Drive. He expressed his opinion that they will offer technical assistance with FEMA but he does not expect them to take the road.

#### **Michael Moron-County Coordinator-Report**

Mr. Moron presented his report, as follows:

1. Board action to authorize the Chairman's signature on the FRDAP contract for D. W. Wilson soccer field and basketball court project. The County applied in 2015 and was funded by the Legislature in 2016. If the Board is interested in applying for additional FRDAP funding for the upcoming cycle, which will close sometime time in the fall, let the staff know as soon as possible so we can start the application process.

Chairman Parrish said the County wants to apply again. **On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the FRDAP contract for the D.W. Wilson soccer field and authorize the Chairman to sign the contract.**

2. Board action to authorize the Chairman's signature on the contract with Hondo Enterprises for the removal of derelict vessels. The contract cost is \$256,562.00 for the removal of thirteen derelict vessels. This project is funded primarily from FWC grant funds except for a County match of \$64,141 (25%) from the Boating Improvement Fund. Hondo Enterprises was the only company that responded to the County's October 4<sup>th</sup> RFP for the removal of these vessels.

**On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve the contract with Hondo Enterprises in the amount of \$256,562.00 for the removal of derelict vessels and authorize the Chairman to sign the contract.**

3. Board action to authorize Clay Smallwood, of Dewberry|Prebble-Rish, to create a change order to pave roads that were not included in the road paving project. At your December 20<sup>th</sup> meeting the Board approved Change Order #2 which was a deductive change order that refunded quantities to the County that were not used. Clay will contact each Commissioner to discuss the roads in their district and available funding.

**On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize Mr. Smallwood to create a change order to pave roads that were not included in the road paving program.**

4. Board action to approve a project that will create additional parking on St. George Island. This parking will be located on vacant County property on the corner of Gulf Beach Drive and Chili Boulevard adjacent to the County's main parking lot. This project will create 16 additional parking spots and drainage that will help alleviate flooding in this area. I will check with the Chili Cook-Off Board so that there is some way of securing their tents to the paved area during their event. A copy of the conceptual plan is attached to your packet.

Mr. Moron inquired if he can approach TDC and see if they have funds to pay for this parking as it will be used for tourists. He reported if funding is located, he would like this project to be included in the change order Mr. Smallwood is working on. Chairman Parrish suggested the Board direct Mr. Smallwood to come up with a cost estimate. Mr. Moron said Mr. Smallwood provided an estimate of \$50,000. Chairman Parrish said this is a much needed improvement as parking is an issue. He stated the County is not issuing permits for the right-of-way and they need to move forward on this issue. He reported additional parking is needed and Attorney Shuler needs to be directed to move forward with the County not issuing permits. Attorney Shuler said the public hearing is scheduled for February 7<sup>th</sup>. Commissioner Sanders asked if the County can pave all of this area. Mr. Moron explained the other area will be left unpaved because of flooding. He said they also do not want to negatively affect the St. George Island Chili Cook-off. Mr. Moron suggested placing wheel stops so there is parking when the Chili Cook-Off is not going on. Chairman Parrish agreed they talked about using this area for unimproved parking when it is not being used by the Chili Cook-Off. Commissioner Sanders stated this is a very congested area. Chairman Parrish agreed the wheel stops and rocks may be needed so it will allow draining of the paved area. **On motion by Commissioner Sanders, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve a project with the changes. Mr. Moron said he will contact Mr. Blair about placing this item on the TDC Agenda.**

5. Board action to accept Mr. Doug Shuler's recommendation to award the Carrabelle Beach Park and St. George Island Park bathrooms' renovation project. Mr. Shuler, the project architect, recommends awarding the project to Poloronis Construction. Poloronis Construction was the lowest responsive bidder. However, there is not enough funding to complete both projects this year, and since the Carrabelle bathrooms require more immediate repairs, staff decided to move forward with that project and will discuss the St. George Island project when funds become available. Mr. Shuler and Mr. Poloronis will negotiate the scope of work to bring the project under the \$120,000 budgeted amount before a contract is presented for signature.

Mr. Moron reported some people have asked if it would be cheaper to tear down the bathrooms and build them back but Mr. Shuler said it would not. Commissioner Lockley stated they need to address the electrical first. Mr. Moron said portable bathrooms may be needed while this work is being done. Chairman Parrish questioned if there are other items on this site that need work. Mr. Moron stated there are issues at each pavilion. **On motion by Commissioner Jones, seconded by Commissioner Lockley, and by unanimous vote of the**

**Board present, it was agreed to accept the recommendation and award the Carrabelle Beach Park and St. George Island Park bathrooms to Poloronis Construction.**

6. Inform the Board that Mark and I attended the FDOT Local Agency Transportation Symposium on Tuesday January 10<sup>th</sup>. It was a very informative event that discussed their SCOP, SCRAP, CIGP, TRIP, SUN, LAP, TAP, and SRTS programs. Mark and Alan both agree that I should become LAP certified as Mark is the only certified staff member in the County. However, the only LAP workshop for 2017 which is part of the certification process is the same day as the next regular meeting on February 7<sup>th</sup>. If the Board has no objections I will attend the workshop. Alan will be here for that meeting. In addition, FDOT will attend your February 21<sup>st</sup> meeting to make a presentation and answer questions regarding their programs.

**Commissioner Sanders made a motion to allow Mr. Moron to attend the LAP workshop on February 7, 2017 and welcome DOT on February 21, 2017. Commissioner Massey seconded the motion.** Commissioner Jones asked if Mr. Moron will get all his hours from this one event. Mr. Moron stated he has to gather hours. Mr. Moron answered this training is only offered once a year. Commissioner Sanders reported the County is the only organization in the county that is LAP certified and the cities have to come through the County for this program. Mr. Pierce inquired about the bike path. Commissioner Sanders reported it is in the 2019-2020 program. Mr. Pierce stated the County is certified and it helps a little on state grants. He explained both cities have dropped out of this program and if they want to do a LAP project then they have to go through the County. He reported the County has been providing this service for free but there is a charge for getting certified. Commissioner Sanders stated the County may need to start charging the cities. **Motion carried; 5-0.**

7. Board action to authorize a change in the County's vacation leave pay out policy. Currently the County allows for up to one week of payout. The request is to allow for up to two weeks of vacation leave payout subject to funding availability within the department's budget. The County will not transfer any funds into a department's budget at the end of the leave year to fund this request.

Mr. Moron pointed out there are some people who lose leave. **On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to authorize a change in the County's vacation leave policy to pay for up to two weeks of vacation leave payout subject to funding availability within the department's budget.**

Commissioner Massey brought into discussion paying an employee for 3 days off work when they lose their grandparents. He explained grandparents are included on the list for the Clerk's Office but not for the County and this policy needs to be changed. Mr. Moron said this situation occurred and he thought the person was paid for 3 days and then found out grandparents are not listed in the bereavement policy. **On motion by Commissioner Sanders, seconded by Commissioner Lockley and by unanimous vote of the Board present, it was**

**agreed to direct Attorney Shuler to look at the personnel policy on bereavement leave and add grandparents.** Commissioner Sanders reported when she came on Board they only had the mother and father but they added mother-in-law and father-in-law.

8. Inform the Board that Mrs. Roxie Allen is planning to retire in May. I will advertise for the vacant position. Mrs. Allen retirement will be official in early May but she will be out of the office sometime in March. I will advertise "in house" for 14 days based on our Policy and Procedures. If the position is still vacant then I will run an advertisement in the local newspaper.
9. I received an email from FAC requesting updated contact information for Franklin County's Director and Alternate on the Gulf Consortium. Currently Commissioner Sanders is the Director and Alan is the alternate. Is the Board interested in changing the alternate now?

Mr. Pierce said he has not attended the Consortium meetings because they are still waiting. He explained the Governor has not acted on a draft plan. Commissioner Sanders suggested Mr. Moron be appointed as the alternate. She explained the meetings occur when the Conferences are going on so they will both be there. She stated it will be easier to coordinate as Mr. Moron will already be there. Commissioner Sanders stated some of the items they are talking about have been discussed for three years. Mr. Pierce said they still contact him as Restore Coordinator. Mr. Pierce reported he will be on a teleconference Thursday with the Consortium consultants about updates to the County's plans for submitting projects. He reminded the Board they have submitted projects that they want to use Consortium funds for. He explained if the Corps of Engineers do not come up with money then the County would use their money for dredging the Eastpoint Channel and Creekmore Channel. He stated the problem with the Consortium money is it will also come in over 15 years. Mr. Pierce explained there is a problem because they do not know who will receive the money first and it will be a battle. Chairman Parrish reported the new Emergency Operations Center (EOC) is also one of the projects. He stated they were supposed to provide planning help. Mr. Pierce agreed and said he will ask about the help. Mr. Pierce said he thinks the Governor may have to approve the planning help also. Chairman Parrish reported they said the money was already there. He said the plan Mrs. Brownell has for an EOC may not work. Mr. Pierce explained no funds will be released until the Governor approves an expenditure plan. Chairman Parrish stated this project needs to be planned and shovel ready. He reported the County is on the coast and the current EOC is inadequate. Commissioner Sanders stated EOC's are one of the 12 issues Governor Scott wants to address. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to appoint Mr. Moron as the alternate on the Gulf Consortium.**

10. At the January 3<sup>rd</sup> meeting Commissioner Sanders inquired as to the status of a resurfacing project on County Road 67 from Highway 98 to the Cricket Creek Bridge. In your agenda packet is FDOT's 5-year work program with that information. That

project's design money is programmed for FY 2019 and the construction money is programmed for FY 2021.

Commissioner Sanders asked the location of Crickett Creek Bridge. She said the only bridge over there is Crooked River Bridge and Pine Log Creek. Mr. Moron agreed to find out the location.

11. Inform the Board that the Sheriff has provided a copy of the Jail and Medical Inspection report. I will forward the report to the Clerk.
12. Inform the Board that the Wilderness Coast has submitted their Year-End Report. The Clerk will get a copy for the Board file.

### **Michael Shuler-County Attorney-Report**

Attorney Shuler said the first of two public hearings on the Bungalows by the Bay Ordinance is scheduled to be heard on February 7, 2017. He stated another hearing will be scheduled after that date.

Attorney Shuler asked for clarification on the action taken in regard to TMH. He stated some people think the Board terminated the management agreement effective today. He said his understanding is the action was modified to accept his advice to continue the contract through its current term and send a notice of intent not to renew but he wants to be clear on the instructions of the Board. Commissioner Sanders said the action was to terminate the contract. Commissioner Lockley said his motion was to terminate but not today as Attorney Shuler needed to look at the contract. Attorney Shuler said he will look at the contract and report back at the next meeting but he also had to notify TMH of the Board's action. Attorney Shuler said his understanding is they modified the motion and second to complete the term of the contract and then not renew the contract. Commissioner Lockley said at the end of the contract. Commissioner Sanders reported it concerns her that they have never seen a contract for Mr. Cooper or Mr. Graham. She stated they have also not seen the contract with TMH and questioned what will happen if it does not have a termination date. Attorney Shuler said the contract is usually for one or two years. He reported he is not sure when the contract renewed. Commissioner Sanders stated she seconded the motion so at the end of this term, notice will be provided to TMH that the contract is terminated. Chairman Parrish stated everyone needs to understand when the County terminates this contract; TMH will not come back to the County with another contract to manage the hospital or take over operations of the hospital. Commissioner Lockley asked Attorney Shuler to get a copy of the contract. Attorney Shuler agreed he will get the contract. **Commissioner Sanders made a motion to go out for Request for Qualifications (RFQ) for management companies for the hospital. Motion failed for lack of a second.** Mr. Alan Feifer, Concerned Citizens of Franklin County, said he has attended the majority of the Hospital Board meetings for the last 5 years but is not aware of the end date of the agreement with TMH. He said the Board needs to know what the contract says. He said

the Board wants to know what the actual cost is of running the hospital when TMH is owed over \$600,000 now. He said his understanding is there has been no renewal of the contract in years and it has not come before the Board for renewal. He questioned if this is the agency responsible for agreeing to an employment contract. Attorney Shuler stated he looked at the contract 6-7 months ago when the question came up about the raises. He explained he believes the contract is written to continually and automatically renew unless you give notice of intent to terminate which is the action the Board has taken today. Attorney Shuler reported whatever the current contract term is, they will be receiving a notice of intent to terminate and when the term is concluded then the contract will end. He said he does not think in this contract there is any contractual authority on behalf of the Board to terminate the management agreement early. Attorney Shuler explained if there is, he will notify the Board by the end of the day. He said he has the clarification he needs to move forward. Mr. Feifer reported this actions shows the Board wants to have control of the costs of running the hospital and this is a way for the County to get greater control of how the hospital is run. He stated it will also give more information about the package of benefits provided to 2 people and not the other 83 people.

### **Commissioners & Public Comments**

Commissioner Lockley asked Mr. Smallwood when he will be available to check some roads. Mr. Smallwood agreed to meet with Commissioner Lockley today. Commissioner Lockley reported he has one road to add if they have the money. Commissioner Lockley stated he has a problem with the City of Apalachicola cutting roads to put pipe down after the County has just paved them. He stated they are telling everyone that the County is responsible. **Commissioner Lockley made a motion to write a letter to the Mayor and Commissioners with the City of Apalachicola and the City of Carrabelle that the County is not responsible for the roads after they cut the roads because they get the same tax the County gets. Commissioner Massey seconded the motion.** Chairman Parrish reported at one time the County had the same problem with the Eastpoint Water & Sewer District. Commissioner Massey said they have not cut any of his new ones yet but he saw the one Commissioner Lockley is referring to. Chairman Parrish reported they have done the same thing in District 4 inside the city limits and outside the city limits. He stated in his neighborhood they cut a three foot section out of the road and are not coming back to pave it. Chairman Parrish said the same problem occurred with the Eastpoint Water & Sewer District. He reported if they have a grant to do improvements then they need to make sure they have enough funds to patch the road to prior condition after they cut it. He explained FDOT guidelines are used to establish the condition of the road and how the road should be repaired. Commissioner Lockley said he told them the County was going to pave so the pipe could have been put in ahead of time. Attorney Shuler reported it is a criminal misdemeanor violation to cut the County roads without a permit. He explained the Ordinance was amended about 3 years ago and strengthened it because of roads that were being cut in another area of the County. He said they can send a letter or take it to court. Commissioner Lockley questioned if the roads belong to the city. Attorney Shuler said they are city streets. Chairman Parrish said some of the roads are city roads but some roads outside of the city are



County roads. Attorney Shuler reported the letter will say the County is not paving city streets and the city violated the Ordinance and a copy of the Ordinance and the penalties is attached. He stated they are required to get a permit to cut the road and do not have any special privileges. **Motion carried; 5-0.**

Commissioner Jones invited everyone to the basketball game tonight at 7:30 p.m. at the Franklin County School. He said they are playing Gadsden County.

### **Adjourn**

There being no further business to come before the Board, the meeting was adjourned at 3:00 p.m.

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Joseph A. Parrish - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts