

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
NOVEMBER 21, 2017
9:00 AM
AGENDA**

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

Others Present: Marcia M. Johnson-Clerk of Court, 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

There were no minutes available for approval.

Payment of County Bills

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

Organizational Meeting

Selection of Chairman & Vice Chairman

On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to appoint Commissioner Parrish as Chairman. On motion by Commissioner Jones, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to appoint Commissioner Lockley as Vice-Chairman.

Committee & Board Assignments

Commissioner Sanders stated she would like to keep her committee assignments at least until next November. **On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve Commissioner Sanders keeping her committee assignments for the next year.** Commissioner Sanders informed the Board at the Florida Association of Counties (FAC) legislative meeting last week she was appointed to a Federal Legislative Committee to deal with issues with the federal government. She listed her FAC committee appointments as the Small County Coalition Board of Directors since 2002, Florida Association of Counties Board of Directors since 2002, Florida Counties Foundation since 2002, Chairman of the Rural Caucus for FAC and the Legislative Committee. She reported this area has a voice on what is being done at the state level.

On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed for Commissioner Jones to continue to serve on the Apalachee Regional Planning Council (ARPC) and for Mr. Moron to serve as a backup representative for the County.

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to allow Commissioner Sanders to continue to serve on all her Board appointments.

Mr. Moron read the following item from his report:

8. Former City of Apalachicola Commissioner Mr. Frank Cook was the Chairman of ARPC's Franklin County's Transportation Disadvantage Board. I informed ARPC's Transportation Regional Planner, Mr. Kwentin Eastberg and after Thursday's ARPC Board meeting, Mr. Eastberg asked Commissioner Jones if he would be interested in serving on that Board to which Commissioner Jones agreed. Board action to authorize Commissioner Jones to serve on the County's Transportation Disadvantage Board.

On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to appoint Commissioner Jones to serve on the County's Transportation Disadvantaged Board.

Mr. Moron read Item #7 from his report, as follows:

7. Inform the Board that City Commissioner Brenda Ash has stepped down from the Franklin County Municipal Representative seat on the Apalachee Regional Planning Council (ARPC). In the past, the Board has rotated this seat between the City of Apalachicola and the City of Carrabelle. City of Carrabelle's Mayor Brenda LaPaz is interested in serving on the ARPC. I contacted the City of Apalachicola and they have no objection to Mayor LaPaz filling this vacant seat. Board action to appoint Mayor LaPaz to the vacant Municipal Representative seat on the ARPC.

On motion by Commissioner Massey, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to appoint Ms. Brenda LaPaz to the Municipal Representative seat on the ARPC.

Department Directors Report

Howard Nabors – Superintendent of Public Works

Mr. Nabors reported the County is still cutting grass and has a little left at Lanark Village and Alligator Point and then they should be finished for the year. He explained they will start fixing shoulders in intersections after the grass cutting is completed. Mr. Pierce asked if they will also clean the beach at Alligator Point. Mr. Nabors answered yes, hopefully by December.

Commissioner Jones questioned why the shoulders of the road in neighboring counties have their grass cut and the shoulders along Highway 98 in Franklin County having grass that is high. Mr. Nabors stated Broad Spectrum cuts the grass or contracts with someone to cut the grass. He reported the County cuts sections along Highway 98 in Lanark Village, Eastpoint and Apalachicola. He was not sure why the shoulders had not been cut. Mr. Moron reported Broad Spectrum will say it is because of the wildflowers. Chairman Parrish reported the wildflowers are over now so the grass should be cut. **On motion by Commissioner Massey, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to write a letter to Broad Spectrum and ask them to cut the grass on the shoulders of the road.**

Fonda Davis – Solid Waste Director

Mr. Davis did not have a report at this time.

Pam Brownell – Emergency Management Director

Mr. Moron said Mrs. Brownell will not be present because she is working on FEMA reports for Hurricane Irma that are due today. He offered to forward any questions from the Board to Mrs. Brownell.

Erik Lovestrand – Extension Office Director

Mr. Lovestrand said he has one item which requires Board approval and that is Amendment #4 of the Sea Turtle Lighting Retrofit Project. He explained this program has been a 4 year project and will end on June 5, 2018. He said this program has provided over \$200,000 to assist coastal residents with retrofitting their beach front lighting to bring it into compliance with the county ordinance. He reported he worked on the language in the Amendment with the Fish & Wildlife Commission (FWC) and Attorney Shuler reviewed the Amendment. He stated the Amendment will also need to be signed by FWC and the Department of Environmental Protection (DEP). Attorney Shuler said he reviewed the Amendment and it looks fine. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the**

Board present, it was agreed to approve Amendment #4 of the Sea Turtle Lighting Retrofit Program. Mr. Pierce asked if they have documented how this project has improved or changed the turtle disorientation. Mr. Lovestrand reported the numbers for disorientation are down but it is also based on other factors. He agreed to compile some figures and comparisons on the disorientations.

Mr. Lovestrand stated he provided information in his report highlighting the proposed changes to the Model Shellfish Ordinance.

Mr. Pierce read the following item from his report:

7- Inform the Board that after consulting with Mr. Eric Lovestrand I contacted Mr. Craig Crist, DACS, and asked for a 6 month extension to the DACS-County Agreement, so that the county would have until Dec. 31, 2018 to complete renovations for the Extension Office. Mr. Craig said he would approve it, and when it comes the Board will need to take action to accept the extension. The agreement the county just signed with DACS expires on June 30, and Mr. Lovestrand felt he might not be able to complete the project by then since he still needs to get construction documents ready and go out to bid.

Mr. Lovestrand submitted the following report to the Board:

County Extension Activities November 8 – November 21, 2017

General Extension Activities:

- Attended two-day NW District County Extension Director annual planning meeting.
- Extension Staff assisted local citizens regarding turf weeds, citrus disease, sea turtle lighting, gardening, publications, soil tests and other topics.
- Participated at UF/IFAS Building exhibits at the North Florida Fair.

Sea Grant Extension:

- Extension Director participated in the weekly planning calls for the Dark Skies turtle lighting project.
- Attended biennial meeting of the Interstate Shellfish Sanitation Conference in South Carolina to stay current on industry standards and changes to the Model Shellfish Ordinance requirements. Provided summary of expected changes to the Model Shellfish Ordinance to BOCC (attached with this report).
- Completed amendment with FWC to add year-4 budget for Franklin County turtle lighting grant to continue.
- Participated in NW District Natural Resources Program Implementation Team annual planning meeting.

4-H Youth Development:

- Updated NRCS Board regarding 4-H youth activities in Franklin County this year.

Family Consumer Sciences:

- Franklin County FNP Program Assistant continues to conduct nutrition programming in the schools and at the local food pantry.

Lisa Lance – Library Director

Mrs. Lance appeared before the Board and presented her report, as follows:

- Library Director attended the Florida Annual Public Library Directors meeting, Oct. 17 – 19 in Tallahassee
- Music as a Second Language 2018 registration ended November 20. A higher number registered than anticipated. Student interviews will be conducted first two weeks of December; MSL 2018 Session will begin mid January (24 week session).
- Additional library logo directional signs were purchased and thanks to Howard and his team and to the County for installing those signs (the corner of Hickory Dip and N Bay Shore) – these signs assist those unfamiliar with area where we are located
- Adult Gardening Event Program: Carrabelle (**Tuesday, Nov 21**) at 1:30, Container Gardening: Growing Inside while its Cold Outside, Final gardening program for 2017, Next scheduled event: Jan 9 at 1:30 at the Eastpoint Branch, same topic
- The Carrabelle Branch will be closed on Saturday, Nov 25 for Thanksgiving weekend; along with Nov 23-24
- The Eastpoint Branch will be operating by Winter Hours, Monday – Friday 9-5:30 due to the time change and for the security of staff, effective Monday Nov 27
- PT Library Assistant position that was posted in October; position hiring has been suspended until January due to lack of response.
- The Basics of Better Living, monthly classes provided by the Wakulla (UF/IFAS) Extension office, next events are at Carrabelle, **Dec 1 at 1:30**, Eastpoint, **Dec 15 at 1:30** - Topic is, *Decorating on a Dime and Finding Great Gifts for Less*.
- **Charles Dickens' A Christmas Carol**, performed by Hampstead Stage, scheduled for **Saturday, Dec 2 at 6:00 pm**. Performance will be held at the Rio Carrabelle. A Christmas Carol is a timeless story with a universal message about the true spirit of the holiday season and the importance of friends and family. This adaptation educates the audience about the class system of Victorian England and encourages them to help others who are less fortunate.
- **Eastpoint Flag Ceremony – Dec 7 at 10:00 am**, A new flag donated by Woodmen Life will be raised by the Tyndall Air Force Honor Guard – event is open to the public and everyone is invited

Mrs. Lance said many members of the community will participate in the ceremony including Commissioner Jones. She thanked the Sheriff's Office who was instrumental in getting the flag pole installed. She reported Woodmen Life donated the pole and the flag.

- A Diabetes Workshop is held monthly on the 2nd Monday in Eastpoint, next event, **Dec 11 at 4:30-5:30 pm**. Consulting Nutritionist & Diabetes Educator Suzanne Laws facilitating the program.
- Free Friday Movie Nights in Carrabelle, **Dec 15**, The library offers 1-2 movies per month, scheduled on Fridays, doors open at 6:15
- **The Polar Express Party** will be held at Eastpoint, **Dec 21 at 3:00 pm**. After the reading of the Polar Express, we will watch the story come alive as we show the movie. Carrabelle is scheduled event, Friday Dec 22 at 4:00 pm.

- Read With Me Storytime at Eastpoint held a special Storytime for the FC Head Start on September 26—lots of fun reading and making turtles
- STEAM for preschooler's field trip to the Library for the FC Head Start was held Monday, Nov 13. They participated in science projects for their younger minds.
- Facility updates: New reader board attached to the Carrabelle Library sign to promote programs and events, HVAC issue (2 compressors replaced), Oct 4, Multi-purpose room set up for studying, tutoring, one on one meetings
- Ancestry Research Workshops at Carrabelle have been suspended for now; will revisit in 2018

General Monthly Calendar of Events:

- Eastpoint and Carrabelle: Monthly Book Chats, Book Socials, Foundation Yoga (Eastpoint) – check calendar for schedule of events
- Eastpoint: Steam 2 (ages 5-7), Monday's at 10:30 am, Steam (ages 8-12), Thursday's at 3:30; Storytime (ages 1-4) Wednesday's at 10:30
- Carrabelle: MakerSpace Club (ages 5-13), Thursdays at 4:00, Storytime (ages 1-4) Friday's at 10:30
- Carrabelle: Free Friday Movie Nights, 1 -2 Friday's per month, doors open at 6:15

Mrs. Lance reported there has been an 8 ½% increase in people being served at the library. She stated they served almost 44,000 in the last fiscal year.

Commissioner Jones asked if Duke Energy has contacted Mrs. Lance about the lighting. Mrs. Lance answered no, but said she will contact them today.

Jason Puckett – Airport Manager

Mr. Puckett stated the drainage project is ongoing and they are replacing drainage pipes and infrastructure at the runways. He explained they have completed the base bid work and are working on alternate #1 and #2. He said they are ahead of schedule and final completion is expected on January 30th.

Mr. Puckett reported the Airfield Lighting Upgrade has been substantially completed and the contractor came in under budget. He reminded the Board some of the additional funds were used to replace a PAPI light.

Mr. Puckett stated Ms. Beth Kirkland, BRPH, met with him and Mr. Pierce last week and she has made a lot of progress on the Economic Development Plan. He explained they provided some feedback for Ms. Kirkland and hopefully she will make a presentation to the Board in January.

Mr. Puckett informed the Board representatives from Centric Aviation are here and they have done a tremendous job so far as the Fixed Base Operator (FBO). He said Seafood Festival weekend was a success and there were 22 airplanes on the ramp at the Apalachicola Airport and 75-80 people were shuttled into town.

Mr. Puckett reported they are working on wetlands delineation on the Commercial Access Road tying the airport to Highway 98 by the old work camp.

Mr. Puckett stated they have a grant for removing the mildew on the runways and restriping the runways and hopefully the grant will be received after Thanksgiving.

Commissioner Jones said at the Apalachee Regional Planning Council (ARPC) meeting they reported a workshop will be scheduled before the end of the year about airports and 333 and what it means. He stated they are trying to get input because the state is trying to push a law that will require the County to enforce this matter. He suggested Mr. Moron and Attorney Shuler attend this meeting with him. Mr. Puckett said he would also like to attend. **On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize Commissioner Jones, Mr. Moron, Attorney Shuler and Mr. Puckett to attend this workshop.**

Commissioner Parrish said the County would like to have some dirt being generated from the drainage project to use on the soccer field and he asked Mr. Puckett to have the contractor contact the county. He stated the contractor was supposed to call Mr. Nabors but he has not heard from them. Mr. Puckett agreed to contact the contractor.

Chairman Parrish asked Mr. Puckett to bring the representatives forward with Centric Aviation and introduce them to the Board. Mr. Puckett introduced Mr. Andrew Hartman and Ms. Tara Maugham. Chairman Parrish reported he is looking forward to the airport moving forward and he is glad they are here.

Mr. Moron asked Mr. Puckett to explain more about the access road project as there have been some questions. Mr. Puckett explained the access road will tie in behind the work camp and behind the t-hangars and the airport entrance. He reported this will allow the tenants for the t-hangars to access them without going on the airport ramp. He said they would like to keep all vehicular traffic off of the runways and taxiways. Mr. Pierce presented a map and showed the location of the proposed access road. Mr. Puckett explained another benefit is when the fuel trucks deliver the self fuel; they will not longer have to drive down the airport ramp. He reported the future industrial complex would also be accessed by the road. Mr. Pierce pointed out the money for this project came from restructuring a grant for another site but the grant was already dedicated to the airport. He said the road will not interfere with the residential area and will provide more visibility for the work camp. He explained the work camp is a valuable piece of property and the site has full utilities and possibly could be used as a training center for someone which would provide some benefit for the community. Commissioner Jones stated at the ARPC meeting a discussion was conducted about Wakulla County wanting to start a regional training center. He said Franklin County may be ahead in this plan as they already have a facility. Mr. Pierce reported Mr. Moron has looked at several options for this property. Mr. Moron said Mrs. Mary Louise Hester, Senator Bill Nelson's Office, is helping the county with getting in contact with federal Veterans Administration representatives because there is some interest in this location. Mr. Pierce said the airport access road also does not have any problem with power lines. Commissioner Jones asked if the County still owns the site they previously discussed that was used as a garbage site. Mr. Pierce answered yes, and said

Ms. Kirkland is looking at the possibility of getting some Brownsfield money to analysis this site. He explained placing t-hangars in this location may be good because of the access to the airport. Mr. Puckett stated this is perfect timing to consider this item as the Airport Master Plan will be coming up next year. He explained they could work together with Avcon to get a Brownsfield study done then these items could be identified on the Airport Master Plan. He said once the items are placed on the Airport Master Plan they could try to get some funding for the t-hangars. Mr. Moron questioned when the access road project will be completed. Mr. Puckett estimated the middle of next year. He explained they were delayed because of some wetlands and they are working to resolve the issue. Commissioner Lockley stated all of this sounds good but they need someone to come in and provide jobs. Mr. Puckett reported they are trying to make the area attractive so that will happen. Mr. Pierce said the problem is difficult because the airport has some value as an airport but will have more value as they bring in more utilities or infrastructure. He commented it may be several years before this gets started. He explained the County is part of the Freight Logistics Zone (FLZ) and may be working with Gulf County and Gadsden County as a partner with side uses as they get the port and the rail connection to I-10 working. He said he wishes a standalone enterprise would come to the airport but for now they are looking to be a partner and find out what can be done in Franklin County. Commissioner Lockley reported they are building computers all over the country. Mr. Pierce said a skilled workforce would be needed for this type of industry. Commissioner Sanders stated Gulf County is adding all their RESTORE money in the port and they are keeping in mind that Franklin County has the airport so it is part of a regional picture. Commissioner Jones reported at the ARPC meeting they discussed Gulf County being part of Panama City's International Freight Zone. He went on to say Tallahassee is in the process of getting an International Freight Zone approved for their airport and Franklin County would be part of that zone. He explained if the FLZ was working today in Gulf County then the individuals bringing items in would not have to pay the taxes they pay now. Mr. Pierce agreed Franklin County is trying to be part of Tallahassee's International Freight Zone. Commissioner Sanders stated the Board approved this matter before Commissioner Jones was on the Board.

Curt Blair – TDC Administrator – Report

Mr. Blair reported 2K Web Group is doing work on their marketing plan and he encouraged the Board to review the plan in their Board packet.

Mr. Blair presented his report, as follows:

Numbers : (Attached)

- Collections: As we know, it is not safe to predict too closely the anticipated collection numbers. In August we collected \$121,808.90 in taxes which was a \$39,144.83 increase over the previous August. That represents a 47.4% increase for the month. Since the July collections were down 4.6% which is highly unusual I can only suggest that the dramatic increase in August was due in part by a posting issue regarding July's collections. In any event August was solid and would have reflected an increase over the previous year in any event. Collections are running 3.6% overall in comparison to last year at the same time.

The July and August collection numbers demonstrate once again how little we can rely on the Department of Revenue reports for planning and monitoring the collection of tourist tax. As I reported earlier we have had discussions with the Tax Collector about the possibility of collecting the tax locally. We do not expect him to come to a decision on local collection before spring. While collecting the tax locally will give us more current collection information, we will still have limited information about the type of rentals our lodging providers are seeing, how many tourists we are seeing each year and a fuller understanding about who is paying the tax and what businesses are not.

You will notice in our minutes that the TDC Board passed a motion instructing me to seek guidance from the Commission about the possibility of instituting a licensing or registration program for local lodging companies. This program would require local transient lodging companies to obtain a license to operate in Franklin County. With a minor annual fee sufficient funds could be raised to conduct the program. Registration would give us a clear understanding of who is actually paying the tourist tax (as well as the 3% sales tax that goes directly to the county). Such registration would also allow you the ability to insure that transient lodging facilities are meeting health and safety codes, zoning laws and occupancy limits. The TDC Board is confident that the majority of traditional providers are meeting state laws and local codes. However, over the last two years we have seen a 400% increase in transient rentals by VRBO and Air B and B. These rentals include garage apartments, mother-in-law apartments and even spare bed rooms. There is virtually no way for us to know (save for those that are managed by one of our lodging management companies) if any of these rentals are meeting health and safety requirements.

Instituting such a program would take some work. The TDC Board is seeking your direction as to whether you want us to proceed to design such a program and bring it back to you for consideration.

Mr. Blair said a nominal fee would be required of about \$50 per unit which would cover the costs of running the program. He stated this would allow them to identify everyone, make sure they are paying their tax and meeting the health and safety standards. Chairman Parrish questioned if they are talking about the possibility of a license or if registration is still being considered. Mr. Blair said either one will work and there will be consequences if they do not register or purchase a license. Mr. Blair reported the TDC Board will address these items as they work on the proposal. Commissioner Lockley asked what other counties in the state are doing about this issue. Mr. Blair commented about half of the counties that levy the tourist development tax collect the tax locally. He explained until the county met the \$1 million mark it did not make sense to spend money to collect the tax locally. He said the County is right at the point of making this decision as it will now pay for itself. He explained registration is a different issue but most of the larger, charter counties have an occupational license program that lodging companies are included in so they have the ability to collect information and require they meet state and federal standards. Commissioner Lockley asked what counties that are similar to ours are doing. Mr. Blair said some collect locally and some do not. He explained some of the smaller counties do not generate enough money from the tourist tax to warrant having this kind of program. Chairman Parrish asked if this is needed mostly to track the VRBO. Mr. Blair stated the Air B & B are paying the tourist tax but are not being monitored on the type or number of units being rented. He explained no one is checking the health, safety

or zoning issues for these units. Chairman Parrish reported there should be a public hearing on this issue before the Board directs someone to set up this program. Commissioner Sanders said a workshop or public hearing should be conducted and all the information can be presented so the Board will have a better understanding of what direction the County needs to go in. Commissioner Sanders reported the discussion about collections was put on hold until Clerk Johnson was contacted as she is the finance person for the County. **Commissioner Sanders made a motion to have a workshop to discuss this issue. Commissioner Lockley seconded the motion.** Commissioner Lockley asked them to make sure this workshop is advertised to everyone that is involved so the Board can get both sides of the issue. Mr. Blair explained this matter is probably not at the point of having a workshop. He said he will bring back an outline of a proposal and the Board can decide if they want to have a workshop. Commissioner Sanders reported the Board needs information so they can make a decision. Chairman Parrish asked if the Board would like the TDC to continue to work on this issue. Commissioner Sanders said they have done a lot already but she thought they were going to address these items with the Clerk and the Tax Collector. She explained the big issue with VRBO is enforcement and who is going to do the enforcement. She said the Board needs answers before they look at a proposal. Commissioner Sanders questioned if the Board needs to hire a staff person to handle the VRBO and Air B & B situation. She stated this issue will take more than one meeting because there are 400 rental properties. Commissioner Sanders reported the Board needs to know about enforcement and how others counties handle these issues. Chairman Parrish asked if the Board wants TDC to move forward on this issue. Commissioner Sanders reported a workshop is needed so the Board can determine the direction they want to go. She stated the Tax Collector also needs to be present so the Board knows his position. **Motion carried; 5-0.** Chairman Parrish suggested the workshop should be held after the first of the year to allow Mr. Blair time to meet with the TDC Board. Commissioner Sanders reported this action does not preclude the TDC from looking at this matter. Commissioner Lockley agreed TDC can also present their information at the workshop. Mr. Blair agreed they have work to do and will work with the County Attorney, the Clerk's Office and the Tax Collector. Commissioner Jones stated the workshop will allow everyone to know how to proceed and it will be beneficial. Commissioner Sanders inquired if the Board decides the Tax Collector will handle the collection, will he need a separate employee to handle this matter. She stated there are also questions about enforcement that need to be answered. Commissioner Lockley said the County may also need a Code Enforcement Officer.

TDC Board Vacancy:

I reported to you in my last report that the TDC has recently recognized a desire by Board Member Walter Armistead not to be considered for reappointment. That request has opened up a Lodging Company representative position on the TDC Board. TDC rules require that the TDC advertise the vacancy locally for a period of three weeks requesting applications. This appointment requires that applicants represent a company that collects the tourist tax. We have so advertised and received only one application. The TDC Board voted to recommend for your consideration Kathy Robinson to be appointed to the vacancy. Kathy is well known in the community and fulfills all the statutory and TDC policy requirements.

Commissioner Jones made a motion to appoint Mrs. Kathy Robinson to the TDC Board.

Commissioner Lockley seconded the motion. Commissioner Jones asked if Mayor Johnson should also be included in these appointments. Mr. Blair agreed the Board can approve the appointment of Mayor Johnson. **Commissioner Jones amended his motion to include approving the appointment of Mayor Van Johnson. Commissioner Lockley amended his second.** Commissioner Lockley asked if it is okay to accept this appointment as only one person applied. Attorney Shuler said the Board has the discretion to accept the appointments but he did not review the process. He explained there is no requirement that multiple people apply for a position and the Board is grateful when anyone volunteers. **Motion carried; 5-0.**

Sustaining and Promotional Grants:

The TDC Board began the process for reviewing both our Sustaining and Promotional Grant programs. Our review will include looking at the original purpose for the two programs and possible modifications to those programs which will include considering mechanisms to increase participation in the programs. We expect to be finished with the review in time for the 2018-19 fiscal year.

Dixie Theater:

The TDC Board heard a presentation by the Dixie Theater at our last meeting. During that meeting Dixie recognized that while the current requirement for recipients of sustaining grants to be open 20 hours a week, 4 hours a day year round does not correspond with the theater's performance schedule, she would arrange to meet the grant's requirements in accordance with the requirements of the Sustaining Grant contract. She also reported that the Theatre would continue to have performances and programs at various times throughout the year.

The TDC Board voted, based on the Theatre's assurances to meet the contract requirements, to recommend that the Commission approve the contract previously submitted.

Mr. Blair informed the Board Ms. Dixie Partington, Dixie Theatre, has indicated they will conform to the terms of the contract. He said Ms. Partington indicated they are changing the makeup of the season and there will be performances throughout the year but it does not impact the requirement to stay open 20 hours a week. Mr. Blair stated the TDC Board recommended approving the Sustaining Grant for the Dixie Theatre. He informed the Board the TDC will review all the sustaining grants to determine whether or not any existing program no longer needs the grants or if some will always need the grant. He stated it has been 10 years since this program was established so they may need to revised the program. He reported decisions will be made by the end of the fiscal year. Chairman Parrish asked if the hours they will be open each week will be something else reviewed with the policies and procedures. He questioned if this should still be a requirement. Mr. Blair reported they will review all requirements. He reminded the Board when the sustaining grants were recommended the County did not have the industry they have now so the needs are different now. Chairman Parrish reported over the years the Dixie Theatre has done a lot of programs and people come to down to see the shows and go out to eat and it is a good program. He encouraged the Board to approve this sustaining grant. **On motion by Commissioner Jones, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the Sustaining Grant for the Dixie Theatre.**

Visitor Guide:

The TDC Visitor Guide is in need of being edited and reprinted. The TDC Board has approved the attached proposal for including paid ads in the Guide as a means of covering the cost of production of the guide. We expect the work on the new guide will be completed by summer.

Mr. Blair reported they may run out of TDC Visitor Guides by spring. He stated this Guide also gets placed on the website. He explained about 50,000 copies are printed to distribute at the welcome centers throughout the state and the visitor's centers. He stated the TDC Board has considered selling ads for the guide. He said a proposal was received from Bay Media to print the guides. Mr. Blair said he is working with the Clerk's Office on details about collections and selling the ads. He stated he will also work with Attorney Shuler on the legal ramifications.

Triumph:

Recognizing that the Legislature recently included TDCs as eligible organizations to apply for Triumph funds and that the county is in need of improvements and increases in tourism infrastructure, the Board voted last week to investigate the possibility of preparing an application for funds under the Triumph program. The board recognizes that such an application will not meet the first November 15, 2017 deadline for pre-applications, it would be the intention to submit an application for consideration after this first pre-application cycle.

Chairman Parrish reported this would be good because parking is a problem across the county. He said the Board may need to purchase property to provide parking. He reported he will support an application from TDC. Commissioner Jones concurred. Commissioner Lockley stated parking is also needed for the Chapman Auditorium.

St. George Island Bathrooms

You will remember that two years ago the BOCC considered improvements to the St. George Island bathrooms at the same time you approved renovations to the Carrabelle Bathroom. Now that the Carrabelle bathrooms are completed, the TDC is recommending the county proceed with obtaining bids on the St. George Island facility.

The Board has had the original plans reviewed by Mason Bean who, along with local volunteers, built the existing facility. He concurs that the plans should be adequate to submit for bids. The TDC has \$120,000 available in its budget this year for the project. The board requests that the Commission begin the process soon in order to get it completed before summer season.

Mr. Blair reported they have money in the budget for this project and the TDC Board is concerned they need to get started and finish the project before the summer season. He explained his understanding is there is a set of plans and some modifications are needed. Mr. Moron stated the County went through the bidding process and the bids were high and above the amount TDC was allowed to spend. He said Mr. Doug Shuler is re-designing the plans to cut some costs. He reported the Lighthouse Association contacted him and they are interested in forwarding some designs which he will forward to Mr. Shuler. Mr. Blair said they have \$120,000 allocated for this project. Mr. Moron suggested the Board ask Mr. Doug Shuler to re-design the plans to fit the funds available for the project. Chairman Parrish expressed concern

that the County will accept designs from different entities when they only have certain funds allocated for the project. He said the specifications need to be done so this project can go out for bid and start after the first of the year so it is completed before spring. Commissioner Sanders asked how much was spent on the Carrabelle Beach Bathroom Project. Mr. Moron answered around \$120,000. Mr. Blair reported there was a slight overrun of \$1,000-\$2,000 but \$120,000 was allocated. Commissioner Sanders reported this project took 4 months longer than planned so they need to start the bidding process. Commissioner Sanders stated she will defer to Commissioner Jones but they do not want this project to be in the process during tourist season because it was awful at Carrabelle Beach. Commissioner Lockley said he does not understand the costs when it is just a bathroom. Chairman Parrish reported when they are looking at the bids a clause needs to be included that the contractor has to pay if the project is not completed on time. He stated if there is a substantial financial penalty then the contractor will have some incentive to finish the project on time. Commissioner Lockley said \$120,000 is a lot of money to construct a bathroom. Mr. Moron pointed out the cost of construction on the coast is very expensive. Mr. Pierce said the bathrooms are also required to be heavy duty; commercial structures due to the amount of use the bathroom receive. He explained the building is also in the coastal wind load zone so some structural issues must be addressed.

Big Bend Scenic By-Ways:

The TDC heard a presentation from Del Suggs, President of the BBSB Committee on the progress of the program. He outlined some modifications to the construction plans, which received TDC approval, and assured the Board that kiosks included in the project would begin to be seen throughout the by-way in 2018.

Visitor Centers:

The TDC Board approved an \$800 increase in the allocation of funds for improvements to the St. George Island Visitor Center being done by the Apalachicola Area Bay Chamber.

Mr. Blair stated a reopening and ribbon cutting was held last night for the St. George Island Visitor Center.

The Board also approved a redesign of the sign for the Eastpoint Visitor Center.

TDC Board Member Recognition:

Finally, the Board recognized the work of both City Commissioner Frank Cook and Walter Armistead, both of whom are leaving the board this month.

The next meeting of the Franklin County TDC Board will be held on **January 10, 2018 at 2:00 P.M.** at the Eastpoint Visitor Center.

The meeting recessed at 10:12 a.m.

The meeting reconvened at 10:19 a.m.

Gene & Chris Langston – Letter of Support

Mr. Gene Langston stated the Board has their email but he understands the Board needs a letter from the state before they take action. He questioned who this letter would be from and what the Board is going to do with it. Mr. Chris Langston explained their proposal is to mine fossilized shell in the northeastern corner of Franklin County for the purpose of the cultch deposition. He requested a letter of support from the Board acknowledging they are aware this project will provide jobs and intangible tax revenue to an area that is currently tax free. Mr. Chris Langston reported in this process they will provide material for the Apalachicola Bay area for the oyster habitat restoration as well as other areas up and down the gulf coast. Chairman Parrish asked why they need a letter of support from the County to go into private business. Mr. Chris Langston answered because this product is going on state property and during the process their company will work with the Division of Forestry on a management plan, stormwater retention as well as several other aspects of the business. He explained this matter will also go to DACS and then to the Governor and Cabinet. He reported the letter of support is somewhat necessary to show local support when they go to the different branches of government. Mr. Pierce said he discussed with Mr. Langston that there is no need to dig for the shell as the State of Florida has already said they are not going to buy any more shell material to put in Apalachicola Bay. He said Franklin County may be interested in putting shell into the bay at sometime in the future. He reported looking at aquaculture as a buyer is not reasonable and he does not think they have a market for the shell. Chairman Parrish reported in looking at the Consortium time line, it could be 2022 before the County gets any funding that could be used for a shelling program. Commissioner Sanders stated that is the earliest estimate. Chairman Parrish reported last time there were some issues and asked if the current prospector was close to Commissioner Sanders' house with the blasting. Commissioner Sanders reported in the early 1990's when the pit opened in Liberty County there were problems with her drinking water. She stated their well is 135 ft. down and because of the blasting in Liberty County it was coming down and they had groundwater contamination in their drinking water. She said when it was reported to DEP they were told they did not have any rights to object because they live in Franklin County not Liberty County. She stated she has grave concerns for this proposal and she is against any mining in Franklin County because of Apalachicola Bay and all its tributaries. Mr. Gene Langston reported he is aware she is opposed to mining as he talked to her in South Florida. He explained they went through this before when he opened the first mine. He stated they are trying to open a business and the price has finally gotten high enough for fossilized shell so they can make some money. He reported this is the only place he knows of where a deposit exists. He said they will show what is going in the bay now and the product they are going to provide. Mr. Chris Langston presented examples of each material. Mr. Gene Langston reported his product is already going into Chesapeake Bay. Mr. Chris Langston said limestone is going in Apalachicola Bay now. Mr. Chris Langston referenced an article in The Apalachicola Times where the FWC was talking about the oyster predators. He explained their product has dark space which will provide a home and protection for the spat. He said the product being used now does not have dark space or provide protection. He reported their product will cut down on the mortality rate. Commissioner Lockley inquired if they are blasting to get to this shell. Mr. Chris Langston answered no; there is no need to blast. He stated the deposit is where the current mine is. He said there is fossilized shell all the way

down so this is a different type of deposit. He reported there will not be a need to blast as there are other methods of excavation. Mr. Gene Langston stated there is about 200 acres of white sand and there is also a need for beach sand all over Florida. He said the sand has been tested and meets the requirements. He explained there is a difference in specifications on each city's beach in relation to the color and size of the sand but they will work with the state on these issues. Mr. Chris Langston explained there will be a multitude of materials being extracted for these operations statewide. Chairman Parrish said it is up to the Board. No action was taken. Attorney Shuler explained procedurally if the Board takes no action then there will be no letter. He explained if the Chairman calls for action and there is no motion then the matter dies for lack of action. Mr. Gene Langston asked the Board to explain what the problem is. He said he will withdraw the matter from the Board making a decision but he cannot correct something if he does not know what it is. Chairman Parrish stated there has not been a motion for or against this matter.

Amy Ham-Kelly – Board of Adjustment – Report

Mrs. Kelly offered the following item for the Board's consideration:

1. **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request for a variance from Franklin County's minimum lot size "one acre rule." Lot 7, SOUTHWEST CAPE, A REPLAT OF SOUTH SHOALS VILLAGE, according to the Plat thereof as recorded in Plat Book 10, Page 51, of the Public Records of Franklin County, Florida ("Lot 7") presently consists of a part lying South of Tom Roberts Road that is 0.394 acres +/- and a part lying North of Tom Roberts Road that is 0.708 acre +/- . Franklin county just purchased from the property owner all of the SW Cape Subdivision South of Tom Roberts Road, except for the part of Lot 7 South of that road, which is also presently a paved road known as South Shoals Court. The property owner is willing to convey to Franklin County all of that part of Lot 7 South of Tom Roberts Road, but only if the remainder of Lot 7 lying North of Tom Roberts Road (0.708 acre +/-), receives a variance from the county's minimum lot size "one acre rule" and that remainder of Lot 7 lying North of Tom Roberts Road (0.708 acre +/-) will not be deemed unbuildable as a result of being approximately 7/10s of an acre and less than one full acres as a result of this conveyance to Franklin County, Florida. The variance would be perpetual, transferable by the property owner, and would run with the land (i.e. that remainder of Lot 7 lying North of Tom Roberts Road (0.708 acre +/-).

Mrs. Kelly presented this area on a map. Chairman Parrish felt this was a good idea. Commissioner Sanders said she likes this because it gives all this property public ownership. **Commissioner Sanders made a motion to accept the property and grant the variance for the north side. Commissioner Jones seconded the motion. Motion carried; 5-0.**

Amy Ham-Kelly – Planning & Zoning – Report

Mrs. Kelly presented the Planning & Zoning report as follows:

- 1- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request to construct a Single Family Residential Dock located in Section 31, Township 8 South, Range 6 West, 108 Island Drive, St. George Island, Franklin County Florida. The proposed access walkway for the dock will be 155' x 4' connecting to a 10' x 18' terminal platform without mooring and a 3' stepdown section. The total square footage of the dock will be 780. The applicant has their DEP permit. Request submitted by Garlick Environmental Associates, Inc. agent for Apalachicola National Research Reserve, applicant. (Has building)

Mrs. Kelly presented a map of this location. Chairman Parrish said this is without mooring so it should be a pier and it is being proposed as a dock. Mr. Garlick stated this is a pier and will provide access for kayaks and canoes. He pointed out this pier is not going in the critical habitat zone. He said this platform will have handicap access for anyone who wants to look out over the bay. Chairman Parrish reported he does not have a problem with this item but said if a motion is made they need to make it contingent upon it being identified as a pier and not a single family residential dock. Mr. Garlick stipulated that this is a pier and not a dock. Commissioner Jones asked where this pier is in relation to the living shoreline which was discussed at a previous meeting. Mr. Garlick reported the pier stops where the living shoreline will continue. Chairman Parrish stated this will also allow the staff to walk out on the pier and monitor the living shoreline. **On motion by Commissioner Jones, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the pier being built by ANERR.**

- 2- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request to construct a Single Family Residential Dock located at Lot 8, Block 56, Unit 5, St. George Island Gulf Beaches, 308 Wing Street, St. George Island, Franklin County, Florida. The proposed access walkway for the dock will be 16' x 8' connected to a 40' x 8' terminal platform within a manmade canal adjacent to Apalachicola Bay. The applicant has their DEP permit and are exempt from COE permitting. Request submitted by Erin Griffith, owner. (Proposed house.)

Mrs. Kelly presented a map and drawing of this proposed dock. **On motion by Commissioner Massey, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve this request.**

RE-ZONING & LANDUSE APPLICATIONS:

- 3- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request for a Land Use Change from Industrial to Residential and Re-Zoning from I-1 Industrial to R-2 Single Family Mobile Home of a 2.50 acre parcel lying in Section 13, Township 7 South, Range 5 West, 526 Mill Road, Carrabelle, Franklin County, Florida. Request submitted by Bevo Davis, President for Cabo Select Properties, Inc, applicant.

Mrs. Kelly said she let them know in April, 2016, a requested was received to change 10 acres to R-2 and there was opposition and it was not approved. Commissioner Massey asked if this is the same property the Board has been dealing with on Mill Road which is the old Buckeye Mill. Mrs. Kelly showed the location on a map. Commissioner Lockley said they are just asking for a public hearing. Attorney Shuler agreed they are asking for a public hearing. **Commissioner Lockley made a motion to send this matter to a public hearing. Commissioner Massey seconded the motion.** Chairman Parrish asked how much property is zoned industrial in this area. Mrs. Kelly showed the property on the map. Chairman Parrish said he does not like the change in the middle of an industrial area. He questioned what Buckeye used the site for and what the environmental conditions are on this property. He inquired about rezoning the property and people living on an industrial site. Commissioner Massey discussed water taps being opened on property across the street from this property. Mr. Pierce inquired if the Planning & Zoning Commission supported this application. Mrs. Kelly reported Planning & Zoning had concerns but moved it forward for a public hearing. Mr. Pierce stated spot zoning is not illegal but it is frowned upon because it generally causes conflict. Mr. Pierce stated the industrial designation was there when he came to work for the County because it was the old Buckeye Mills site but they did not look at the site to see if they used the entire site. **The motion passed by the following vote of the Board:**

AYE: LOCKLEY, MASSEY, JONES, PARRISH

NAY: SANDERS

Commissioner Sanders reported she will continue to oppose all these public hearings on this land as she has done in the past.

- 4- **RECOMMENDED APPROVAL: (4 TO 1 VOTE Chairman Murphy recused himself due to possible conflict of interest)** Consideration of a request to vacate and abandon an existing 7 lot Subdivision known as Southwest Cape Subdivision. Request submitted by Michael Shuler, Franklin County Attorney.

Mrs. Kelley stated this is the second part of the variance request procedure. Attorney Shuler reported although they did not show the abandonment of the subdivision on this map it will also be the abandonment of Lot #7 north of Tom Roberts Road. He reported if the Board approves this matter then Capital City Bank will have a 7/10 of a acre metes and bounds lot that the Board granted a variance for to become buildable and it will be released from the plat restrictions and the covenants and Franklin County will end up with all the property south of Tom Roberts Road in public ownership. He explained the property south of Tom Roberts Road will also be free from all the plat restrictions and restrictive covenants. **On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to vacate and abandon the existing 7 lot subdivision known as Southwest Cape Subdivision.**

FINAL PLAT APPROVAL:

- 5- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request for Final Plat Approval of a 3 lot subdivision on a 6.54 acre parcel lying in Section 23, Township 8 South, Range 6 West also known as Lot 2, Emerald Point, 1301 Highway 98, Eastpoint Florida 32328. Request submitted by Dan Garlick, Garlick Environmental Associates Inc., agent for Helen Claussen, applicant.

Mrs. Kelly reported earlier in the spring the Board approved the sketch plat and now the property is back for final plat approval. She presented a map of this property. **On motion by Commissioner Massey, seconded by Commissioner Lockley, and by the following vote of the Board present, it was agreed to approve the final plat:**

AYE: MASSEY, LOCKLEY, JONES, PARRISH
NAY: SANDERS

Commissioner Sanders stated she also opposed the sketch plat for this property.

- 6- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request for Final Plat approval of a One Lot Subdivision called Preston's Place also known as lots 18 & 19, Windjammer Village, St. George Island, Franklin County, Florida. Request submitted by Shirley Ann Richardson, applicant.

Mrs. Kelly reported there is 1 house on this property and there will not be another house on the property. **On motion by Commissioner Jones, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the final plat.**

EAVES & OVERHANGS DISCUSSION: (Unanimous) To amend Section 220.56 of the Franklin County Zoning Code to read:

220.56 SETBACK LINE- A line extending inward from and parallel to property boundaries within which development may be authorized. The area between property boundaries and setback lines, as established by zoning districts, will be maintained as undeveloped open space, exclusive of driveways, vehicle parking and fences. **Roof eaves and overhangs that do not extend more than 24" from the outer face of a wall are allowed to intrude into the required setback and be fire code compliant for lots with smaller widths.**

Mr. Moron reported this is the language the Board asked them to draft. He stated this language was presented to the Planning & Zoning Commission and they approved it. Commissioner Jones said during the previous discussion they mentioned things like air

condition units being placed in the setback but that is not being considered. Mrs. Kelly reported it will not be considered because under the flood requirements, an air condition would be required to have a 4 X 6 platform and if it is over a certain height it must also have an accessible staircase. Commissioner Massey asked why they are worried about the roof eaves when they build a house. Mr. Pierce stated this matter came up because the builders and architects left the items off of the site plans and the County did not know. He explained the houses were built with eaves into the setback and now they are trying to sell the houses and these encroachments are showing up on the surveys. He said some members of the building community went to the Planning & Zoning Commission and asked that they address this matter and resolve it for the future. Mr. Garlick pointed out the language says overhangs which could be other things so it should say roof overhangs. Mr. Pierce agreed it is only roof overhangs. He stated other encroachments would have to go to through the variance procedure. **On motion by Commissioner Sanders, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to conduct a public hearing for this amendment.** Attorney Shuler clarified some language needs to be added to the ordinance to make it retroactive based on the comments of Mr. Pierce because the encroachments have been inadvertently created. He said they must also define what is meant by smaller lots. He agreed to work with Mr. Pierce on this matter before the public hearing is held.

Public Hearing – 5-Year Capital Improvement Schedule Adoption

Mr. Moron stated every year the Board completes a Capital Improvement Schedule as part of the Comprehensive Plan. He said it is a list of their current or future capital improvements approved by ordinance. He stated the County receives points on some grant applications for having these projects on a schedule. Mr. Moron said this is a public hearing. Chairman Parrish asked for public comment. There was no public comment. Mr. Pierce explained this is a wish list of ideas the Board presented to staff. He reported some of the projects are funded and some are not but this schedule can be amended at any time. Chairman Parrish asked for Commissioner comments. There were no Commissioner comments. **On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to adopt the Ordinance setting the 5-Year Capital Improvement Schedule.**

Marcia M. Johnson – Clerk of Courts – Report

Clerk Johnson presented her report, as follows:

1-) I have 10 resolutions for adoption on unanticipated revenue as part of the end-of-the-year bookkeeping that involve funds that weren't included in your initial budget last year because we didn't know at the time they would be received. All the funds were spent. Approval is needed to comply with Florida Statutes 129 to incorporate these funds into your budget. **The 1st resolution** deals with \$7,600 received from the Florida Division of Emergency Management for payment of expenses related to the CERT Program. The money was put in account 001.45.525.5200, Emergency Management – Operating supplies. **The 2nd resolution** deals with

\$13,904 received from the Florida Division of Emergency Management for payment of expenses relative to the Flood Mitigation Program. We put the money into account 001.45.525.3402, Emergency Management – Flood Mitigation. **The 3rd resolution** deals with \$17,706 received from the Florida Division of Emergency Management for the payment of expenses relative to the Hurricane Irma response effort. We put \$10,593 into account 001.45.525.1400, Emergency Management Overtime; \$810 into account 001.45.525.2100, FICA Taxes; \$1,494 into account 001.45.525.2200, Retirement; \$4,215 into account 001.45.525.4200, Transportation; and \$594 into account 001.45.525.5200, Operating Supplies. **The 4th resolution** deals with \$257,677 received from the Florida Division of Emergency Management for the payment of expenses relative to the Residential Construction Mitigation Grant Program. We put \$256,529 into account 001.45.525.8200, Aid to Citizens; \$131 into account 001.45.525.4200, Postage and Delivery, \$58 into account 001.45.525.4900, other current charges, and \$959 into account 001.45.525.5100, office supplies. **The 5th resolution** deals with \$46,066 received from the Florida Department of Environmental Protection for the payment of expenses relative to the Sea Turtle Lighting Project. We put \$25,442 into account 001.72.539.1300, Hourly Employee wages; \$1,946 into account 001.72.539.2100, FICA Taxes; \$1,939 into account 001.72.539.2200, Retirement; \$1,075 into account 001.72.539.4800, Promotional Activities; \$23 into account 001.72.539.5100, office supplies; and \$15,641 into account 001.72.539.5200, operating supplies. **The 6th resolution** deals with \$36,150 received from the Florida Department of Environmental Protection for the payment of expenses relative to the restoration of Island View Park Project. We put the money into account 001.20.572.4602, County Commission – Parks – Island View. **The 7th resolution** deals with \$263,643 received from the Florida Department of Environmental Protection for the payment of expenses relative to the removal of derelict vessels. We put the money into account 143.43.539.4600, Boating Improvement, Repair and Maintenance. **The 8th resolution** deals with \$127,705 received from the Florida Department of Transportation for the payment of expenses relative to the resurfacing of Mill Road. We put the money into account 141.41.541.6306, Road Paving Infrastructure, Mill Road. **The 9th resolution** deals with \$20,550 received from the Florida Department of Transportation for the payment of expenses relative to the widening and resurfacing of Ellis Van Vleet Street. We put the money into account 141.41.541.3108, Road Paving Engineering Services, Ellis Van Vleet Street. **The 10th resolution** deals with \$108,117 received from the United States Treasury for the payment of expenses relative to the RESTORE Act Program. We put the money into account 001.20.511.3105, Professional Services – Restore.

On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to adopt the Resolutions, as follow:

RESOLUTION FRANKLIN COUNTY

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated Federal grant revenues in the amount of \$7,600.00 from the Florida Division of Emergency Management for the payment of expenses relative to the CERT Program, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.45.525.5200 Emergency Management – Operating Supplies \$ 7,600.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$7,600.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish

JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson

MARCIA M. JOHNSON, CLERK OF COURTS

**RESOLUTION
FRANKLIN COUNTY**

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated Federal grant revenues in the amount of \$13,904.00 from the Florida Division of Emergency Management for the payment of expenses relative to the Flood Mitigation Program, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.45.525.3402 Emergency Management – Flood Mitigation \$ 13,904.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$13,904.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish
JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson
MARCIA M. JOHNSON, CLERK OF COURTS

**RESOLUTION
FRANKLIN COUNTY**

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated State and Federal FEMA reimbursements in the amount of \$17,706.00 from the Florida Division of Emergency Management for the payment of expenses relative to the Hurricane Irma response effort, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.45.525.1400	Overtime – Emergency Mgmt	\$ 10,593.00
001.45.525.2100	FICA Taxes – Emergency Mgmt	\$ 810.00
001.45.525.2200	Retirement – Emergency Mgmt	\$ 1,494.00
001.45.525.4200	Transportation – Emergency Mgmt	\$ 4,215.00
001.45.525.5200	Operating Supplies – Emergency Mgmt	\$ 594.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$17,706.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish

JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson

MARCIA M. JOHNSON, CLERK OF COURTS

**RESOLUTION
FRANKLIN COUNTY**

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated grant revenues in the amount of \$257,677.00 from the Florida Division of Emergency Management for the payment of expenses relative to Residential Construction Mitigation Grant Programs, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.45.525.4200	Postage & Delivery	\$	131.00
001.45.525.4900	Other Current Charges	\$	58.00
001.45.525.5100	Office Supplies	\$	959.00
001.45.525.8200	Aid to Citizens	\$	256,529.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$257,677.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish

JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson

MARCIA M. JOHNSON, CLERK OF COURTS

**RESOLUTION
FRANKLIN COUNTY**

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated State grant revenues in the amount of \$263,643.00 from the Florida Department of Environmental Protection for the payment of expenses relative to the removal of derelict vessels and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

143.43.539.4600	Boating Improvement – Repair & Maint.	\$ 263,643.00
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NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$263,643.00 in the BOATING IMPROVEMENT FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish

JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson

MARCIA M. JOHNSON, CLERK OF COURTS

**RESOLUTION
FRANKLIN COUNTY**

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated State grant revenues in the amount of \$46,066.00 from the Florida Department of Environmental Protection for the payment of expenses relative to the Sea Turtle Lighting Project, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.72.539.1300	Hourly Employee Wages	\$ 25,442.00
001.72.539.2100	FICA Taxes	\$ 1,946.00
001.72.539.2200	Retirement	\$ 1,939.00
001.72.539.4800	Promotional Activities	\$ 1,075.00
001.72.539.5100	Office Supplies	\$ 23.00
001.72.539.5200	Operating Supplies	\$ 15,641.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$46,066.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish

JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson

MARCIA M. JOHNSON, CLERK OF COURTS

**RESOLUTION
FRANKLIN COUNTY**

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated State grant revenues in the amount of \$127,705.00 from the Florida Department of Transportation for the payment of expenses relative to the resurfacing of Mill Road and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

141.41.541.6306 Road Paving Infrastructure – Mill Road \$ 127,705.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$127,705.00 in the LOGT Road Paving Fund in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish

JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson

MARCIA M. JOHNSON, CLERK OF COURTS

**RESOLUTION
FRANKLIN COUNTY**

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated State grant revenues in the amount of \$20,550.00 from the Florida Department of Transportation for the payment of expenses relative to the widening and resurfacing of the Ellis Van Vleet Street project and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

141.41.541.3108 Road Paving Engineering Services – Ellis Van Vleet \$ 20,550.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$20,550.00 in the LOGT Road Paving Fund in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish

JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson

MARCIA M. JOHNSON, CLERK OF COURTS

**RESOLUTION
FRANKLIN COUNTY**

BOARD OF COUNTY COMMISSIONERS

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated Federal grant revenues in the amount of \$36,150.00 from the Florida Department of Environmental Protection for the payment of expenses relative to the restoration of Island View Park project and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2016-2017 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.20.572.4602 County Commission – Parks – Island View \$ 36,150.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$36,150.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 21st day of NOVEMBER 2017.

s/Joseph Parrish

JOSEPH PARRISH, CHAIRMAN

ATTEST:

s/Marcia M. Johnson

MARCIA M. JOHNSON, CLERK OF COURTS

2) The following budget amendments are presented for approval under Florida Statute 129. These amendments moved budgeted values from one line item to another under the Board's directions:

The Budget amendment below is needed to adjust the budgeted line items in the Boating Improvement Fund to reflect the actual expenditures made last fiscal as grant match for the FWC Boating Improvement Grant to removed derelict vessels.

DECREASE 143.43.539.6300	Boating Improvement - Infrastructure	\$ 87,881.00
INCREASE 143.43.539.4600	Boating Improvement – Repair & Maint.	\$ 87,881.00

The budget amendment below is needed to adjust the budgeted line items in the Capital Outlay Fund. At the July 5, 2017 meeting, the Board approved providing funding for the mosquito control department's software and equipment upgrade from the capital outlay fund.

INCREASE 301.20.511.4900	Capital Outlay – Other Current Chgs.	\$ 3,270.00
DECREASE 301.20.511.6300	Capital Outlay –Infrastructure	\$ 3,270.00

ACTION NEEDED: MOTION TO APPROVE THE LINE ITEM BUDGET AMENDMENTS

On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the budget amendments.

Clerk Johnson informed the Board and public that the Honorable Pal Rivers died on Sunday. She stated Mr. Rivers served our country as a Navy pilot, was an educator in the school system and in 1983 became the Clerk of Court and served in that position until 1993. She reported he was a beloved Clerk and will be missed. Mr. Pierce reported when Mr. Rivers was a Navy aviator he was one of the first men to teach Neil Armstrong, astronaut, to fly and the two stayed in contact. Commissioner Sanders agreed he was a good man. Clerk Johnson said Mr. Rivers was very involved with the County Commission and the airport. She stated the County Commission even named a road after him-Pal Rivers Road at the airport.

Alan Pierce – RESTORE Coordinator – Report

Mr. Pierce presented the following report:

1- RESTORE update- I am still working with US Treasury to get an amendment approved for an extension of the timeline for the MYIP. I am also still working with Treasury on responses to the Compliance Review. I had a conference call with Treasury personnel on Nov. 16 regarding our Compliance Review. Please find in the Board packet the response that I sent to Treasury based upon the Nov. 16 conference call.

Mr. Pierce stated the response he sent is in the Board packet.

2- Commissioner Sanders attended the Consortium meeting in Sarasota on Nov. 15. She might have additional information but it appears the State Expenditure Plan (SEP) is slowly being developed. I have seen a draft and all the county's proposed projects are in the SEP. The problem is that every county wants to be funded in the early phases of the 15 year plan, and so the issue is how to allocate the money. The draft SEP should be available for public review on Dec. 15. After the public comment is over, the SEP is sent to the Governor. The Governor then has to get the SEP approved by the Gulf Council, so I expect the SEP will not be final until Spring 2018.

But there is another problem for the Consortium, the Gulf Council believes the Consortium does not have the internal structure to handle the disbursement of funds. So, the Consortium has to create something called the SSEP- Stand-up State Expenditure Plan, which will be the accounting and financial structure for funds to be spent on projects in the SEP. In short, the Consortium has to create the same sort of internal financial oversight that Franklin County has to create in order to satisfy the US Treasury. Franklin County will create the financial and administrative oversight through the Grants Manual we are creating. The Consortium is doing it by creating the SSEP.

Commissioner Sanders reported a lot of things at the meeting were not good. She explained they want to change the conflict of interest portion of the consultant's contract so it will not be a conflict for ESA to bid on projects they help put together during the SEP. She stated the attorney for the Consortium said to deny the request and she voted no but the Consortium voted to allow the attorney to meet with ESA to try and work it out. She said the attorney will provide a report on this matter in February. She reported she was in favor of the attorney's recommendation which was to deny the request. She expressed concern that changing the contract will open the Consortium up to all the other companies that wanted the contract under these terms and were not given the change. Mr. Pierce stated it was a very controversial vote. He said the vote was 10 to 8 and there are 23 members so 5 members were not present. Commissioner Sanders said some staff was also present but they are not supposed to vote. She explained Mr. Mike Sole, one of the Governor's appointees, was also concerned. She stated she is not sure how the eventual product will come out. Mr. Pierce stated if the Consortium continues to disagree with what the Governor's representative is suggesting then it may not go well with the Governor. Commissioner Sanders stated after the Governor gets the plan then he has to present it to the Gulf Council. She pointed out the Governor can remove anything he wants from the plan.

3- TRIUMPH Update- As the Board is aware, a public meeting was held on Nov. 7 with the two cities and the school board to discuss TRIUMPH projects and funding. Mr. Scott Remington, TRIUMPH Board General Counsel, made an excellent presentation. While the county had received 4 pre- applications from the City of Apalachicola; 4 from the City of Carrabelle, and 2 from the School Board, it was agreed by all that those pre-applications would be submitted to TRIUMPH directly by the applicants. The county agreed to submit one project for the Armory and FSU agreed to submit one project utilizing the FSU Marine Lab to develop an oyster hatchery and continue research focusing on the revitalization of the oyster industry in the Apalachicola Bay.

As of Nov 15, which was the deadline the TRIUMPH staff had set for projects to be included in the first round of consideration; the following projects have been submitted for activities in Franklin County:

4 pre-apps from the City of Carrabelle for	\$ 1.76M
5 pre-apps from the City of Apalachicola for	\$ 6.62M
1 pre-app from Franklin County for	\$ 2.00M
1 pre-app from FSU for	\$ 8.30M
TOTAL:	\$18.68M

The school board did not submit any pre-apps under their own name before the Nov. 15 deadline. All of the pre-applications are on-line at the TRIUMPH website.

The current legislation creating the TRIUMPH Board directs that Franklin County receive at least \$15M of TRIUMPH funds. According to Mr. Remington, the TRIUMPH Board and staff will review the pre-applications. Those pre-apps that look favorable to the TRIUMPH Board will be asked to submit a full 30 page application. One of the questions on the full application will be whether the proposed project has the support of the county commission. Since the TRIUMPH Board has yet to hire a full staff to review the pre-applications it is not known when all the pre-applications will be reviewed, as 95 pre-apps were submitted to TRIUMPH by the Nov. 15 deadline.

I attended the Nov. 8 TRIUMPH Board meeting in Wakulla County. I am going to the Dec. 8 TRIUMPH Board meeting and will provide the Board an update at the Dec. 19th BCC meeting.

4- Several commissioners asked for a brief summary of the FSU oyster hatchery project. The FSU project is titled "Apalachicola Bay System Initiative" and it builds on the concept that something more needs to be done than just put shells in the Bay. The project proposes to develop an oyster hatchery at the FSU Marine Lab, and to continue research on a variety of fronts to help bring the Bay back to productivity. The oyster hatchery will provide oyster spat for use in the Bay. FSU is asking for \$8.3M of TRIUMPH funds over a 5 year period, so it is possible that some of the funds FSU is seeking will come out of later TRIUMPH disbursements to Franklin County. FSU plans to contribute \$4.65M in cash to the effort, as well as seek an additional \$4.250M from other state and federal funding for the project. Thus, the matching component that FSU is putting into this project is slightly more than 1:1.

Mr. Pierce said FSU made a significant investment in this project and the match for this project exceeds the other projects. He was not sure about the timeline for Triumph reviewing this project. Commissioner Lockley reported the Board did not discuss this project. Mr. Pierce agreed the representatives from FSU were at the last meeting but the project was not discussed by the Board. Commissioner Lockley asked what the UF submitted. Mr. Pierce stated they did not submit a project. Commissioner Lockley questioned where UF will be in this process. Mr. Pierce was not sure but said UF received money from other sources to look at the bay and they

had a meeting last week and an article was the newspaper about their findings. Mr. Pierce reported the UF could submit a project but has not contacted the county. Commissioner Lockley asked if the Board will have to select one of these proposals. Mr. Pierce stated the selection will be done by the Triumph Board. Mr. Pierce said he has not reviewed the 30 page application and does not know what the application will require. Commissioner Lockley said if the UF has been doing a study for 5 years and did not submit anything then they may need to leave Apalachicola. Chairman Parrish said he approached the UF about helping with the oyster hatchery and they were not interested. He agreed with Commissioner Lockley that they have been here for 5 years and have never appeared before the Board to report what they were doing or to ask for input. He stated everything went through the Seafood Management Assistance Resource & Recovery Team (SMARRT) group. He explained the covering up of the oysters last week with barge planting was a state contract. Chairman Parrish reported when Mr. Moron contacted the state they said the SMARRT group told them where to plant the materials. He reported people complained to the County but the County did have any input into what was being planted or where it was being planted. Chairman Parrish reported the shelling company had a contract with the state and the work was done. He explained the Commissioners received calls wanting the project stopped but the County did not start the project and could not stop the project. He reported once UF was not interested in the oyster hatchery project then FSU picked up the project. Commissioner Lockley reported he received calls complaining about the shelling and he did not know they were planting shells. He expressed concern that the County does not receive information about these projects but gets the blame. Commissioner Sanders reported FSU is stepping up and they have Dr. Felicia Coleman who is a very astute person in oyster matters so it may be a good thing. She asked if Dr. Coleman is going to do a project with the Triumph Board. Mr. Pierce stated the name on the application was Dr. Coleman's boss. Chairman Parrish reported it will be done at the FSU Marine Lab so Dr. Coleman will be involved with this project. He explained in the FSU proposal, it says FSU is looking for different strains of oyster than can grow in a saltier climate which is what the bay has now. He stated the environmental conditions have changed and if they do not try to change with it everything in the bay will be lost. He said it was reported after monitoring that there was an average of 5 bushels of oysters per acre in the bay and it has never been that low. Chairman Parrish stated just placing shells in the bay is not working so they have to find something to bring the bay back so people can continue to make a living. He said without the oysters purifying the contaminants out in the bay they will lose everything. Commissioner Sanders said she likes FSU's way of thinking in looking for another strain of oyster. Chairman Parrish felt the County has to do everything they can to help the bay recover. Commissioner Sanders reported if they would have listened to the institutional knowledge it would have prevented a large part of how this happened.

5- Inform the Board that I was in contact with the state hazard mitigation personnel and they recommend the Board submit an application to purchase the Alligator Point Fire Department building on Alligator Point. The purchase would allow the county to relocate the west end of Tom Roberts further away from the shore. The west end was slightly damaged during Hurricane Hermine and is exposed to continued damage. The purchase

would remove two curves in the current alignment of the road. The purchase would also provide the Fire Department with some funds to begin construction of a new fire station in a safer location. The purchase would be contingent upon an appraisal acceptable to the Fire Dept. Board direction.

Mr. Pierce said no action is needed now as they are waiting for direction from the Hazard Mitigation personnel. Chairman Parrish asked if the state mitigation program has a funding mechanism. Mr. Pierce answered yes, but he is not sure what percentage of funds will be received. Chairman Parrish reported the County is not getting the money but it is a good use of funds.

6- Inform the Board that I received a phone call from Ms. Carrington of the Governor's Budget Office. The Governor has approved the waiver for Franklin County, although she was not sure if it was a full waiver or partial. According to Ms. Carrington, the waiver is approved through a funding agreement between the Governor's Office and the state Div. of Emergency Management. I have called DEM to verify what type of waiver is being authorized to Franklin County. As soon as I hear I will let the Board know.

Chairman Parrish asked if this is the FEMA application to rebuild the road. Mr. Pierce said it will cover everything. He reported there is \$4 million worth of damage accrued by Hurricane Hermine and \$3.2 million is just for Alligator Point Road. He explained because of this waiver, the County will not have to take money out of the Bald Point Trust Fund.

7- This item was addressed earlier in the meeting.

Michael Morón – County Coordinator – Report

1. At the last meeting, the Board directed me to research the certification process that would allow someone to apply for an oyster harvesting license. This request was based on proposed legislation that would change the license issuing agency from the Department of Agriculture and Consumer (DACS) to the City of Apalachicola. Mr. Kal Knickerbocker of DACS informed me that the State would continue to certify applicants which would include showing the required videos and providing whatever other classes are needed. Once that process is completed the applicant will receive a certification from DACS that could be given to the issuing agency to receive their harvesting license.

Mr. Moron reported at the last meeting the Board discussed not being comfortable with switching the licensing from DACS to the City without it being presented to the Board. He explained Mr. Knickerbocker told him it would be more difficult now to change the agency collecting the license fees. He said he asked Mr. Knickerbocker about changing the amount charged for the license and capping the administrative costs and he said that would be easier to get done. Commissioner Sanders reported before the last meeting several people called her concerned about the City of Apalachicola taking over the issuing of the licenses and they would like the county to handle the licenses. Chairman Parrish explained the current proposal said the

City would issue the licenses and collect the money but he would like to know if they keep the money or remit the money to the state less the administrative fees. Mr. Moron reported the proposal says the money will go in a trust fund but it does not say what trust fund. Chairman Parrish asked if the state is keeping the money and paying the City an administrative fee. Mr. Moron said it sounds like the City collects the money, keeps the administrative costs and puts the balance of the money in a trust fund. He was not sure if it was a state trust fund or if the City creates a bank account to serve as the trust fund. Attorney Shuler reported the money will be collected and administered by the City in a trust fund they are going to create and administer once they take out their administrative fees. He explained according to the legislation the balance of the money can be used for several items but not for general revenue purposes. Mr. Moron suggested the Board write a letter asking to cap the administrative costs and he asked if the balance of the money should be remitted to the county to create the trust fund. Commissioner Sanders was concerned that the County was not even notified of the change. She questioned why a state program is going to a municipal entity. Mr. Moron said he was told one of the reasons was because the City administered the shelling program and the state felt more comfortable giving this process to the City. Chairman Parrish said the time period of the license was also discussed and there is still time to consider this matter as the legislative session starts in January. Commissioner Sanders reported their legislative day is February 7th. Commissioner Jones stated the Board talked about capping the administrative fees and he thinks the proposal was generous. He said any place of business that issues hunting/fishing licenses for the state gets \$.50 per license as an administrative fee. Commissioner Lockley stated the county does not need this license. He reported other areas do not have a license and Franklin County is the only place in the State of Florida where oystermen have to have this license. Commissioner Lockley said the oystermen are not making any money and then have to pay \$100 for the license. Commissioner Sanders agreed and said the license came into effect after the 1985 hurricanes to help restore the situation. She reported if the DACS is not going to do anything in Apalachicola Bay; why the Board isn't fighting for the oystermen not to be required to have a license. She said she does not understand why they have the license anymore. Chairman Parrish stated he understands their position but the bay is in the same situation as it was in 1985 and if they rebuild the bay and do not have the license to restrict people from coming in then the bay will go down again. Commissioner Sanders said if they issue the license, they should not charge an 18% administrative fee. Chairman Parrish stated it should be clearly defined how the money is taken and what is done with the funds. He explained under the current proposal they have just added the City's name in place of DACS and it will allow them to spend the money on a list of things. Commissioner Lockley stated they can issue the license but not charge the oystermen anything for it. Chairman Parrish asked if the Board wants to think about this matter or take action. Commissioner Sanders said they should at least look at capping the administrative fees. She reported she would rather not have to address this matter and have the state take care of their responsibilities to the bay. She stated she cannot believe the state is saying they are going to wash their hands of Apalachicola Bay. Commissioner Lockley questioned who is going to be responsible for replanting the bay now. Mr. Pierce said the state has always said they regulate the bay but now it is going to be Franklin County's responsibility. Commissioner Lockley

reported the state owns the bay. Commissioner Sanders point out everyone knew when the RESTORE funds start flowing to the County they were going to see costs shift from the state to the County. Commissioner Sanders asked how much money was collected last year from the oyster licenses. Mr. Moron reported \$80,000-\$88,000. Commissioner Sanders asked what the money was used for. Mr. Pierce explained when DACS was issuing the licenses, the funds were used to offset the shelling costs and when the shelling program stopped the funds were used to help run their office. Chairman Parrish reported they said 50% went to DACS for helping the shelling program and 50% to FWC for enforcement. He pointed out shortly after the discussion they stopped shelling the bay. Commissioner Lockley stated the money was used to pay the salaries of the employees. Commissioner Sanders reported if Franklin County has to put any product in the bay then she wants it to be oyster shells because the spat needs to attach to something to make oysters. Chairman Parrish agreed. Mr. Moron asked if the Board would like him to submit a draft letter for the Board to consider at the next meeting. The Board agreed with this action.

2. I was informed by Mr. Mike Cooper, Weems CEO, that Weems is in need of a cash infusion for payroll. Based on the information sent to me from Mr. Cooper their operating account was depleted after payments were made to reduce the account payable balance earlier this month and after the 15th payroll there is only approximately \$140,000 in the savings account. Mr. Cooper expects that Weems will receive LIP/DISH funding sometime in April or May of 2018. Is the Board interested in allowing Weems access to funds from the Healthcare Tax account to cover at least three payrolls?

Mr. Moron stated he received an email Mr. Jordan Fulkerson, Interim Chief Financial Officer (CFO) that the hospital received a first quarter DISH payment of \$180,000 but that is the amount of their accounts payable. Commissioner Massey asked if the \$180,000 will be used for operating or payroll. Mr. Moron said he is not sure what they will use it for but the payment for accounts payable was \$180,000. Commissioner Massey stated they have not paid TMH anything for Mr. Cooper's salary. Mr. Moron estimated the balance owed to TMH is between \$650,000- \$700,000. Commissioner Lockley said something has to change because they are paying Community Hospital Consultants (CHC) and Tallahassee Memorial Hospital (TMH).

Commissioner Lockley made a motion to terminate the management contract with TMH and Mr. Cooper. Commissioner Sanders seconded the motion. The Board discussed the salaries being paid under the management contract. Attorney Shuler stated it pays the salaries of the Chief Executive Officer (CEO) and CFO but not the Chief Nursing Officer (CNO). Commissioner Jones asked if this includes Mr. Fulkerson who is the current CFO. Mr. Moron was not sure if Mr. Fulkerson was being paid under this contract as he is the interim CFO. Commissioner Massey stated if TMH requests their money, it is going to deplete the HealthCare Trust Fund (HCTF). Attorney Shuler advised the Board if they terminate the management contract with TMH then they will probably receive a bill for the past due amount as opposed to TMH working with the County on a payment schedule. Commissioner Sanders said they took this action once before and it got things moving. She reported something needs to be done because at every meeting she has asked Mr. Cooper how things are at the hospital and why the hospital has a

liability of over \$2 million. She stated Mr. Cooper reports that things are going good but they have not paid back the \$890,000 borrowed from the capital outlay two years ago and now they want more money. She stated at some point the Board has to say they have had enough. She reported the Board has to decide to keep the hospital and keep putting money into it and not getting what they need out of it or consider selling the hospital. She questioned if Mr. Cooper has been lying to the Board when he reports things are going good. She stated the County has to do something better than they have already done because the people deserve better. Commissioner Sanders explained she thought the contract with CHC was good but for some reason they cannot agree with Attorney Shuler on the language in the contract. She said the County is at the same point as they were 20 years ago and she is concerned. She reported the County needs to find a management company or make a hard decision to go out for bids or sell or lease the hospital. She stated they cannot continue to take money out of the capital outlay when they are getting \$1.5 million out of the operating side of the HCTF. She stated they are borrowing from the capital outlay side. Commissioner Sanders reported she feels like Mr. Cooper has lied to her. Commissioner Lockley stated Mr. Cooper is getting his money from TMH. Mr. Moron pointed out the hospital depends on LIP/DISH payments for operating and the State has said the payments are coming slower. He stated the money may not be received until April or May. He explained it happened last year and the County is back where they were. **The motion passed by the following vote:**

AYE: LOCKLEY, SANDERS, MASSEY, PARRISH

NAY: JONES

Mr. Moron asked if the Board wants to allow them access to the funds for payroll. He said they may receive payments but they are not sure. Commissioner Massey said the workers need to be paid. Commissioner Sanders stated they just received \$180,000 which is the cost of a payroll. Chairman Parrish reported Mr. Moron stated they were using the \$180,000 to pay bills. Mr. Moron reported that money is needed for accounts payable. He explained one of the bills they must pay is to the Road Department for fuel for the ambulances. Commissioner Lockley asked how many payrolls are needed. Mr. Pierce answered 3. Mr. Moron explained they have \$130,000-\$140,000 so they will need \$50,000 more to get through the end of the month and then they will need money for December. He asked for access to the money for payroll and said he will report to the Board when the money is requested. Commissioner Sanders clarified he wants access to the money but is not just giving the money to them. Mr. Moron agreed he is only asking for access to the money. **Commissioner Lockley made a motion to allow the Hospital access to 3 payrolls.** Commissioner Massey asked if the money is available in the HCTF. Mr. Pierce stated there is a couple of million in the capital outlay side of the HCTF. Commissioner Sanders pointed out that money is for capital outlay not operations. Commissioner Sanders stated they do not need to report that things are fine at the Hospital if they have to borrow for 3 payrolls. **Commissioner Massey seconded the motion. Motion carried; 5-0.** Mr. Alan Feifer, Concerned Citizens of Franklin County, asked why he still does not have access to the hospital's financials for the month of September and was told they are not ready yet. He questioned if the County has access to the financials. He explained it is

November and someone needs to review the financials for September. He reported the County authorized 3 payments for payroll and he inquired if other funds can be used for other things. He stated they have not repaid the money borrowed last year which is roughly \$850,000. He reported there is not enough in the trust fund to pay back the money owed as there is approximately \$2.4 million owed. Mr. Feifer stated with this last request the total will be close to \$3 million. He said there is going to be another crisis because as soon as Mr. Cooper hears the contract with TMH is terminated, he will go home. He expressed concern for the citizens that need good health care. Mr. Feifer said the County does not have the financials and the County may need to order them in addition to the financials for October so they know where the Hospital stands financially. Commissioner Massey agreed someone has to run the hospital. Mr. Moron stated they are past the point of staff negotiating with CHC. He explained in discussions with Attorney Shuler his impression is CHC want to manage the hospital without liability similar to consulting. Mr. Moron reported he conveyed this information to Mr. Coleman and Mr. Coleman said that is not what they mean. Mr. Moron went on to say what they mean has to be translated into the language in the document. He recommended the Board have a 1:30 p.m. session on December 5th. He explained the Board can either extend the agenda if they want to take action or have a workshop. He reported the Board usually has the second meeting in December in Carrabelle but the Planning & Zoning report will be presented at that meeting and they do not have facilities for the projector. He asked if the Board would like to have the first meeting in December in Carrabelle and then have the second part of the meeting with CHC in Apalachicola. Commissioner Sanders answered no. Attorney Shuler recommended a workshop instead of a continuation of the regular meeting because the purpose is for the Board and CHC to share information. He went on to say if the Board wants to be in a position to make a decision then they can extend the regular meeting. Commissioner Sanders asked if the items in the contract with CHC are just items Attorney Shuler is concerned about or deal breakers. Attorney Shuler was not sure but said a workshop setting is necessary for the Board members to hear the discussion. He explained this issue is important enough that they should all come together to have a conversation and come to an understanding about the expectations. He explained the expectations of the Board do not seem to be the expectations of CHC. Commissioner Lockley said if they will have a workshop and come to an agreement then they cannot vote. Attorney Shuler reported one of his reasons for suggesting a workshop is to allow them time to translate the decisions to writing before the next Board meeting. He stated with the Board's action today to terminate the contract with TMH; the timeline has collapsed tremendously and created a strategic change for him. Mr. Moron agreed CHC and the Board need to meet to resolve these issues. Commissioner Massey asked if the Board should wait until they finish the contract with CHC before voting on the TMH contract. Attorney Shuler answered yes. Commissioner Massey expressed concern that there will not be anyone to run the hospital after today. Attorney Shuler reported it could result in closure of the hospital. Attorney Shuler stated his preference and recommendation to the Board is not to negotiate under the circumstances they are facing now. Commissioner Massey suggested the Board wait to address the contract with TMH until Attorney Shuler negotiates a contract with CHC. Attorney Shuler stated if there is no CEO then the Agency for Health Care Administration (ACHA) may shut the hospital down. He reported this will complicate negotiations with CHC.

He asked the Board to reconsider the action on terminating the TMH contract right now until they can finalize the process they are in. Commissioner Sanders stated sometimes no one wants to listen so the Board needs to take action to make them realize things need to be taken care of. She reported the Board has no control except through the management contract with TMH. Chairman Parrish stated they are being asked to reconsider their action by Attorney Shuler. Commissioner Sanders said they do not have confidence in someone. Commissioner Massey stated he understands but they may need to look at this decision. Commissioner Sanders reported they did the same thing last time and then TMH heard about it and they had a special meeting and things got moving fast. She reported the Board has to do something because no one is listening and when someone is present they do not give all the information the Board needs to know. Commissioner Massey asked how long Attorney Shuler needs to work on this matter. Attorney Shuler stated if they have a workshop on December 5th and then they must give notice then nothing would happen before the first of the year. Commissioner Massey suggested the Board give Attorney Shuler some time as this puts him in a bad position. Attorney Shuler explained he is trying to negotiate with a third party and he does not know how CHC will react. He suggested the Board keep the contract in place with TMH and take time with CHC so the Board can decide what they want to do with and management of the hospital. He explained once the negotiations are completed then the County can decide and may have a seamless transition to a new company. Commissioner Sanders stated it is not right to ask the Board to reconsider their motion. She explained the Board can give them so many days or put them on notice. Commissioner Lockley reported Mr. Cooper works for TMH and questioned if he will work for CHC when the negotiations are complete. Attorney Shuler said as far as he knows there are no assurances that Mr. Cooper will be working for CHC in the event there is an agreement between the County and CHC. Commissioner Massey explained if the contract goes through CHC will be doing their own work and will not need him. Mr. Moron asked if the problem is with TMH or Mr. Cooper and questioned if they can be separated. Commissioner Sanders did not think they could be separated. Mr. Moron inquired if TMH must provide the CEO. Mr. Pierce suggested the Board asked TMH to provide another CEO. Chairman Parrish stated if the County enters into a contract with CHC, it will be their responsibility. He reported they should not provide another CEO when the contract may change. Commissioner Sanders reported there is a problem at the hospital. Commissioner Massey agreed there is a problem but said they are in the process of trying to get a contract now. Attorney Shuler said procedurally the Board has already voted so a new motion and second will be needed. Commissioner Massey asked if the Board should provide a 60 day or 90 day notice. Commissioner Jones stated everything should be over within 90 days. Commissioner Sanders left the meeting at this time. **Commissioner Lockley made a motion to terminate the TMH contract in 90 days. Commissioner Jones seconded the motion. Motion carried; 4-0.** Mr. Moron stated the workshop will be here on December 5th and the December 19th meeting will be held in Carrabelle. The Board agreed this is fine. Mr. Feifer reported he agrees with Commissioner Sanders' intent is but CHC is going to hear that the county wants to get rid of Mr. Cooper and they are not getting any help from TMH. Commissioner Sanders returned to the meeting. Mr. Feifer said TMH was supposed to bring a risk sharing partner and they knew CHC was not going to be a risk sharing partner. He stated the County is now in a weak position for

negotiating when CHC knows they want to end the contract with TMH. He recommended the Board seek a second proposal because they need to have another option so CHC feels compelled to negotiate. He said the County has lost all their negotiating capability. He stated the County needs another option if they cannot negotiate with CHC because they are going to be in a closed hospital situation. Mr. Feifer pointed out ACHA requires a CEO to be on staff in order to stay open and an interim CEO could be brought in on a moment's notice through a staffing company. Commissioner Jones left the meeting at this time.

Mr. Moron continued with his report:

3. Board action to authorize advertising for Construction, Engineering and Inspection services for the sidewalk project on North and South Bayshore Drive in Eastpoint.

Mr. Moron stated this item was submitted by Mr. Curenton and he will email the details to the Board. **On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize advertising for Construction, Engineering and Inspection Services for the sidewalk project on North and South Bayshore Drive in Eastpoint.**

4. Inform the Board that the start date for the Indian Creek Boat Ramp Improvement project has changed from November 6th to November 27th. The estimated completion will be in late March or early April 2018.
5. The Eastpoint Fishing Pier Improvement project has been advertised. Responses to this solicitation are due in the Department of Environmental Protection (DEP) Tallahassee offices no later than 3:30 PM (ET), on Thursday, December 14, 2017. DEP is hoping that there will be a lot of interest by local qualified contractors for this project.
6. Board action to approve a Change Order for the amount of \$8,962.39 to add the paving of Allen Street in the Apalachicola area around the Airport. The new total contract price, including this Change Order, is \$296,380.84.

Commissioner Jones returned to the meeting. **On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve a Change Order for the amount of \$8,962.39 to add the paving of Allen Street.**

Commissioner Sanders asked if this is an addition on the paving program. She stated a little bit of Georgia Street in Lanark Village to Highway 98 needs to be addressed and she asked Mr. Moron to look at the money she has left and add this road.

7. This item was addressed at the beginning of the meeting.
8. This item was handled earlier in the meeting.

9. Informed the Board that Ms. Whitney Cole applied for and the County was awarded a \$3400 Fish and Wildlife grant to purchase additional hardware to modify regular trash cans to make them bear resistant. Some of this funding can also be used to replace resistant cans that may be destroyed by bears as they try to open them.

Mr. Moron reported if anyone asked why the County did not receive more funds, they would need to have a bear ordinance and mandatory trash collection.

Mr. Moron thanked Mr. Terry Tipton, Property Appraiser's Office, and Mr. Shane Phillips, Courthouse Maintenance Director, and the volunteers who decorated the Courthouse in time for the Apalachicola Christmas lighting on Friday. He stated there are plans to decorate the Carrabelle Annex next Thursday to have it ready in time for their celebration.

T Michael Shuler – County Attorney – Report

Attorney Shuler reported on the CEI contract mentioned for the sidewalk in Eastpoint, the DOT wants the County to change the contractual structure from a lump sum to an hourly rate and he is in the process of finalizing the contract.

1. PACE Financing (Property Assessed Clean Energy)

Three entities are advertising Notices of Intent in the local newspaper to adopt a Resolution authorizing PACE financing in Franklin County for things such as solar power and storm-proofing roofs; to wit: Green Corridor Special District (Chad Friedman, esquire, cfriedman@wsh-law.com); Florida Green Finance Authority (Jack McWilliams, esquire, jmcwilliams@llw-law.com) and the Florida PACE Finance Agency (Mark Lawson, esquire, mlawson@markglawson.com). I have contacted each of them by phone and email, and notified them that Franklin County would like for them to remove us from any resolution they adopt.

Each agency stated that they would not try to by-pass Franklin County and would seek county approval prior to implementing any PACE financing in Franklin County.

The Notice of Intent is intended to allow them to comply with the annual statutory deadline requiring such a resolution be adopted prior to January 1st of each calendar year for the purpose of possibly allowing non-ad valorem assessments to be placed on the tax bills sent out each year, in this case 2018. Although the three PACE agencies published the ad, they have all three told me that they will not request PACE financing unless Franklin County supports it.

The County has rejected all prior requests for PACE financing in Franklin County.

Board Action: I request that the Board ratify my action directing the three companies to remove Franklin County from their resolution authorizing PACE financing in Franklin County.

On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to ratify Attorney Shuler's action directing the three companies to remove Franklin County from their resolution authorizing PACE financing in

Franklin County.

2. Capital City Bank – South West Cape Subdivision

On November 17, 2017, I received the notification from the Florida Department of Environmental Protection transferring the permit for the Storm Water Retention Pond at South West Cape subdivision to Franklin County. A copy is attached hereto and the Clerk has placed a copy in the board file for this meeting.

Board Action: None

3. Apalachicola Bay Advisory Committee

At your November 7, 2017, a presentation was made regarding the creation of a local advisory committee for Apalachicola Bay. A request was made for the Board to appoint a member, preferably the Chairman, Smokey Parrish, as a voting member. The Board took no action because it did not have a full board, as one member was absent due to illness.

After reflection on the issue of having a county commissioner at as a voting member of an advisory board whose recommendations may be presented to the County Commission for action, I am of the opinion that the Board may only appoint a non-voting ex-officio member of that board.

Board Action: A motion that any county commissioner appointed as a member of the Apalachicola Bay Advisory Committee may only serve as a non-voting ex-officio member of that Committee

Mr. Moron pointed out all the other state agencies are ex-officio members. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to appoint Chairman Parrish to the Apalachicola Bay Oyster Task Force as an ex-officio non-voting member.**

4. Medical Marijuana Moratorium

The moratorium on medical marijuana dispensaries expired on November 7, 2017. The purpose of the moratorium was to allow time for the legislature to enact laws implementing the constitutional amendment authorized during the November 2016 general election.

In 2017, the Legislature enacted a law in which it preempted regulation to the state and prohibited local governments from regulating medical marijuana dispensaries in any manner different from a pharmacy and imposed a 500-foot set back from schools. The statute (381.986 F.S.) does provide Franklin County with the option to ban medical marijuana dispensaries.

Board Action: None recommended for 11/21/17. However, discussion at your next board meeting on how the Board wants to proceed, if that is the will of the Board.

5. Public Record Law Policy Review

Martin County recently settled a lawsuit for breach of contract and violation of the sunshine law and improper destruction of public records. The settlement was for Twelve Million Dollars (\$12,000,000), and, in part, involved the improper destruction of public records and the use of a private email for the conduct of official business by individual county commissioners. A copy of the newspaper article I received is attached.

Board Action: I request a motion authorizing me to review the county's policy concerning the creation, retention and destruction of public records, sunshine law and social media/email accounts.

On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize Attorney Shuler to review the County's policies.

Attorney Shuler reported the oral arguments in the water wars are scheduled on January 8, 2018 before the U.S. Supreme Court. He stated there should be video feed to these arguments so it can be viewed from Franklin County.

Chairman Parrish said he would like Attorney Shuler to bring up the issue of the marijuana dispensaries after the first of the year so the Board can take action to either ban the dispensaries or regulate the authority to the state. He suggested addressing this matter the first meeting in January.

Commissioners & Public Comments

Commissioner Jones stated at the ARPC meeting they discussed Big Bend Continual Care wanting to expand services. He reported they may look at the school districts as they have a homeless liaison. He said they will be looking for information about the needs and/or changing how their membership was set up on the past.

Commissioner Jones informed the Board the ARPC now has interns serving under their banner that can do GIS services and CRS services. He said the CRS addresses insurance rates charged to citizens for their homes. Mr. Moron reported the GIS maps were updated several years ago. Commissioner Jones said the GIS maps still show a nursing home facility across the street from Bad cocks in Eastpoint so they may need to be updated.

Adjourn

There being no further business to come before the Board, the meeting was adjourned at 12:37 p.m.

Joseph A. Parrish - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts