

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
SEPTEMBER 5, 2017
9:00 AM
MINUTES**

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

Others Present: Michael Moron-County Coordinator, Alan Pierce-Restore 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 Sanders, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the minutes from the meeting held on August 15, 2017.

Payment of County Bills

On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve payment of County Bills.

Department Directors Report

Howard Nabors -Superintendent of Public Works

Mr. Nabors reported they are continuing to cut grass and fix roads. He stated they are at Alligator Point Road once a week. He explained they are short on inmate crews and some areas have grown up and need to be addressed. He said they are also keeping a close eye on the storm. Chairman Parrish stated his understanding is the prison is keeping the inmate crews in because of protests at the prison. Mr. Nabors said normally they get 6-7 inmates on the

state crew which helps a lot. Commissioner Massey said his understanding is they could not let the inmate crews come out because the prison was short handed but they may let them start back next week.

Commissioner Sanders reported she asked Mr. Clay Kennedy, Preble-Rish, to look at West Drive off of Highway 67 because she had complaints about drainage in this area. She asked Mr. Nabors if he has heard from the engineer. Mr. Nabors stated Mr. Kennedy will contact Mr. Pierce and then him but he knows they looked at it last week. Commissioner Sanders asked Mr. Nabors to contact her when he hears from the engineer. Commissioner Massey said the main ditch is blocked and they need to take the bricks out in front of the culvert. Commissioner Sanders stated it also needs two pipes instead of one. Mr. Nabors explained there are three pipes but there are rocks around the area. **On motion by Commissioner Sanders, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to direct Mr. Nabors to contact whoever needs to be contacted to get this drainage problem resolved.**

Commissioner Lockley asked Mr. Nabors to work closely with Mrs. Brownell to watch the storm situation.

Mr. Nabors informed the Board the County cannot get the 57 shell they use to fix driveways because the company is sending it somewhere else.

Commissioner Jones reported at some point the County needs to take a look at the bike path on St. George Island because grass is growing over it in multiple places and it will destroy the path. Mr. Nabors said this work is usually done in the winter.

Fonda Davis – Solid Waste Director

Mr. Davis stated he does not have a written report but does have a couple of items to address. He asked the Board to approve the Solid Waste Grant in the amount of \$90,907.00 and authorize the Chairman to sign the grant. **On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to approve the Solid Waste Grant in the amount of \$90,907.00 and authorize the Chairman to sign the grant.**

Mr. Davis read a letter received from Waste Management providing a 180 days written notice of their intention to terminate the contract with the County for the transfer station. He informed the Board he is working with Attorney Shuler on this item and they are meeting with Waste Management on Wednesday. Mr. Moron pointed out at the budget workshop the Board planned to budget for the transfer station beginning in March. Commissioner Jones stated it now sounds like it will be February instead of March. Mr. Davis asked for permission to advertise for a position as the 180 days has already started. Commissioner Lockley inquired if the money is budgeted. Mr. Davis answered yes. **Commissioner Lockley made a motion to authorize Mr. Davis to advertise for this position.** Commissioner Massey asked if there is an

employee that wants to move into this position. Mr. Davis stated he had a team meeting and no one wants this position but he will move someone if that is what the Board wants him to do. Commissioner Massey questioned if there is someone who could move that Mr. Davis would not have to train. Mr. Davis stated there is a person he could move and train but the person in this position will have to go to school for 8 hours to be certified as required by DEP. Commissioner Sanders said the 180 days starts now so it will be February before this person is needed. She asked if it will take about a month to advertise and if this position will start in October or later as the Board did not approve hiring anyone this budget year. Mr. Davis agreed the position will start in the next year. **Commissioner Sanders seconded the motion. Motion carried; 5-0.** Commissioner Lockley asked how long it will be before the employee is permanent. Mr. Davis explained they will have a 6 month probationary period and then they will become permanent. Chairman Parrish asked if the employee will be training with the people who are running the transfer station now. Mr. Davis answered yes. Attorney Shuler requested Mr. Davis explain to the Board the change to the proposed contract in relation to the compactor. Mr. Davis stated initially Waste Management wanted to give the compactor to the County and let the County use the boxes but now they want to lease the compactor. He said the County would be required to keep the compactor in working condition. Attorney Shuler reported they want it kept in good working condition and it is not in good working condition now. He pointed out there could be a problem with negotiations as he has some proposals to try and offset these maintenance requirements. He went on to say if the equipment is donated then the County would select the level of maintenance but if the equipment is leased and they impose a condition of maintaining the equipment in good working order then it could become very expensive for the County. Mr. Davis reported the compactor on site is worn out but they have another one they want to bring to the County. Commissioner Jones asked if Mr. Davis has seen the other compactor. Mr. Davis answered no. Commissioner Jones inquired how old the other compactor is. Mr. Davis answered they did not provide a year but the compactor has been rebuilt. Chairman Parrish questioned if the County budgeted for a compactor. Mr. Davis agreed they budgeted for a compactor. Chairman Parrish stated the company needs to come and get their equipment at the end of the contract and the County needs to buy a new compactor. He said the County can maintain the equipment in the current condition but they are not going to improve the condition. Attorney Shuler commented the equipment is about 20 years old and has been rebuilt at least once. He stated his plan is to establish the depreciated value of the compactor and then the County's repair costs would not exceed that amount. He reported Mr. Davis is going to check with other companies familiar with compactors to determine this value. He commented that he was not aware the County had budgeted for a new compactor. Commissioner Lockley asked if normally the company leasing the equipment also keeps up the maintenance on the equipment. Mr. Davis said this could be part of the agreement. Attorney Shuler reported the company is proposing a \$1.00 per year lease and he will talk with the Board members individually about why this change was made. He said they never informed the County they were changing the contract. He explained the purpose of meeting with them on Wednesday is to find out the details of why this change occurred. Mr. Davis stated he reached out to other companies to see if there was someone else to run the transfer station and one person will be getting back with him. Chairman Parrish reported

someone approached him and he directed the person to Mr. Davis. He said this person may be interested in picking up garbage and also taking over the transfer station. He reported this company has their own compactor so some competition may be good.

Pam Brownell – Emergency Management Director

Mrs. Brownell informed the Board her office is activated at Level 3 and monitoring the storm. She said they are gearing up to handle re-entry tags in Carrabelle and the Community Emergency Response Team (CERT) is coming in to their office to do re-entry tags for the rest of the week. She explained they are looking at sandbags and citizens should not wait until the weekend to get them. Mrs. Brownell said she is meeting with Mr. Davis and Mr. Nabors about staging the sandbags in different locations like St. George Island and Alligator Point. She reported they are meeting with property management agencies this afternoon about what they are going to do. She stated the County could see some wind from the storm by Friday. She said in the past when the County has been under a local state of emergency, the Chairman ran the disaster. She explained the Chairman also extended the local state of emergency if needed. She questioned if this is how it will be handled this time. Chairman Parrish reported the state has already issued a state of emergency. Mrs. Brownell stated if this hurricane stays a Category 5 and moves this way, it will not be a shelter in place situation so citizens need to get their plans together and be prepared. She reported people need to monitor the weather. Commissioner Sanders asked if they are working close with Liberty County. Mrs. Brownell said there will be a conference call today with local counties and a state conference call at 5:15 p.m. Chairman Parrish asked if Mrs. Brownell is asking for a local state of emergency. Mrs. Brownell explained during the BP Oil spill once the local state of emergency was declared the Chairman ran the disaster and extended the state of emergency without the Board having to meet again. Commissioner Sanders agreed that is what needs to be done as this is how it was handled in the past. Mrs. Brownell asked the Board to enact a local state of emergency that would go through the weekend as a precautionary measure. She explained if the Chairman is not authorized to extend the state of emergency then the Board would need to meet again next Tuesday. Attorney Shuler advised the Board state statute requires the local state of emergency to be renewed every 7 days and in the past it has been renewed in different manners. He stated this is at the discretion of the Board to authorize the Chairman to renew the local state of emergency. He reported the Board could also choose to meet once every 7 days to renew the local state of emergency and receive updates. Commissioner Sanders said in the past the Board has given the Chairman to authority to take this action. She explained if the storm comes people will be displaced and she will be one of them so she would rather give this authority to the Chairman. **Commissioner Sanders made a motion to declare a local state of emergency for the approaching storm, Hurricane Irma, and authorize Chairman Parrish to extend the local state of emergency after 7 days if needed. Commissioner Lockley seconded the motion.** Chairman Parrish reported this would be after consultation with the Director of Administrative Services and the Board members. He stated if the Board members would like the state of emergency extended then he will be glad to take this action. **Motion carried; 5-0.** Commissioner Jones inquired about the alert system. Mrs. Brownell said there is now a

statewide alert system and they have pushed everyone to sign up for this system especially if they do not have a home phone. She reported this will handle 911 calls and white pages. Mrs. Brownell reported people can go into their office to sign up or go on their website- FranklinCountyEmergencyManagement.com. She explained when people request re-entry tags; they try to sign them up for the notification system. Chairman Parrish stated the weatherstem system also provides information. Mrs. Brownell agreed this link is provided on the emergency management website. Chairman Parrish reported it is also on the County's website. Mrs. Brownell commented the weatherstem will provide real time wind speeds. Commissioner Lockley asked if re-entry tags are still good. Mrs. Brownell reported they did away with expiration dates so all re-entry tags are good.

Action Items:

NONE

Information Items:

1. EOC Staff continue to promote our Re-Entry Tag program and encourage all residents to apply for their Re-Entry Tag. Staff is also encouraging all residents to sign up for Alert Franklin our new County Alert system.
2. 08/17/17 EOC Passed our Storm Ready Inspection.
3. 08/23/17 EOC Staff attended the Senior Care Meeting.
4. 08/24/17 EOC Staff attended the LEPC and ARPC Meetings in Tallahassee.
5. 08/25/17 EOC Staff met with Duke Energy.
6. 08/30/17 EOC hosted a WebEOC Training.
7. 08/31/17 EOC hosted the Region 2 meeting.
8. 08/31/17 EOC hosted a CERT Class.

Erik Lovestrand – Extension Office Director

Mr. Lovestrand appeared before the Board and said he does not have any items in addition to his report.

County Extension Activities August 16 – September 5, 2017

General Extension Activities:

- Extension Staff assisted local citizens regarding plant identification, invasive weeds, tree diseases and pests, sea turtle lighting, and other topics.
- Participated in ACF Stakeholders conference call.
- Contributed article to Panhandle Outdoors E-newsletter.
- Extension Director attended annual Extension Professionals Association of Florida meeting in Fort Myers.

Sea Grant Extension:

- Extension Director participated in the Alligator Harbor Aquatic Preserve Management Plan review and Advisory Committee meeting.
- Extension Director participated in the weekly planning calls for the Dark Skies turtle lighting project.
- Extension Directory participated in webinar about oyster hatchery operations by LA Sea Grant.

4-H Youth Development:

- Coordinating with schools to implement Tropicana Public Speaking Contest and Ag Adventures programs in Franklin County Schools this year.

Family Consumer Sciences:

- Franklin County Extension met with new Wakulla Family and Consumer Sciences Agent to discuss educational opportunities for her participation in Franklin County programming.
- Franklin County FNP Program Assistant continues to conduct nutrition programing in the schools.

Agriculture/Horticulture:

- Conducted 2 sessions of “Beekeeping in the Panhandle” workshop series in Apalachicola.
- Extension Director participated in planning for Ag Adventure event at the UF Quincy research farm in September.
- Wakulla County Extension Director provided fall gardening program at Carrabelle Library.

Bids Ellis Van Vleet

Mr. Moron described the work that will be completed. At this time Mr. Pierce and Mr. Moron opened the bids and announced them, as follows:

<u>Company</u>	<u>Bid Amount</u>
Roberts & Roberts, Inc.	\$152,145.00
Pigott Asphalt & Sitework, LLC	\$194,892.80
North Florida Construction, Inc.	\$198,898.50
C.W. Roberts Contracting, Inc.	\$140,415.85

Mr. Pierce recommended the Board turn the bids over to Preble-Rish Engineers.

On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to turn the bids over to Preble-Rish. Chairman

Parrish said they need to consider past performance when they are evaluating the bids. Mr. Moron agreed to notify Preble-Rish of this request.

RFQ-Airport FBO

Mr. Pierce said this Request for Qualification (RFQ) is for the Fixed Base Operator at the Apalachicola Airport. He explained the Board had a 5 year contract with Crystal Air and it will expire in November. Mr. Pierce reported this is the Board's chance to review FBO's through their Airport Management and the Airport Advisory Committee. He said the Board is looking for a qualified firm that the Airport Manager will negotiate with. Mr. Pierce stated the two RFQ's submitted are from:

Company

Crystal Air

Centric Aviation

Mr. Pierce reported Centric Aviation is from Lumberton, NJ. Mr. Moron stated the Board should pass the RFQ's to the Airport Management for review with the Airport Advisory Committee (AAC) this afternoon. **Commissioner Sanders made a motion to pass the RFQ's on to the Airport Manager for review with the AAC. Commissioner Jones seconded the motion.** Commissioner Jones asked where Crystal Air is located. Mr. Pierce answered they have a FBO here and Chattanooga, TN. He commented Mr. Jason Puckett, Airport Manager, advertised this RFQ. Mr. Moron agreed Mr. Puckett advertised it in several places and he also advertised it in The Apalachicola Times, Panama City and Tallahassee. Mr. Pierce reported the challenge is the airport is large and the County expects the FBO to help maintain the airport. He explained this is sometimes out of the normal scope for FBO's. Chairman Parrish asked if it is possible to readvertise. Mr. Pierce pointed out the County is under a time restraint as the current contract will expire in November. Mr. Moron suggested the Board talk with Crystal Air about extending on a month to month basis. He said Mr. Jason Puckett, Airport Manager, will attend the next Board meeting so they can discuss it with him. He suggested the Board may also want to consider changing the advertisement as maintenance of the airport is one of the problems. Chairman Parrish reported this will depend on the recommendation of the AAC and the Airport Manager. Commissioner Sanders said the County does not want to get in the position they did before so they need to make sure they have someone to keep the airport going. Mr. Steve Kirshenbaum, AAC Member, informed the Board of work he has done in the aviation field. He said the County needs to stop looking at the airport as a liability and look at it as a job creator. He reported unlimited money can be received from DOT for the airport and the federal government also wants to provide some money. He stated the airport is not being run correctly but with the right airport management and airport committee they could bring in educational facilities and an aviation museum. He asked the Board to continue looking for an FBO and to take some of the burden off the FBO. He explained the County should take some of the income

from the airport and put it back into the airport. Mr. Kirshenbaum stated the airport would be the best job generator and would replace what is happening with the seafood industry. He said later in the meeting the Board will consider a person who is incredibly qualified and wants to be a member of the AAC. He reported the Board should be looking at how the airport can make money.

Bobby Miller – Request

Mr. Bobby Miller, a resident of Apalachicola, presented the Board with a request to keep the existing height regulations. He thanked the Board for taking a proactive approach to height limits. He reported this is important to the county and the citizens and to people that don't live here but have property here. Mr. Miller said people want the county to stay like it is. He stated he is not worried about this Board but is worried about future Boards. Mr. Miller reported the citizens of the County should have a say in this matter. He requested the support of the County Commission to enact an ordinance that would require anyone, including the Commissioners, who would like to obtain a variance or change the existing height regulations in any way to first at the petitioners expense obtain a 75% majority vote by the registered voters of Franklin County. He explained this would be 75% of citizens who vote, not of the citizens who are registered. Mr. Miller stated they would like this to be a live vote, not a mail-in, ballot style vote. He explained this would be a normal vote and absentee ballots would still be allowed. Mr. Miller asked for this action to be included in the County's Comprehensive Plan at the first opportunity through an update or amendment to the Comprehensive Plan. Chairman Parrish asked about the percentages listed on the handout. Mr. Miller explained these are the standards accepted by the state and explained the percentages. He stated the whole objective is to give the people a chance to determine what they want the County to look like. He informed the Board they know what they want it to look like because he had 400 responses from 1 post on social media and people would like the County to stay the same. Commissioner Sanders asked if Mr. Miller is also approaching the two municipalities. Mr. Miller reported he has been to the City of Apalachicola and they unanimously endorsed this idea and their attorney is working on it. Mr. Miller reported he would like Attorney Shuler and Mr. Pat Floyd, Attorney for the City of Apalachicola, to work together on this matter so this is uniform throughout the county. He said Mrs. Brenda LaPaz, Mayor for the City of Carrabelle, was also contacted and she will be looking closely at what the County does. Mr. Miller reported he will ask the City of Carrabelle to participate so this can be in place all over the county but he does not live in Carrabelle. Commissioner Sanders commented at the last meeting Mr. Miller presented her with his request and she provided it to Attorney Shuler. She stated she supports Mr. Miller 100%. Commissioner Sanders said she is proud you can drive all through the county and see the water and that makes Franklin County unique. She explained the Commissioners and Mr. Pierce worked hard to keep the height restrictions in place. Commissioner Sanders inquired about making this request part of the comprehensive plan. Mr. Pierce stated they will have to defer to Attorney Shuler because the laws have changed. He explained when the Governor did away with the Department of Community (DCA) they also changed some of the legal standing of the comprehensive plan. He explained it is still a County Ordinance but the

state does not look at it as a critical planning document anymore. Mr. Pierce reported Attorney Shuler will have to determine if it should be part of the Comprehensive Plan or just a self standing ordinance. He went on to say the Comprehensive Plan amendments are still submitted to the State but they do not review or monitor the amendments. Mr. Pierce reported the Board needs to focus on what will make this valid in Franklin County. Chairman Parrish stated if the Board wants to enact the Ordinance then they need to make a motion to direct Attorney Shuler to draft the ordinance and also specify the majority and the election style. Attorney Shuler requested the Board allow him the flexibility of looking into this matter and presenting options to the Board. **Commissioner Sanders made a motion to direct Attorney Shuler to look at the information Mr. Miller presented to the Board and come back with a recommendation on what the Board should do according to Mr. Miller's request on the height limits. Commissioner Massey seconded the motion.** Commissioner Jones asked if the current height limit is 43 feet. Mr. Pierce said it is 44 feet. Attorney Shuler agreed it is 44 feet. Commissioner Jones stated he supports this request. He was not sure if the Board could make it a live vote versus a mail in vote because it is based on the State of Florida's rules. He stated if it was done at the petitioner's expense it would never happen because it takes a lot of money to run an election. Mr. Miller reported from a legal standpoint they cannot allow an individual to have their own election and there is a fee to apply for this. He said there are many legal things that must be worked out but he would like to see this in place because the majority of people he talks to want this to stay the same. Commissioner Jones discussed some buildings that exceed the height regulations. Mr. Miller agreed there are some existing buildings that are higher than the limit. He referenced the existing height regulations and said there must be allowances for certain items such as water towers, communication towers, etc. Commissioner Sanders stated Attorney Shuler will address all of these issues. Chairman Parrish said every building will not be this high as FEMA regulations determine the height of the buildings. Mr. Pierce discussed the height of buildings above grade and the flood zone regulations in the county. He stated the current height regulation may actually be 47 feet and explained why. Mr. Miller expressed concern about individuals who haul in fill dirt and then build. Mr. Pierce said they are not allowed to alter the natural grade in a flood zone. Commissioner Sanders reported there are a lot of unbuildable lots in the County and people need to recognize that they are unbuildable and not expect to put fill in and build on the lots. She stated placing this fill will alter the natural grade of the lots. Commissioner Lockley questioned the height of the hangars at the airport and said they do not want to cause a problem with the grants the County receives. **Motion carried; 5-0.** Mr. Miller asked if there will be public hearings and then it will be law. Attorney Shuler reported it will require at least two public hearings.

Mike Cooper – Weems CEO – Report

Mr. Moron stated Mr. Cooper is sick today and will not be able to attend the meeting. He said the only action item on his report is the radiology equipment. Mr. Moron said the Board will not take action today as Mr. Cooper needs to be here to address this item. Mr. Moron informed the Board he attended the Hospital Board meeting on Thursday and Mr. Cooper is recommending the County just purchase the software at this time. Mr. Moron commented the

software is more expensive than the hardware. He stated the software is over \$100,000 but they will be able to transfer the software to any new equipment that is purchased once they start the building program. He reported Mr. Cooper will attend the next Board meeting. Commissioner Sanders questioned what was done about the generator. Mr. Moron explained they are having problems because the Agency for Health Care Administration (AHCA) is requiring an electrical engineer install the generator so they are still paying for a generator at this time. He reported they have requested an electrical engineer and he forwarded the request to Mr. Mark Curenton, County Planner.

Pearce Barrett – DEP – Presentation

Mr. Barrett reported he is a Professional Engineer (P.E.) with the Department of Environmental Protection (DEP) and the Natural Resource Damage Assessment (NRDA) Project Coordinator for all projects under the Deepwater Horizon Oil Spill Phase I, II and III. Mr. Pierce stated NRDA money came to the State of Florida and the County has been the recipient of the money in several different ways. He said the improvements at Island View are one project and the other projects are the bathrooms on St. George Island and Lombardi's Improvements (Waterfront Park). He explained they thought this was going to be early restoration but they are now in their 4th year trying to get these projects done. Mr. Barrett presented a slideshow of the Cat Point Living Shoreline Project. He stated Ms. Jenna Harper, Manager at the Apalachicola National Estuarine Research Reserve (ANERR), is also present. Mr. Barrett reported some of the projects are for the counties and cities directly and some are being done by the state for state properties. He stated this project is on state property and is being done for the ANERR facility but is a benefit for the County. He said his office wanted to explain this project and address any questions or comments. Mr. Barrett reported they want to explain the project and get any comments or questions from the Board. He explained this project is being done to protect shoreline erosion using natural bases, creating salt marsh habitats and using breakwaters to protect the salt marsh. Mr. Barrett provided a map showing the location of the project. He stated the consultant on this project is Taylor Engineering, Inc. and the cost of the project is \$516,542.00. He described signs that will be placed along the shoreline. Mr. Barrett showed a design of the type of breakwater that will be used for this project. Mr. Pierce asked if this breakwater will be association with an existing breakwater. Mr. Barrett reported there is a living shoreline that was constructed in 2004 and the rock is still there but the bags of oyster shells have broken apart and the shell has scattered. He discussed the warning signs that will be placed on the new breakwater. He explained the intent of the breakwater and how the projects are awarded is based on how much marine life activity is created. He pointed out the breakwaters are not intended to be commercial or private harvested oyster beds but oysters will grow on the breakwater. Mr. Barrett stated one of the benefits of the project is their consultants identified items that have been discarded and are not natural and they will be removed. He reported there is exotic vegetation along the shoreline that will be removed so the natural vegetation can take over. Mr. Barrett reported all of the work will be done from land based equipment so no barges will be brought in and no dredging or filling activity will take place. He stated the construction will not violate any of the state water quality standards. Mr.

Barrett presented a project overview and schedule. He explained unless there are objections they plan to submit for federal and state permits this month. He reported they expect to advertise for bids in the fall of 2018. He said it will take about a year to get the federal permits. Mr. Barrett stated they expect to complete this project in the late spring of 2019. Mr. Barrett offered to answer any questions about the project. Commissioner Lockley asked about the life expectancy of the breakwater. Mr. Barrett replied indefinitely because it is being designed to be sustainable and endure the wave action and storms. He stated the marsh may need to be replanted but that is a state project and will be maintained by the state and the ANERR facility. Commissioner Lockley asked if this project was selected by the state. Mr. Barrett answered yes, and submitted by DEP. He reported the selection committee chose this project and at the time the committee consisted of all of the states along the Gulf of Mexico from Texas to Florida as well as 5 federal agencies. Commissioner Lockley asked if more projects have been selected for this area. Mr. Barrett reported there are also 5 county projects that the state is building for the county. He explained the final settlement with BP was reached a year ago and so for the next 15 years beginning in 2017 the state will receive a payment for NRDA. He reported many more projects will be developed in the next 15 years. Commissioner Lockley asked if the County will have input on these projects. Mr. Barrett stated the County does have input and submitted the other 4 projects. Mr. Pierce commented there are projects being funded by NRDA that the county did not submit. He said the old causeway to St. George Island is a NRDA project and the Audubon Society will re-build the bird habitat. Mr. Pierce went on to say they are also looking at another living shoreline and a shoreline stabilization project between Carrabelle and Eastpoint. He said the challenge will be finding someone to manage this project and put it in place. Mr. Pierce stated he would like for the state forestry to be the managing agent. He explained at this point the people who are proposing this project are trying to find someone who could assist with creating the project. Mr. Pierce reported there are other living shoreline projects being proposed but Cat Point is the only one that has been funded at this time. Mr. Barrett reported they are other living shoreline projects being completed in other areas such as Pensacola Bay. Commissioner Lockley inquired if beach renourishment can be addressed. Mr. Barrett answered with the exception of one project; beach renourishment is not allowed under NRDA. He reported Alligator Point will not qualify as beach renourishment cannot be tied to the oil spill. He explained the two types of projects that can be done under NRDA are environmental projects such as living shorelines, dune re-vegetation, sea grass restoration, etc. and recreational component projects like Waterfront Park (Lombardi's) and Indian Creek Boat Ramp. He said NRDA projects have to increase direct activity or improve water quality for the gulf. Mr. Barrett reported there is a beach renourishment project being done at Shell Point in Wakulla County and a beach stabilization project with recreational components currently underway in Destin but straight beach renourishment projects have been unacceptable. He stated other programs have different qualifications for how the projects are selected. Commissioner Sanders stated all these projects are being done by other agencies and the County does not know what the projects will be but some are going to be too little too late. She said they have seen dramatic changes in the last 10 years in Apalachicola Bay and they are going to do what they have to do to take care of the bay.

Mr. Moron read the following item from his report:

3. Department of Environmental Protection NRDA projects update:

- Indian River Creek boat ramp was the first of the NRDA projects that went to bid. H. G. Harders was the low bid of \$529,589.00 and will be awarded the construction contract. Construction should start in October.
- There was only one bid received for Waterfront Park (Lombardi Park) in the amount of \$594,135.00 from North Florida Construction. DEP will rebid that project with the hope of receiving more competitive bids.
- All permits have been received and plans along with specifications are 100% complete for the St. George Island Fishing Pier Restroom and the Eastpoint Fishing Pier Restroom projects however, there will be a slight delay in advertising these projects. The FDEP Division of State Lands has determined that the State, not the County, still owns the property where the restrooms will be constructed. Mr. Curenton has been in contact with Mr. Brad Richardson of DEP who will get the appropriate information on the Board of Trustees for State Lands October meeting agenda. It is unclear at this point if the State will retain ownership of the property but authorize Franklin County the use of the property and then approve the request for the restrooms or transfer the property to Franklin County.
- DEP informed staff that the total cost of the projects was \$927, 849.85 over budget. Based on discussions with Mr. Jim Oskowis, the project manager, and after conferring with Commissioner Jones, I decided to indefinitely suspend the Seawall Replacement project which is next to the boat ramp on St. George Island. This action would reduce the amount of our deficit to \$337,154.60 which is an amount that DEP is willing to allow implementation of the remaining projects. Mr. Pearce Barrett of DEP, who is on today's agenda, is available to answer additional questions regarding these projects.

Mr. Barrett stated the \$927,000 over budget is for all Franklin County projects. He explained one reason for this increase is construction prices have increased and very seldom do the projects come in under budget. He explained they are trying to utilize interest monies that have been accumulating to offset some of these costs. He reported some projects have been completed by counties, agencies or cities with their own funding or just dropped so that will also change the amount needed. He reported they are trying to make up the funding because they are only given a certain amount of money by BP and this will not increase. He explained if the seawall project is suspended indefinitely then those funds will be used to get the other projects done. Mr. Barrett said the living shoreline is not included in this amount as it is not a county project and it is not expected to do over budget. Commissioner Lockley asked if they only have a set amount of money to spend in Franklin County. Mr. Barrett stated the amount of money is the money requested in the projects submitted by the County. Mr. Barrett reported the problem is bidders are attending the pre-bid conferences but most of them are not bidding on the projects. He explained the bid received on Lombardi's was high based on the budget and the architects are re-evaluating their designs and the project may be re-bid.

Commissioner Lockley questioned if the costs have gone up that much. Mr. Pierce reported the estimates were submitted 3-4 years ago. Mr. Barrett agreed the state started receiving applications in 2011. He stated some of the projects were projects counties planned but could not afford and the cost estimates are 8 years old. Mr. Pierce reported the county had a short time frame to prepare the estimates and the estimates were not engineered to details. Chairman Parrish expressed concern that if someone takes oysters from the living shoreline and sells them in a bag and someone gets sick; the illness will still count against the State of Florida. He went on to say if they get over a certain threshold then FDA will come down and impose additional regulations. He stated he is not opposed to living shorelines but worries about the impacts if they are accessed and sold as a consumable product. He reported signs must be placed on both sides of the living shoreline as it can also be accessed from the land. He said this area must be closely monitored. Mr. Barrett stated they respect his concerns and have the same concern and do not want to harm the oyster industry. He reported they think the living shoreline is a better option than the hard structures they have seen in the past. He explained the final designs will be brought to the Board and any suggestions they have on the signage will be taken into consideration. He stated the living shoreline will be monitored by staff for 10 years. Mr. Barrett reported the oysters do not usually grow to commercial grade size on this type of breakwater as it goes in and out of the water.

The meeting was recessed at 10:40 a.m.

The meeting reconvened at 10:55 a.m.

Lisa Bretz – Area Agency on Aging – Request

Mrs. Bretz informed the Board she is working with the three entities that are working to coordinate services for the seniors in the county. She said she is working with the Liberty County Senior Citizens who is the lead agency under the Community Care for the Elderly Program. She explained they are coordinating all home and community based services that are grant funded through the Department of Elder Affairs. She reported she is also working with the Franklin County Senior Center and Elder Care Community Council (ECCC) of Franklin County. Mrs. Bretz said together they have developed a cooperative agreement to demonstrate they are working together and coordinating a system of care to insure all senior citizens in Franklin County will receive appropriate services and access to services through information, referral and outreach. She reported a copy of this agreement was sent for the Board's review. Mrs. Bretz explained two signatures have already been obtained and she will get the Liberty County Senior Citizens to sign. She stated this does not include funding that is associated with services to be delivered as that will be addressed under separate Memorandums of Agreement (MOA's). She informed the Board she is in negotiations with ECCC. She pointed out the Franklin County Senior Citizens Council and ECCC are providing volunteer services to support the senior citizens. She went on to say they do not have paid staff delivering services so any money they receive goes to support facilities, bring in guest speakers or provide space. Mrs. Bretz said ECCC will be a newly funded program and are already providing a wealth of services

at Holy Family. She reported hopefully they will bring everything back to Holy Family from the Armory. Mrs. Bretz said they are working hard to make sure senior citizens know how to access the services and all 4 entities are working to promote the elder help line. She explained this telephone number is important because senior citizens are screened for services they may be eligible for including Medicare Managed Long Term Care. She said not only do they provide local services to promote engagement of seniors and healthy eating but also make sure they have access to other services that may help them for their long term care. Mrs. Bretz reported two of the entities are present but Liberty County Senior Citizens are not present. Chairman Parrish asked if this agreement is to deliver products to seniors. Mrs. Bretz agreed they are working together to provide services to seniors. She offered to answer any questions. Chairman Parrish asked if her recommendation is to enter into this agreement to provide a coordinated effort to provide services to the senior citizens. Mrs. Bretz explained there are many entities providing services to senior citizens and this document brings this information together and provides evidence of this coordinated effort. Commissioner Jones thanked all the entities for their work. He questioned if this will address the problem of overlapping services and make sure no one falls through the cracks for services. Mrs. Bretz agreed this is the reason for the agreement. Commissioner Lockley asked if they got the costs down at Holy Family as the money should be used for the people. Mrs. Bretz reported the City of Apalachicola sees the value in the services ECCC are providing and they have established a great working relationship with them. She stated her agency is not involved but she believes this will work out. Commissioner Sanders asked if the ECCC is doing meals on wheels and will they continue to do meals on wheels in Carrabelle. Mrs. Bretz answered yes and said for home delivered meals Liberty County Senior Citizens has the contract under the Older Americans Act. She reported ECCC has been providing meals for community residents that come to Holy Family and have not requested any reimbursement and are not receiving any money under the Older Americans Act. She explained they are working on a Memorandum of Agreement (MOU) for them to receive money that the County has already allocated for her agency to administer. She stated they are advertising the elder help line and working together to make sure the senior citizens are receiving the appropriate services. Commissioner Massey asked if they are working with the senior citizens in Carrabelle and if they are happy. Mr. Rick Moore, Franklin County Senior Citizens Council, answered somewhat happy. Commissioner Massey asked for any comments at this meeting when everyone is together so he will be aware of what is going on. Chairman Parrish stated the Elder Help Line is 1-800-963-5337. **On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to approve the Cooperative Agreement.**

Marcia M. Johnson – Clerk of Courts – Report

Clerk Johnson did not have a report at this time.

Public Hearing (Local Planning Agency) – Six Month Moratorium on All Applications for Development on an area generally described as the area between 3rd Street West and 3rd Street East, St. George Island

Chairman Parrish recessed the Board of County Commissioners meeting and convened the meeting of the Local Planning Agency (LPA). He reported this public hearing is for a six month moratorium on all applications for development in the area generally described as the area between 3rd Street West and 3rd Street East, St. George Island. Attorney Shuler stated this is the meeting of the LPA and the Board of County Commissioners acts as the LPA. He explained the primary purpose is to receive input and advice from their planning attorney, Mr. David Theriaque, to receive public comment and also to have Board discussion. He reported they will not be voting as the LPA to approve the ordinance. He stated they will then close the LPA and go into a public hearing as the County Commission and they will go through a similar process and then will be voting one way or the other. Mr. Theriaque explained the Board has before them a 6 month temporary moratorium on certain categories for applications for development approval essentially to protect the gateway to St. George Island. He reported a moratorium is a planning tool or timeout used to allow a local government to adopt rules and regulations to address particular issues that are of concern to the community. He went on to say he has worked with other governments on moratoriums and it is nothing more than a 6 month timeout to allow time to draft regulations to protect a particular issue. Mr. Theriaque stated in this case the moratorium is designed for a timeout to draft regulations to protect the character and gateway for St. George Island. He read the areas covered by the proposed moratorium and the areas exempt from the proposed moratorium. Mr. Theriaque read the following section on Page 2 from the proposed ordinance:

Whereas, for the purposes of this Ordinance, the phrase “application for development approval” shall include, but not be limited to , any application and/or request for a site plan approval, a building permit, and a change of use, but shall exclude all building permits for the maintenance and repair of existing structures, and the replacement of existing structures.

He recommended the Board change the end of this section to read the “the replacement of existing structures damaged by a storm or a fire”. Attorney Theriaque advised the Board this would stop anyone from bulldozing down an existing structure and claiming to be exempt from the moratorium. He reported there are alternatives and he presented maps showing the proposed area and an amended overlay area. Attorney Theriaque said the Board can go with the 2,100 ft. radius or can refine the scope of the moratorium. He explained this is a well established planning tool and the question is whether they want regulations to protect the gateway to St. George Island. He said if they do allow time for staff to draft regulations then that is their threshold and they will have to determine the area to be covered by the moratorium. He offered to answer any questions. Chairman Parrish asked where the boundaries are for the commercially zoned properties on St. George Island. Mr. Pierce stated 3rd Street to 3rd Street. Attorney Shuler agreed it is from 3rd Street to 3rd Street and everything outside of this area is residentially zoned properties. Attorney Shuler presented a map to the Board members. Attorney Theriaque reported this will also captures re-development. Chairman Parrish asked if his recommendation is for replacement to be if it was caused by damage from a fire or a storm. Attorney Theriaque agreed this should be changed to make it a natural disaster and not if a property owner bulldozes a structure and claims to be exempt from

the moratorium. Commissioner Lockley questioned if this takes more than 6 months to address. Attorney Theriaque reported the Board can extend the moratorium or the moratorium could expire. He went on to say sometimes it will be extended but he has rarely seen it go longer than 8-9 months. He pointed out the County is not looking at a large geographical area and are only addressing the areas where someone coming over the bridge is making landfall. He said in this case they are not setting regulations for an entire community but only for the business district and he does not think they are looking at a long time if they decide to enact these regulations. Chairman Parrish reported there has always been a concern about the business district on St. George Island. He stated they are trying to balance property rights with what people who pay taxes there want to see. Chairman Parrish asked for public comments. Mrs. Joyce Estes, a business owner on St. George Island, presented photographs of her business and derelict buildings around her property. She said something needs to be done about the zoning in the business district. She informed the Board her property is on Pine Street outside of this area. She reported they need a zoning ordinance of some kind to address the derelict buildings. Mr. Olivier Monod, a business owner on St. George Island, stated the Island provides an enormous amount of county revenues and whatever is done on the Island will have impacts on the whole county. He pointed out the first impression is key to the Island and the county. He agreed they need to rethink the St. George Island commercial district for the benefit of the islanders and the county and now is the time to address it. He volunteered to serve on a committee if the Board decides to appoint a committee to address this matter. Mr. David Duncan, owner of a construction company, said it will cost the county money if someone opposes this action and the Planning & Zoning Commission and the Board is in place to address these issues. He reported addressing the whole area does not solve the problem and this moratorium may go on for a year or two. Mr. Duncan stated the County has a moratorium now as he submitted a site plan last week and was told they are not considering anything so they are already stopped from working. He explained the County can still make decisions on individual properties. Mr. Mason Bean, a resident of St. George Island, stated the County has existing zoning C-2, C-3 and C-4 although the C-4 does need re-writing. He asked the Board not to neglect the boat basin because the Island needs a safe harbor. He said they do not need a moratorium and asked the Board to vote no. Mr. James Donald, a property owner on St. George Island, stated he supports the moratorium and wants to be part of the discussion. Ms. Tara Wah, a property owner on St. George Island, reported St. George Island has the highest density of loggerhead turtle nests and any tall building in the commercial area will seriously impact the sea turtles. She requested the Board not consider any more high rise buildings. She suggested commercial interests would have better visibility if they were placed in Eastpoint. Mr. Kirshenbaum suggested they let the developer make money by using county and state money to buy the development rights for the property. Ms. Debbie Flowers, a resident of St. George Island, stated she supports the moratorium and asked the Board to consider this for the Island and Franklin County. Ms. JoEllen Pierman, a resident of St. George Island, said she supports the moratorium. She explained anytime they consider something for the island, they must consider the traffic, sewer and power because there is just so much room and it is getting overwhelming. She reported people come to the island for peace and quiet and it is going to be gone if they are not careful. Mrs. Martha Hodge, a resident of St. George Island, stated she

supports the moratorium. She asked the Board when they define who will be planning the commercial district to include some seasoned as well as new homeowners even though they are not business owners because they have a vested interest. Chairman Parrish stated the Board has not appointed a committee or decided if there will be a committee. He reported there will be public hearings through the Planning & Zoning Commission so people will have a chance to have their feelings known in relation to what the island should look like. Mrs. Anna Carmichael, a business owner on St. George Island, said she represents the St. George Island Business Association and they support the 6 month moratorium and ask if there is a committee formed their voices are allowed to be heard. Mr. John Neisler, a property owner on St. George Island, expressed concern that he owns commercial property in this area and pays taxes and wants some assurance his property is not going to be deemed worthless. Chairman Parrish explained this is a planning tool and at the end of the moratorium they will have regulations on what can and can't be done in this area. Ms. Bonnie Ison, a resident of St. George Island, presented pictures of the island and said they want to preserve the integrity of the island. She said they moved here because of the beauty of the island and they are voting no to an RV Park at the entrance to the island and no to increasing the heights of the buildings. Mr. George Floyd, a property owner on St. George Island, said he appreciates everyone being here and wanting to keep St. George Island a beautiful place but this obviously affects his property. Mr. Floyd reported this property was purchased to have an extension of the maritime museum. He described the work done to this site and the plans for his property. He said his website is listed in the Coastline Magazine and shows these plans. Chairman Parrish asked Mr. Floyd to make his comments on the moratorium issue. Mr. Floyd stated he read the second draft of the Ordinance and the assurances made at the last meeting that individuals would be able to maintain their commercial properties is not in the new version. He stated the only exempt properties are R-1. Attorney Shuler reported the original ordinance is the one that was put on file with the Clerk. He explained at the first public hearing there was some discussion between him and Attorney Theriaque and they noted there needed to be a provision to repair and maintain existing commercial buildings. He said as discussed today they also knew if they had to replace a building due to a natural occurrence such as fire or storm damage they would need to be able to pull a permit. He reported the ordinance if adopted would have this provision in its final form. Mr. Theriaque provided Mr. Floyd with a new draft of the ordinance. Mr. Floyd asked if there is a change in the administrative remedy. Attorney Theriaque answered no. Chairman Parrish reported he asked everyone to limit their comments so everyone would have an opportunity to speak. Mr. Floyd said there are a lot of points that need to come out that have impact on property owners. He stated the administrative remedy will be very hard to access. He went on to say the County is the one who reviews whether the administrative remedy is approved and there are only 10 days to respond if there is a denial. He reported 10 days is a short time frame to respond to denial of an administration remedy. Mr. Floyd stated there are conflicts with the 2,100 ft. radius and now the additional maps are confusing. Mrs. Estes asked the Board to clarify which map is being used. Chairman Parrish reported the Board has not made a decision and is still taking public comments. Mr. Floyd said the other element is if there is an impairment of right or use and removal of the property right. He discussed the reverse condemnation process where a lawsuit is required to be filed to address the loss of

property rights and property values and said they will be forthcoming. Mr. Floyd reported he is not in favor of the moratorium. He suggested the Board consider a moratorium for Eastpoint as it is the initial view and people travel there before coming to St. George Island. He closed by saying they have done a lot to try and bring about a harbor and it was approved by the Board of Adjustment and the Planning & Zoning Commission. He reported it was subsequently delayed and then denied by the Board of County Commissioners. He went on to say it would have been a beautiful addition but the only way he had to get value from his property was the proposed RV park. He stated he would like to get the harbor plan back on the table and approved. Ms. Jessica Sparks, owner of Paddy's Raw Bar, said she supports the moratorium and they need control on what goes on the island. Mr. Kevin Jolly, a property owner on St. George Island, reported St. George Island has a great brand and he encouraged the Board to keep it the way it is and said he supports the moratorium. Attorney Theriaque clarified the three areas the Board can consider if the moratorium is adopted. Attorney Shuler explained these areas on the map. Attorney Theriaque reported the County has existing regulations but what communities do with the overlay districts is make the gateway unique to St. George Island and puts in place conditions. He went on to say they will protect what they have and establish the brand with a common theme if they adopt the moratorium and start the process of the overlay. He said this is a pure policy call for the Board and he can defend this matter in circuit court if litigation is brought to challenge it. He pointed out additional architectural regulations do not create an inordinate burden so there will not be a legitimate Bert Harris claim. He said additional architectural regulations also do not take away all use. Attorney Theriaque reported creating the brand usually increases the property values. Attorney Shuler advised the Board if there are no more comments to close the LPA meeting and open the public meeting. He explained at the time the Board will be in a procedural position to receive further public comment and then the Board will discuss the moratorium and make a decision whether to enact the moratorium and decide which geographic area they want the moratorium to cover. He cautioned the Board the moratorium cannot go outside of the radius. Chairman Parrish closed the LPA meeting.

Public Hearing (Board of County Commissioners) – Six Month Moratorium on All Applications for Development on an area generally described as the area between 3rd Street West and 3rd Street East, St. George Island

Chairman Parrish reconvened the meeting of the Board of the County Commissioners. He asked for public comment. Mrs. Estes asked the Board to consider the zoning and not let the property be derelict. There was no additional public comment. Attorney Shuler instructed the Board the two things they have to decide is if they want the moratorium and the location that would be included. He referenced the areas on a map. Commissioner Jones informed the public this is not a small matter to consider and there are a lot of things and people involved. He said there are times of difficult decisions and he must represent all the people and he thinks they would best be served with a moratorium in place for 6 months. **Commissioner Jones made a motion to enact a moratorium from 3rd Street to 3rd Street. He said they do not need to leave part of the business district out of this moratorium.** Attorney Shuler clarified the area will be from 3rd Street to 3rd Street from Apalachicola Bay all the way to the Gulf of Mexico.

Commissioner Jones agreed this is correct. Attorney Shuler pointed out the area on the map. Commissioner Jones agreed this is the correct area. **Commissioner Massey seconded the motion.** Commissioner Lockley said he does not understand and wants to know what will happen during the moratorium and what it is for. Attorney Shuler explained he has not received specific instructions yet but generally the concept moving forward is during the 6 months moratorium there will be a planning process in place where the county planning staff in conjunction with the Planning & Zoning will conduct a series of public hearings to create a proposed zoning overlay to create additional requirements on how people want to see this area developed. He reported eventually it will come back to the Board in the form of an ordinance for consideration on whether to adopt it or not. He stated the purpose of the moratorium is to preserve the status quo during the 6 month period with a provision that people that need to pull repair permits and replace buildings if damaged by natural occurrences such as storm or fire can do so. He pointed out if this cannot be done within the 6 months then it may be extended. Attorney Shuler reminded the Board there is currently a 9 month moratorium in place on medical marijuana regulations. He reported staff will work in good faith to bring an ordinance back within the 6 month period so the Board does not have to consider extending the 6 month period. Commissioner Lockley said people want to be involved in this process and he wants to know who is going to be involved. Attorney Shuler stated the Board has not made a decision on forming a citizen committee and his recommendation is to rely on professional staff, the Planning & Zoning Commission in conjunction with public hearings so they receive input from the public. He recommended County staff be the lead agency controlling the development of the regulations and conducting public meetings and receiving public comment. Commissioner Jones explained to his knowledge there has never been a plan in place for St. George Island and there was some area designated for a business district but it has been wide open. He said this is an attempt to take the time to enact the best plan possible for the area. Commissioner Lockley stated the County has rules and regulations in place now but there will always be changes. He reported he is not in favor of high rises but is also not for telling people what to do with their property because he believes in property rights. Chairman Parrish said he is glad the area is from the bay to the gulf because it is all inclusive and does not discriminate. He went on to say it covers the total commercial area on the island. **The motion passed by the following vote of the Board:**

AYE: JONES, MASSEY, SANDERS, PARRISH

NAY: LOCKLEY

The meeting recessed at 12:17 p.m.

Mr. Moron recommended the Board recess for lunch and return at 1:30 p.m. for the Executive Session. He recommended after the executive session the Board can meet to complete the remaining items from the regular meeting. He reminded the Board they also have a Budget Hearing at 5:15 p.m.

Chairman Parrish reconvened the regular meeting.

Alan Pierce – RESTORE Coordinator – Report

Mr. Pierce appeared before the Board and read the following report:

1- Inform the Board that I attended a TRIUMPH Board workshop in Destin at the request of the Chairman. The workshop was for the purpose of the TRIUMPH Board to discuss the application process they will use. As the Board began to get into details regarding the type of economic assessments they wanted as part of the application, I spoke briefly at the meeting about Franklin County's limited staff and our difficulty in developing economic data on our own. At the end of the meeting there was a discussion by some of the Triumph Board that perhaps they should set aside some funds for the smaller counties to hire professionals to assist in the application process. The TRIUMPH Board will meet again in Sept., but I expect it will be the October meeting before they finalize the application process.

I do agree with the Chairman that it is going to be a good idea for Franklin County to attend as many TRIUMPH meetings as possible. This is my analogy- There are 8 counties to which the TRIUMPH funds are directed; that is analogous to 8 students in a class. If the TRIUMPH Board is seen as the instructor, and there are only 8 students in the class, it is pretty obvious when one of the students does not show up. Now mind you, there are plenty of consultants and lobbyists at the meetings, but it is the counties to which the money is directed.

Also, Board action to reimburse me for travel to Destin for the meeting.

Mr. Pierce stated he will be out of the county in October. He said the Triumph Board may not meet as often once the application process is completed. **Commissioner Sanders made a motion to reimburse Mr. Pierce for travel to Destin for this meeting. Commissioner Lockley seconded the motion.** Chairman Parrish said he spoke at the meeting and told them the County would need extra time to develop projects because they are a smaller county and have limited resources. He stated information has been received about the hiring mechanisms to help them hire consultants. He said the County will advertise a Request for Proposals (RFP's) and select a consultant. Chairman Parrish reported Senator Bill Montford and Representative Halsey Brashears are in favor of this item. He stated he expects them to set aside some funds at the next meeting for Wakulla County, Gulf County and Franklin County as they have limited resources and may need assistance to put these projects together in a timely manner. Mr. Pierce explained it will be difficult for the Triumph Board because they do not have staff. He said they will have to hire someone to review the applications once they approve the application process. Chairman Parrish reported sustainability is also a big issue. He pointed out the school board and municipalities are eligible to submit projects but they must be reviewed by the County Commission. He stated the county can issue a letter of support or opposition. He reported it is up to the Triumph Board if they want to fund the project or not but the letter of

support is very advantageous for the applicant. He went on to say they must have a plan and sustainability and the money must be repaid if the projects does not do what they say they will do. Commissioner Sanders reported Escambia County, Santa Rosa County, Okaloosa County and Walton County have big name companies and Wakulla County and Franklin County do not have big name companies. She explained these bigger counties are looking at public/private partnerships that small counties do not have accessibility to. Commissioner Lockley asked if there is a limit on the money. Mr. Pierce explained the Legislature set aside a minimum of 5% for each county so Franklin County is entitled to \$15 million at a minimum subject to meeting the standards they set. Chairman Parrish reported it could be more but a private match is also a component just like it is with the County Restore funds. He stated the smaller counties are hoping to use an in-kind match. Commissioner Lockley asked about the remaining meetings. Chairman Parrish said there is not a schedule they just send an email when a meeting is scheduled. Mr. Pierce reported the next meeting is September 13th and he may attend. He said the October meeting may be in Wakulla County or Franklin County. Mr. Pierce stated they are meeting once a month until their system is up and running and then they may meet quarterly or when they have grants to approve. Chairman Parrish reported some of the bigger counties to the west have had projects done for 3 years and are ready for the money. He explained Franklin County is part of the 8 counties and have needs but are not able to react as fast as other counties that have the resources so he wanted to get this message across to the Triumph Board. **Motion carried; 5-0.**

2- Inform the Board that Mr. Kal Knickerbocker, DACS, visited Franklin County last week and met with Chairman and I in response to the Board's recent letter. It was an open ended discussion where a lot of issue where raised, and none were solved. DACS does have a large scale barge shelling project starting in September and it will end in December. They are planning on putting substrate on approximately 300 acres of oyster bottom. As the Board is aware, the oyster industry continues to be harmed by the lack of freshwater, and now oyster predators, which thrive in a salty environment, are decimating many of the oyster bars.

Mr. Pierce reported the winter oyster bars opened on September 1st and the news was not good.

3- Inform the Board that the Chairman signed the HMGP application for the acquisition of 6 acres of property on Alligator Point currently owned by Capital City Bank. In accordance with the Board's previous directions, no county funds are going to the Bank. The county has asked for an advance of funds from FEMA for the closing so that no county funds are even used in the interim. The tentative closing is set for Friday, Sept. 8. The acquisition will resolve long standing litigation between the county and Capital City. A hard copy of the HMGP application has been put in the Board file. Board action to ratify the application submission.

On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to ratify the Chairman's signature and the application submission. Attorney Shuler explained the settlement agreement is being drafted and is not in final form at this time. He said if they are successful the closing will occur before the next meeting so he requested the Board approve the Chairman signing the settlement agreement if they can work out all the details. **Commissioner Massey made a motion to authorize the Chairman to sign the settlement agreement. Commissioner Sanders seconded the motion.** She stated not one dollar of ad valorem tax money is going to any part of this. Attorney Shuler agreed this is included in the proposed mediation agreement. **Motion carried; 5-0.**

4- Inform the Board that Pam Brownell and I have agreed on the Request for Qualifications for Engineering Services for FEMA Funded Recovery Efforts. This RFQ was necessary in order to insure compliance with new FEMA guidelines for reimbursement. Pam will run the ad in accordance with FEMA guidelines. The deadline for applying will be Oct. 13, and the Board will open the responses on Oct. 17. It will be our recommendation then to turn the responses over to a committee of Michael Moron, Mark Curenton, and myself, for review and a recommendation to the Board. It will be our intention to have a firm selected at the Nov. 7 Board meeting.

Mr. Pierce reported the ad is being placed in The Tallahassee Democrat and meets FEMA guidelines.

5- Inform the Board that FEMA has sent the PW for engineering services for the reconstruction of Alligator Drive to the county for signature. Pam will sign the PW on behalf of the county as EM Director. FEMA is allocating \$344,000 for engineering and design for rebuilding the road in accordance with the design I have previously discussed. The design can get started once the county selects a firm based upon the RFQ mentioned above.

Mr. Pierce stated Mrs. Brownell also has a PW for \$3.1 million to rebuild the road and will sign that PW also. He was not sure if FEMA would process this PW when the Environmental Assessment (EA) has not been done. He reported if they do the County will get started as soon as they have a permit.

6- Inform the Board that at some point in the next few Board meetings, the Board may notice in its bill payment some \$31,000 going back to the State of Florida. This will be a repayment of funds that FEMA sent down for repairing a section of Gulf Shore Blvd that we cannot repair. After Hurricane Hermine, I made a request that FEMA review the damage to Gulf Shore Blvd, just to keep intact the record of continuing damage on that road. I thought I had adequately explained that the county cannot repair the road in its current location because of FDEP, and that I was not seeking funds for a repair, but I just wanted to document the damage. Apparently you cannot document damage and then not receive

funds to fix it. So, the county will have to return the funds, or see if the funds can be applied to other funds already obligated to the relocation of Gulf Shore Blvd.

7- Inform the Board that while the Environmental Assessment of Gulf Shore Blvd is complete, the scope of work to allow us to relocate the road is still going through the FEMA system, attached to my report is a copy of the request from the state to FEMA to allow for some previously obligated funds of some \$400K to be used to finish the Gulf Shore Blvd relocation.

8- Inform Board that the Environmental Assessment (EA) for the repairs to Alligator Drive is continuing to move forward. I have reviewed the draft FONSI- Finding of No Significant Impact. The draft continues to recommend the design preferred by the county, which is repair of the road in place with sheetpile on the waterside, and a concrete cap on either side of the paved road. The project does not include any beach renourishment. Please find attached the FEMA Scoping letter that was sent out to all interested parties.

9- Provide Board with copy of Resort Village Status Report. This is a report required by the state, with a copy sent to the county. As the Board is aware, Resort Village has reduced the number of lots through consolidation, and has sold a number of lots to the Plantation Owner's Association for open space. There is no action needed.

Michael Morón – County Coordinator – Report

Mr. Moron appeared before the Board and presented his report:

1. At your last meeting, the Board opened Request for Qualifications for Construction Engineering & Inspection (CEI) services for the Mill Road paving project. The review committee ranked the firms in the following order: #1 Alday-Howell Engineering/Southeastern Consulting Engineering, #2 Panhandle Engineering, #3 Anchor CEI. Board action to start negotiations with Alday-Howell Engineering/Southeastern Consulting Engineering for CEI services for the Mill Road paving project.

On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to begin negotiations with Alday-Howell Engineering/Southeastern Consulting Engineering for CEI services for the Mill Road Paving Project.

2. Board action to authorize advertising for sealed bids for approximately 1.67 miles of widening and resurfacing and 3.10 miles of new construction, striping, signs, minor drainage improvements and grassing along Mill Road beginning at the intersection of State Road 30 and continuing towards Burnt Bridge Road. The sealed bids will be due by 4:30 p.m. on Monday, October 16, 2017 and will be opened and read aloud at your Tuesday, October 17, 2017 regular meeting.

On motion by Commissioner Massey, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to authorize advertising for sealed bids for this project.

3. This item was addressed earlier in the meeting.
4. At your August 15 meeting, I informed the Board that Mr. Gordon Hunter expressed interest in serving on the Airport Advisory Committee (AAC). At that time, the Chairman directed Mr. Jason Puckett, your Airport Manager, to present a list of the current members serving on the committee and their attendance record (included in your packet) before considering adding any new members. After reviewing this list and having discussions with Mr. Puckett there is a need for the Board to consider reorganizing the AAC. Based on information received, I recommend changing the make-up of the AAC to allow each Commissioner one appointment which would create a five-member committee. These appointments could be from current or new members, and preferably are County residents. In addition, we could add the role of AAC Administrator to the Airport Manager's duties which would have him creating the agendas, keeping the minutes, and presenting AAC recommendations to the Board of County Commissioners for discussion and/or approval. Board discussion.

Mr. Moron reported based on the instructions he talked with Mr. Puckett and Mr. Ted Mostellar presented the absences for the AAC. He stated the AAC needs to have regularly scheduled meetings and they need to be placed on the calendar so everyone knows when the meetings are. He explained a couple of the members of the AAC do not live in the county and he has never known the Board to have an advisory board with members who live out of the county. He suggested each Board member appoint someone to this committee and present it to him at the next meeting. He said the Board can create a new committee either with existing members or new appointees and let Mr. Puckett take a bigger role because the AAC has no administrative help. He stated Mr. Puckett could be responsible for the agenda, for preparing the minutes and for presenting a report to the Board. Mr. Moron said he does not like the structure of the AAC and would like the Board to consider this change. He reported the Board can submit the names to him and he will have a list at the next meeting. Chairman Parrish agreed this is a major problem when there are 11 or 12 members and people do not show up and there is not a quorum. Commissioner Sanders stated they have not had a member from the eastern end of the County in a long time and she had a problem with it. She said she is in agreement with this suggestion and also the requirement that the person be a county resident. Commissioner Sanders reported they need to proceed with Mr. Moron's recommendation. Mr. Steve Kirshenbaum, a member of the AAC, said this is the first he has heard about this and Mr. Moron's suggestion was done without any input from the AAC. He said there are only 6 members on the AAC but historically there were 9 members. He stated Mr. Franklin Stephens, AAC member, missed a meeting because Mr. Puckett did not have his correct contact information. He suggested the AAC have monthly meetings and have a rotating Commissioner attend these meetings. Mr. Kirshenbaum said Mr. Puckett is a nice guy but lives in Georgia and cannot make every meeting. He agreed it would be good if Mr. Puckett handled the

administrative duties as the meetings were not run right and no minutes were taken. Mr. Kirshenbaum stated he would like to see economic development on this site and expressed his opinion that the airport is the most important economic project in the town. He reported Mr. Mostellar was the former airport manager and he would like to see him stay on the committee. He reported normally the airport manager would be based at the airport and would be the eyes of the county and he would like to see that happen. He stated he would like to stay on the AAC. Mr. Kirshenbaum reported an enterprises zone should be considered for the airport because it would give tax incentives for businesses. Chairman Parrish said there is not zoning at the airport. He reported people moved near the airport when it was dormant and now if they adopt airport zoning it would impact people who live in this area. He explained they cannot commit to everything that would be done at an airport because there are people who live there that must also be represented. He said some of the items they are discussing would have an adverse affect on the community. Chairman Parrish stated AAC members are not authorized to contact FAA and DOT as that is the job of the Airport Manager. He stated the Board hired the Airport Manager and even though he does not live here he is doing a good job. Chairman Parrish said they all want to generate jobs but it has to be done right. He stated there are a lot of issues and they need to understand where the community wants this to go. He reported there was a time when people wanted to shut down the airport and they are trying to make this work for everyone. Chairman Parrish explained all the Boards are set up with each Commissioner making an appointment so the entire county is represented. He went on to say there may be one at-large member. Commissioner Sanders said she was present when they presented the airport overlay and she agrees completely with Commissioner Parrish. Mr. Kirshenbaum reported they just want to let the Board know what the opportunities are at the airport. He discussed a noise mitigation study that could be done at the airport and the FAA would provide windows and storm doors for homes. He said the right people are needed on the AAC. He stated there are no jobs and they could start an educational facility on this site. Commissioner Lockley said Mr. Kirshenbaum is his representative and he would like to keep him. Mr. Moron stated Mr. Puckett attends the second Board meeting of the month to provide an update. Commissioner Massey asked about the Board appointments. Mr. Moron said the person does not have to live in their district. Commissioner Sanders pointed out the person needs to have some kind of knowledge about airports. Commissioner Massey stated he will appoint Mr. Mostellar. Mr. Moron asked the Board to send him the names and he will present the list at the next meeting and the Board can approve the list.

5. Inform the Board that I met with Ms. Mary Gavin and Ms. Shennena Forbes of USDA to provide an update on the Weems new building project. I informed them that the Board had engaged Community Hospital Corporation, based on Mr. Mark O'Bryant's (TMH) recommendation, to perform a full operational assessment of Weems which will be presented at the September 19th meeting. I further explained that it is Board expectation that there will be an "at-risk" long term lease agreement between the County, CHC, and TMH in the near future, and it is also the expectation of all parties that the new building project would move forward once CHC was given the opportunity to address the deficiencies found in the operational assessment. Ms. Gavin liked this plan of action and the efforts of all parties concerned to increase swing bed programs and increase the

rotation of specialty doctors in the County. She stated that USDA records indicate that we are starting the third year of our five-year timeline, which ends in August 2020, to begin the project and there is some documentation that is due, which will be stated in a follow up email from Ms. Forbes. I provided them Mr. Jim Coleman's number in case they had additional questions about CHC.

Mr. Moron stated he talked with Mr. Coleman and he is aware they have his contact information and will contact him.

6. Last Tuesday I was informed by Duke Energy that they filed a settlement agreement with the Florida Public Service Commission (FPSC) "that, if approved, would pave the way to a smarter energy future of Florida customers." I included an email in your packet that include some of the major components of the settlement agreement. Mr. Danny Collins, of Duke, would like to appear at an upcoming meeting to explain how some of these components may directly affect Franklin County.

Mr. Moron reported the City of Apalachicola is looking at a solar powered farm and this is included in the settlement agreement. Mr. Moron stated Mr. Collins will probably attend a meeting in the next month.

7. Board action to authorize a letter of support for Big Bend Crime Stoppers as they would act as the County's agent for the purpose of applying for and receiving funding from the State Attorney General's Crime Stopper Trust Fund. The Board supported this same request on November 18, 2014.

On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to authorize a letter of support for Big Bend Crime Stoppers to act as the County's agent for the purpose of applying and receiving funding from the State Attorney General's Crime Stopper Trust Fund. Mr. Moron said he checked with the Clerk about this item and she had no objection.

8. Inform the Board that I met with representatives from the Panhandle Players on Thursday, August 24th. The purpose of the meeting was to inform County staff that they are planning to replace the brown stage curtains with new curtains. Based on the agreement with the Panhandle Players (included in your packet Page 14 Item E & Page 15 Item F), they are required to store and maintain the curtains in a climate controlled room for the purpose of re-installation at a future date. At first glance the curtains didn't appear in any condition for reinstallation, so I asked Mr. Mark Curenton to inspect the curtains closer and he agrees that the curtains are in no condition for storage or re-installation. Would the Board consider authorizing Attorney Shuler to amend the contract that would allow the Panhandle Players to dispose of the old brown curtains but ensure that the new replacement curtains are County property once installed? Board action.

Mr. Moron said there is also a time limit on items installed and when they belong to the County. He stated if the old brown curtains are disposed of then the time limit should go away and the curtains should be the property of the county when they are put up. Commissioner Lockley asked if the curtains are going to be paid for when they are put up. Mr. Royce Rolstad, Panhandle Players Board of Directors, said the stage curtains costs about \$16,000 and blackout curtains are also being installed on the side windows so the total being spent on curtains is about \$27,000. **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 get with the Panhandle Players and do what needs to be done to accommodate them and allow them to throw the old curtains out.**

9. Inform the Board that TDC has submitted the pictures for the Florida Association of Counties (FAC) 2018 "Bodies of Water" calendar contest. I uploaded the pictures and provided a link so each of you would have a chance to review the pictures. I will submit these pictures tomorrow to FAC for consideration. I would like to thank TDC for their assistance, as they ran the contest locally on behalf of the County.
10. Inform the Board that the SHIP Program has received its state-wide allocation of \$94 million dollars. Of that allocation Franklin County will receive \$350,000. Mrs. Lori Switzer, the County's SHIP administrator can be contacted if you have additional questions regarding the program.

Mr. Moron said the Finance Office was notified that the State has given the Commissioners a \$1,000 raise. Commissioner Sanders reported their base salary now will be \$27,300. He said Mrs. Erin Griffith, Assistant Budget Officer, will have to bring this up at the budget public hearing today.

Commissioner Sanders brought into discussion the Carrabelle Beach Park. Mr. Moron said he will provide a revised timeline that has the project ending the end of September. Commissioner Sanders reported this project was supposed to be done before July 4th. Commissioner Massey said the windows are not in and the door is not up. Commissioner Sanders reported the Board needs to seriously look at this matter and how they are going to proceed with the St. George Island Bathroom Project. She said they need to look and see what the contractor is going to be liable for because people are contacting her and Commissioner Massey saying the county should not have to pay for everything because the contractor is late. Commissioner Lockley said there should be a penalty clause. Mr. Moron agreed there is one in the contract. He said the contractor paid for the port-a-potties and he thought that would have inspired him to finish the project but it did not. Commissioner Sanders stated the county went through Memorial Day, July 4th and Labor Day without the bathrooms and there is no reason why. **On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to write a letter to Mr. Poloronis and tell him they need the bathrooms fixed in 15-20 days.**

Michael Shuler – County Attorney – Report

Attorney Shuler said he will officially deliver to the Clerk the original letter dated August 16, 2017 that is a Notice of Claim and Intent to Sue Franklin County that was sent by Attorney Angela Morrison on behalf of her clients.

Attorney Shuler reported he received the original deed from the Florida State University (FSU) Real Estate Foundation. He stated they are conveying the property by quick claim deed. He said the property is Lot 13, Block V, Peninsular Point Subdivision recorded in Plat Book 2, Page 2. He explained this is a fractional lot at the intersection of Chip Morrison and Alligator Drive. He reported it is the northwest sliver and the county is already using the property for a rock revetment. Attorney Shuler stated the only caveat to the deed that he did not like and they modified was a right of entry and reverter. He explained this meant if the county did not leave the property in its natural state or improved it for any purpose other than a public purpose they could come back and re-take the lot. Attorney Shuler said he has them modify the language to make sure that public purpose includes public transportation infrastructure including revetments. He recommended the Board authorize the Chairman to accept the deed and then he will record the deed on behalf of the Board. **On motion by Commissioner Massey, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to authorize the Chairman to accept the deed.**

Commissioners' & Public Comments

Commissioner Lockley said he is a team player but this morning he voted against the St. George Island moratorium and it passed so now he will do his part. He explained they addressed the entrance to St. George Island but did not address the entrances to the rest of the county and he wants to know what they are going to do about the other areas. Mr. Pierce reported the main entrance points into the county are all agricultural land and have low density unless the property was rezoned. He stated St. George Island has a unique, high density zoning which is why they were concerned. Commissioner Lockley reported he was talking about future development. Mr. Pierce agreed this could be happen as St. Joe Company owns all the land west of Apalachicola. Commissioner Sanders stated they own 49,000 acres on the east. Commissioner Lockley asked if anything is in place if Summer Camp ever expands. Mr. Pierce said they have a Planning Unit Development (PUD) and it has guidelines. Mr. Pierce stated he is aware of the issues on St. George Island and it looks nice now but they want it to stay nice. Commissioner Lockley reported people were also talking about the RV Park which is not what the Board was addressing.

Mr. Jessie Page and Mr. Paul Polous said they are interested in getting an oyster lease at Alligator Harbor. Commissioner Sanders reported there are already 46 leases and when she inquired about 6 months ago none of the leases were open. Mr. Polous stated they must have Board approval to get a lease. Commissioner Sanders reported individuals are working the existing leases. Commissioner Sanders explained in 2000 or 2001 the County asked for a preference for Franklin County residents first and then Wakulla County got the second preference. She reported the County has never written a letter but they supported the project

back then. She said if no one has given up a lease then they may need to contact the Division of Aquaculture. Mr. Polous said they told them they can apply and find a plot there and have the state give them more lease land but they have to get approval of the Board. Commissioner Sanders asked who provided this information. Mr. Polous answered Mr. Bob Ballard. Commissioner Sanders stated that is for Wakulla County. Commissioner Massey reported that is for Skipper Bay. Chairman Parrish said they want 2 more leases in Alligator Harbor. Commissioner Sanders said there are no more leases available. She explained Mr. John Gunner, DACS, said they would look at more towards Carrabelle but she does not know what they have done. Commissioner Massey said he thought the poles in front of the school were supposed to be oyster leases. Chairman Parrish agreed they are for oyster leases. Commissioner Sanders said this item was years before she was on the Board and people were very upset and it was wild harvesting versus aquaculture. She stated these leases have never been opened because it was so controversial. Mr. Pierce reported in all instances DACS has determined what was suitable for leasing and then told the County. Mr. Pierce agreed to contact DACS and find out about the leases.

Mr. Ashley Teat, a resident of Apalachicola, said the county can save money on homeowners insurance if they have the annual fire inspections. He reported they need to inspect all development to make sure they are in code. He said they are not doing this now and he wishes the County would give someone the opportunity to do this. He asked the Board to give this program a chance and said fees can be charged for these inspections. He offered to spearhead a program with fire departments for fire prevention and firefighter safety. Commissioner Lockley made a motion to make Mr. Teat a fire inspector. Commissioner Massey asked where the money is coming from and if he will work on fees alone. Mr. Teat said he would need a salary but the fees can help with the salary. Chairman Parrish reminded the Board this part of the meeting is for public comment and the Board does not take action during the portion of the meeting. Chairman Parrish said this could be addressed at another meeting.

Commissioner Jones reported a month and a half ago the Board had a discussion about private roads that need work. He stated at that time it was mentioned that on one street it was a problem with Eastpoint Water & Sewer District and they had not taken care of the problem after they did work there. He said in the last month at the expense of the Eastpoint Water & Sewer District, Coastline Construction worked on the road at a cost of \$12,000-\$15,000. He stated it rained and they had to repay to have the work done again and they have done their best to alleviate any claim that they did not fix the road. He reported they fixed the road and the people were happy. Commissioner Massey said he appreciated this work.

Commissioner Sanders said the contractors in Carrabelle are upset that the County is stopping inspections in Carrabelle. She stated she understands why but she wanted the Board to know the contractors are concerned.

Mr. Alan Feifer, Concerned Citizens of Franklin County, said speaking for CERT he was given re-entry tags to issue over at Alligator Point and there will also be sandbags. Commissioner

Sanders asked where the sandbags will be. Mr. Feifer reported there will be 250 sandbags and 10 are allowed per household. He said they can be picked up at the water department.

Commissioner Lockley asked when the storm will get here. Commissioner Sanders answered Sunday or Monday. Commissioner Sanders said the Board needs a storm update from Mrs. Brownell before the Commissioners leave today because they still have one more meeting. She reported if the Chairman needs to convene the Board then staff will have to contact them.

Adjourn

There being no further business to come before the Board the meeting was adjourned at 3:08 a.m.

Joseph A. Parrish - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts