

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
FEBRUARY 6, 2018
9:00 AM
MINUTES**

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

On motion by Commissioner Massey, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to approve the minutes from the meeting held on January 16, 2018.

Payment of County Bills

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

Department Directors Report

Howard Nabors – Superintendent of Public Works

Mr. Nabors reported Trout Creek Bridge was closed a couple of weeks ago. He explained work started yesterday and should be finished this week. Mr. Moron read Item # 6 from his report, as follows:

6. Staff was notified on January 17th that FDOT was closing Bridge No. 494096 which is on Mill Road over Trout Creek due to a serious deficiency (damage to truss). It was my opinion that repairing this bridge was of the utmost importance, so I contacted Broadspectrum for a quote. After Broadspectrum was able to locate a replacement truss they quoted a price of \$6,960 to cover material and installation and agreed that the County will not be invoiced until the bridge has been inspected and approved for opening by FDOT. **Board action** to approve the repairs.

On motion by Commissioner Massey, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to pay \$6,960 for repairs to Trout Creek Bridge. Mr. Moron said he and Mr. Nabors are concerned about the state using this bridge for their log trucks. He questioned if the Board wanted to consider a weight limit for the bridge. Mr. Nabors agreed the single axle vehicles are not causing the damage but log trucks and rock trucks do use this bridge. Chairman Parrish questioned if the trucks need to cross the bridge. Mr. Nabors stated they could probably go around but it would depend on where they are logging. Commissioner Sanders suggested the County contact the Division of Forestry (DOF) and see if they are willing to work with the county on this issue. She stated weight limits are needed on every bridge. Mr. Nabors reported there is a weight limit on this bridge but he was not sure of the limit. He said this bridge is old and this is just the beginning of the issues with the bridge. Attorney Shuler stated the County can communicate with the Division of Forestry but in the past the Board has imposed weight limits on the bridges. He said the maximum capacity has been 5,000 lbs. on certain bridges and roads. Commissioner Sanders said in all likelihood most of the damage to the bridge has been caused by logging trucks and the County needs to contact DOF to see if they will help like they have in the past. She stated the County does need a weight limit on the bridge. Chairman Parrish reported DOT will be inspecting the bridge so the County needs to ask DOT what the bridge is capable of handling. He explained it has obviously been handling too much weight for this much damage to have occurred. He said when the letter is written they should include this request about the recommendation on the weight limit so this does not occur again. He stated the County cannot continue to pay for the repairs to the bridge. **Commissioner Massey made a motion to direct Mr. Moron to contact the State Division of Forestry to help with the costs of the bridge and ask the DOT about the proper weight limits for this bridge. Commissioner Sanders seconded the motion.** She reported last year during hunting season, the state condemned four or five of the DOF bridges so this is an ongoing problem that needs to be rectified. **Motion carried; 5-0.**

Mr. Nabors reported he received a call yesterday about the dock at the Timber Island Boat Ramp. He said the braces underneath the dock and three of the pilings are broken. Commissioner Lockley asked if the dock needs to be shut down temporarily. Mr. Nabors said it needs to be shut down now and then re-done since it has been there a long time. Mr. Nabors described the location of the dock and said it belongs to the county. Commissioner Massey stated this dock is about 20 ft. long. **Commissioner Massey made a motion directing Mr. Moron to advertise for bids to fix the dock. Commissioner Lockley seconded the motion.** He asked Commissioner Massey to include closing the dock for public safety. **Commissioner**

Massey amended his motion to include closing the dock until the repairs are completed. Commissioner Lockley amended his second. Motion carried; 5-0.

Mr. Nabors said there has been logging off of Jeff Sanders Road and Kelley Road and they notified the County today that they will be moving out this morning.

Mr. Nabors brought into discussion the leasing of the Mack dump trucks. He explained the County will be penalized \$1,500 for every 5,000 miles they go over the 40,000 mile limit. Chairman Parrish asked what the average miles are in a year. Mr. Nabors said the highest number of miles the County had was 32,000 miles. Chairman Parrish stated it may change if the county has an emergency. Mr. Nabors agreed it could change if the County had a big storm. He reported they would like to try this program because the other counties seem to think it is a good deal.

Mr. Nabors reported Mr. Tommy Sadler is retiring March 15th and they will have a party at the office. Chairman Parrish asked if Mr. Nabors will request advertising for this position at the next Board meeting. Mr. Nabors answered yes. Commissioner Sanders asked how long Mr. Sadler has been with the county. Mr. Nabors stated 29 years.

Fonda Davis – Solid Waste Director

Mr. Davis provided the following report to the Board:

SUBJECT(S):

ANIMAL CONTROL POSITION:

FOR BOARD ACTION: Animal Control Officer William Key will be retiring on March 1st, leaving a vacant position to be filled. I am requesting the Board to allow me to advertise consecutively in house and publicly to fill this position.

BOARD ACTION REQUESTED: Motion allowing me to advertise and fill the Animal Control position by advertising consecutively in house and publicly.

On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to advertise consecutively in house and publicly for a position in the Animal Control Department.

EMPLOYEE DURL "BUDDY" CHAMBERS: Employee Durl "Buddy" Chambers transferred from Parks & Recreation permanent part time to full time Solid Waste Equipment Operator on November 6, 2017. Policy states an employee must possess a valid Florida Commercial Class A or B driver's license and it shall be obtained within 90 days of hiring. Mr. Chambers has

been unable to obtain CDL's within the 90 days, but has asked to transfer back to permanent part time in the Parks & Recreation's Department.

BOARD ACTION REQUESTED: Motion to moved Durl "Buddy" Chambers back to permanent part time for Parks & Recreation or terminate his employment with Solid Waste Department as required by County policy, in addition a motion to hire in house to replace the available Equipment Operator position.

Mr. Davis read the letter written by Mr. Chambers. **Commissioner Massey made a motion for Mr. Durl "Buddy" Chambers to go back into a permanent part time position in the Parks & Recreation Department. Commissioner Jones seconded the motion.** Mr. Davis requested the Board hire in house to fill the open Equipment Operator position. Commissioner Lockley asked what the rules are about moving back into a position. Mr. Davis stated he talked with the labor attorney and if it is within the 90 days then it could be done and today is the 90th day. Chairman Parrish asked if they would amend the motion to advertise for an in house equipment operator position. Commissioner Sanders asked if there is a position open in the Parks & Recreation Department for Mr. Chambers to move back into or is he creating a position. Mr. Davis explained the employees will switch positions as the person hired in the Parks & Recreation position has a CDL Class A. Commissioner Sanders pointed out being able to obtain the CDL is part of the condition of being hired. Mr. Davis answered yes. Commissioner Sanders reported Mr. Chambers feels like he is unable to get the CDL and that is the reason he is going back because the Parks & Recreation Department does not require a CDL. Mr. Davis agreed that is correct. Commissioner Sanders reported she wants it clear in the record so it does not look like they are doing special favors for someone. She stated Mr. Chambers is a good worker. Mr. Davis explained the employee with the CDL was hired in the permanent part time position after Mr. Chambers moved up. **Commissioner Massey amended his motion to include hiring in house to replace the open Equipment Operator position. Commissioner Jones amended his second.** Commissioner Lockley asked if this will be a full time position. Mr. Davis clarified Mr. Chambers will move back into the permanent part time position at 29 hours a week year round and the other employee will move into the full time position. **Motion carried; 5-0.**

Mr. Davis reported Ms. Melissa West has been hired to fill the scale house position.

SERVICES CONTRACT FOR HOUSEHOLD SOLID WASTE: Richard's Freight has submitted a contract to haul household solid waste from the Franklin County Central Landfill to Waste Management Springhill Landfill at the rate of \$385.00 per load with a 0.05 cent fuel increase above \$2.79 per gallon. Currently it is being hauled by Aggregate Transportation LLC. For \$397.80 per load with a .09 cent fuel increase above \$2.75 per gallon.
BOARD REQUESTED ACTION: Motion to accept the proposed contract from Richard's Freight or remain with Aggregate Transportation.

Commissioner Massey made a motion to accept Richard's Freight contract. Commissioner Jones seconded the motion. Chairman Parrish asked if Attorney Shuler has reviewed this contract. Attorney Shuler stated he reviewed the contract but a few changes will be made which he has already discussed with Mr. Davis and Mr. Richards and they found the changes to be acceptable. Chairman Parrish asked if this change is legal. Attorney Shuler explained the county does not have a written contract with the current haulers so the county is not required to give written notice but Aggregate was informed by Mr. Davis a few weeks ago that this change was coming up. He explained representatives from both companies are in the audience today if they want to address the Board. He reported in moving forward legally, there is no state law requiring bids for service contracts. Attorney Shuler said the local bid procedure does not require the County to bid out service contracts. He reported the County is only required for tangible personal property. Mr. Willis Holley, Aggregate Transportation, appeared before the Board. He stated they were aware of this change but thought there would be a bid process. He said Aggregate was unaware a price was already published by a competitor. Mr. Holley stated they understand local preference but they would love to keep the contract. He reported they were not notified they could lower their price. He explained Aggregate has been hauling this contract for 15 years and is aware of what it takes to handle this contract and has 4 pieces of equipment dedicated to this project. He explained if the other company only has 1 trailer and it breaks then having backup equipment is very important. He informed the Board Aggregate enjoyed doing business with the county and would appreciate any consideration. Mr. Mike Richards, owner of Richard's Freight, stated they have 2 trucks ready to go and a new 2017 trailer. He stated he is aware of what it takes to handle this contract and has been running to seafood markets from Florida to New York for 12 years. He said he can perform on this contract and if they need additional equipment then they will address it. Mr. Davis referenced an email from Aggregate that said the Waste Management contract will expire March 1, 2018. He stated Aggregate needs to continue to haul until March. Chairman Parrish said the motion needs to make this action contingent upon Attorney Shuler's changes to the contract.

Commissioner Massey amended his motion to make the contract contingent upon Attorney Shuler's changes to the contract and for Aggregate to continue hauling until March. Commissioner Jones amended his second. Motion carried; 5-0.

Commissioner Jones provided an update on waste oil collection. He explained in talking with ARPC about the waste oil grant, the grant can be increased and it will cover pickup of the oil at three locations in the county but the grant will not pay for the bins to collect the oil. He explained if the County did this on a time basis then they could buy one bin each year.

Commissioner Jones made a motion to have County staff approach the two municipalities about doing a joint effort since the grant will pay for collection and see if the City of Apalachicola and the City of Carrabelle would each purchase a bin to put inside the city and the County would purchase one bin for inside of Eastpoint. Commissioner Lockley seconded the motion. Chairman Parrish asked if they would wait for Mr. Moron to return to the meeting as he would be the one to make contact and he needs direction from the Board. Commissioner Jones stated he forgot to print out the information but a bin cost \$2,161.00. He explained they are double walled and hold 240 gallons of oil. Chairman Parrish reported the email went to all

the Commissioners so they have a copy. Commissioners Jones reported since the county is so wide; it will benefit the citizens to have multiple collections sites. He stated a lot of oil in the county is not going into the proper containers. Chairman Parrish agreed with moving forward on this issue and said it will protect the environment and make the county cleaner.

Commissioner Massey asked if the waste oil collection bins must be placed on a cement pad. Commissioner Jones said he did not think so but he will find out. He reported the bin in the picture actually has wheels under it. Chairman Parrish asked Mr. Moron to contact the cities and also to find out if there has to be a concrete pad. Mr. Moron commented there are representatives present from both cities today. **Motion carried; 5-0.**

Mr. Davis informed the Board the compactor is up and running.

Pam Brownell – Emergency Management Director

Mr. Pierce stated Mrs. Brownell is at an Emergency Management meeting this week.

Action Items:

NONE

Information Items:

1. Franklin County EOC Staff continue to promote our Re-Entry Tag program and encourage all residents to apply for their Re-Entry Tag.
2. EOC Staff is updating our Special Needs Database to verify current information of our Special Needs Residents.
3. EOC Staff continue to promote the Alert Franklin System and encourage residents to sign up to receive updates and information from Emergency Management.
4. EOC Staff is attending FEPA 2018 Annual Meeting & Training from 02/04/18 – 02/09/18.
5. EOC has advertised for RFQ's for the Hurricane Loss Mitigation Program Grant.

Erik Lovestrand – Extension Office Director

Mr. Lovestrand said the funding is in place for the renovation of the DEP building for their office in Apalachicola but DEP is requesting a sub-lease on the parent lease they have with the State Board of Trustees. He stated one of the items DEP is required to have is a letter from the Board supporting the application for a sub-lease. He said this letter is needed as part of the application process. Mr. Moron asked if the County is responsible under the sublease for rent or maintenance of the building. Mr. Lovestrand explained the agreement he talked with DEP about is a zero dollar lease for 20 years and DEP is maintaining ownership of the building and responsibility for the basic structure of the building. He reported the money the County is providing for the renovation is in lieu of paying rent for 20 years. He stated when the 20 years are up the Board could go before the State Board of Trustees about extending the agreement. Mr. Moron clarified this letter is just supporting the application for a sub-lease. Attorney Shuler

said he would like to see the letter before it goes out. Commissioner Lockley asked who else will occupy the building. Mr. Lovestrand reported DEP will retain one of the office spaces, the Apalachicola Estuarine Research Reserve staff will have an office and they will all share the common areas. Chairman Parrish said the County is putting money in the building and DEP will continue to maintain the building. **On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to issue the letter of support for the sub-lease application.**

Commissioner Jones referenced the public hearing about the business district on St. George Island and the discussion about using native or non-native plants for landscaping. He said it has come to his attention that Florida has a Friendly Landscaping Program and asked Mr. Lovestrand to comment about this program. Mr. Lovestrand stated the Florida Friendly Landscaping Program is a University of Florida (UF) based program and the program is not specifically concerned with using native vegetation in landscaping but it is concerned with using non-invasive species if they are non-native. He explained the program does not restrict use of non-native vegetation but it does have a list of plants that should not be used. He reported his office has guide books for this program and he will be happy to provide more information.

County Extension Activities January 17, 2018 – February 6, 2018

General Extension Activities:

- Extension Director attended one-day In-service training in Quincy about new website software and subscription management system to disseminate Extension information.
- End of year reporting completed for UF Plan of Work and Work Load information.
- Participated in conference call with ACF Stakeholders Executive Committee.
- Asking Board for letter supporting the application to the State Board of Trustees for a 20-year sublease of the ANERR former headquarters building in Apalachicola as the office location for the Extension staff and program operations.

Sea Grant Extension:

- Met with Bay and Gulf County Sea Grant Faculty to plan joint Master Naturalist course.
- Extension Director participated in webinar regarding oyster hatchery operations.
- Participated in weekly conference call to coordinate Sea turtle lighting project work.
- Provided an article for the Extension Panhandle Outdoors E-Newsletter.
- Office Manager worked with Sea Grant staff in Gainesville to add UF oyster restoration work project information to the Franklin County Extension website.

4-H Youth Development:

- Tropicana Public Speaking contest classroom and school competitions took place ahead of the planned County competition that will be March 15.

- Registered youth to participate in the 4-H Day at the Capitol that is scheduled for February 22.

Family Consumer Sciences:

- New Family Nutrition Program Assistant continues scheduled classroom programs in local schools.

Public Comments (3-minute time limit)

Mr. Kevin Begos, a resident of Apalachicola, discussed the Solar Co-op in Franklin County and said 20 different Florida communities have solar co-ops. He explained this is a way of homeowners banding together to get a discount on pricing. He reported the homeowners get bids from licensed contractors and technical support from the non-profit group he is a volunteer with. He said the Board years ago placed a solar roof on the Courthouse Annex building at a cost of about \$4.00 a kilowatt and the going price now is \$2.50 a kilowatt and the homeowner will get a 30% tax credit. He stated there will be some public hearings in April and May and a three month sign up period with a web page. Mr. Begos agreed to provide this information to the Board when this happens in April.

Ms. Georgia Ackerman said she is the newly appointed Executive Director/Apalachicola Riverkeeper. She read a letter she sent to the Board late yesterday which addressed an amendment to the Calhoun County Comprehensive Plan to allow oil drilling on agricultural land throughout the county including the Apalachicola River near the Dead Lakes. She reported she and Ms. Rebecca Jetton, Apalachicola Riverkeeper's Board of Directors, are here to address the Board about the letter. She stated the letter that was sent also included resources. She presented handouts showing the Jay Oil Field Map and spills. She reported at this time the Comprehensive Plan amendment process has been approved. Ms. Ackerman offered to discuss this matter at a workshop or individually with the Commissioners. Commissioner Lockley asked if they found oil in Calhoun County. Ms. Ackerman reported Calhoun County has approved the process of exploratory oil drilling and one permit has been issued. She explained several more permits are in the process. Chairman Parrish stated he is concerned that this is short notice for the Board to take action. He reported he is concerned about the recharge areas going into the groundwater. He said a 2 mile well has been drilled in Marianna and they do not know what the impacts will be to Franklin County but he is concerned about anything that comes down the river into the bay. Chairman Parrish stated he does not have enough information to request the Board take action. He reported Attorney Shuler talked with Mr. Dan Tonsmiere, former Executive Director of the Apalachicola Riverkeeper, and asked Attorney Shuler to comment about a recommendation to the Board. Attorney Shuler agreed he talked with Mr. Tonsmiere and he provided some information about the history of oil drilling in Calhoun County. He stated Mr. Tonsmiere also said Apalachicola Riverkeeper made suggestions on environmental restrictions to Calhoun County but they did not meet with any success. He said Apalachicola Riverkeeper is facing a filing deadline of February 8th to challenge the comprehensive plan

amendment that has been approved by Calhoun County. Attorney Shuler reported because of this short notice there was no way to conduct due diligence but he is glad they are here to initiate the conversation. He stated he does not have enough information to file a suit to challenge the comprehensive plan amendment or as Mr. Tonsmiere suggested the County initiate conflict resolution procedures with Calhoun County. He explained the Board used this procedure in the past with the City of Apalachicola in reference to the RESTORE Act funding. He said he is not prepared to make a recommendation at this time. He reported if the Board is inclined, they can direct him to have conversations with the Apalachicola Riverkeeper's attorney or the Calhoun County attorney, Mr. Matt Fuqua, and then he will conduct due diligence and formulate a recommendation for the Board. He stated the most the Board should do is authorize him to conduct due diligence and report back possibly at the next meeting. Commissioner Sanders asked when the filing deadline is. Attorney Shuler said he was told it is February 8th. He reported the Apalachicola Riverkeeper may file a lawsuit and then the county could intervene if they would like to. Commissioner Sanders suggested Attorney Shuler contact Calhoun County, their attorney and Commissioners to find out their mindset and then proceed from there. She reported anything that happens upstream comes downstream and she is concerned. Commissioner Sanders stated this Board has been diligent in supporting issues like no fracking. **Commissioner Sanders made a motion to direct Attorney Shuler to get with the Apalachicola Riverkeeper's attorney and Mr. Fuqua of Calhoun County and see what the County can do and in the meantime see what they can do to take care of the situation without it going to court.** She said she believes in home rule but it is in another county so the County needs to contact Calhoun County. Chairman Parrish suggested a letter also be sent to DEP that Franklin County has concerns about this issue. **Commissioner Sanders amended her motion to include sending a letter to DEP that the Board is concerned about this issue.** Chairman Parrish reported Calhoun County is economically depressed and looking for jobs and he understands because this Board is also looking for jobs for this county but when it comes to the environment and the potential affects, there needs to be safeguards put in place to protect people downstream. He stated the Board needs to take some kind of action and questioned if they can take action to recommend putting safeguards in place after the February 8th deadline. Attorney Shuler reported the two most apparent options are to join a lawsuit initiated by the Apalachicola Riverkeeper to challenge the comprehensive plan amendment or begin the dispute resolution process but he may also develop some other options. **Commissioner Jones seconded the motion.** Ms. Ackerman clarified there are two different processes and the legal challenge deadline for the comprehensive plan amendment is February 8th which is separate from the dispute resolution process. Commissioner Sanders asked Mr. Pierce if Calhoun County has a different comprehensive plan amendment process. Mr. Pierce reported he believes all the counties have the same process and the same state rules for comprehensive plan amendments. Commissioner Lockley stated they do not know what is going on there and need some more information. Commissioner Sanders reported when the Board goes to Tallahassee they will get a chance to talk to some of the Commissioners from Calhoun County before they make a decision. **Motion carried; 5-0.** Ms. Jetton said as an advocate of the river and bay they try to make sure the 6 counties along the river are informed about the potential threats to the bay and river. She stated one of the things she learned during the public hearings for the

comprehensive plan amendment is there is not only a potential for oil spills but as they bring up the oil there is also caustic, salty brine that is brought up and must be disposed of. She reported they will drive a pipe back down in the ground and inject this brine to dispose of it. She felt the disposal of this brine is a potential threat to the drinking water aquifer. She encouraged the Board to amend their comprehensive plan to prohibit oil drilling onshore and offshore and prohibit the disposal of waste through injection wells. She stated there are very few oil wells in Florida but disposing of waste underground is becoming an issue. Ms. Jetton asked the Board to allow them to assist in developing a comprehensive plan amendment and regulations that would prohibit these activities.

Mr. Bert Boldt, a resident of Alligator Point, said he would like to take another approach in relation to the county healthcare system. He said they should celebrate the infrastructure and employees at the hospital. He complimented the Board for asking for other local providers, Capital Regional Medical Center and Sacred Heart Hospital, in addition to Community Hospital Corporation to provide input for health care. Mr. Boldt suggested a consulting service that would look at the infrastructure and provide recommendations as an objective third party. Mr. Boldt stated he has the resources to help the Board find this information. Mr. Boldt reported the employees are a valuable asset and so is the structure. He explained due to the size of the county it may be good to reform the current medical structure to different specific clinics placed west to east. He volunteered to help with this issue on behalf of the employees at Weems Memorial Hospital. He stated he is a licensed physical therapist in private practice and does understand these issues.

Mr. Alan Feifer, Concerned Citizens of Franklin County, stated he has made two requests and has not been able to get the December financials from Weems Memorial Hospital. He said Weems Memorial Hospital borrowed \$150,000 yesterday from one of its funds. He applauded the Board for reaching out to Capital Regional Medical Center and Sacred Heart Hospital. He reported he called both entities and asked what they have been asked to do. He explained when he talked with Mr. Roger Hall, President of Sacred Heart Hospital, he found out their hospital delivered \$12 million worth of health care to Franklin County citizens last year. He said this is more than Weems Memorial Hospital provided to the citizens. Mr. Feifer stated they have also provided \$1.5 million of uncompensated care to Franklin County citizens. He reported Sacred Heart Hospital employs 25 Franklin County citizens and has two facilities in Apalachicola and a third site soon to be decided on. Mr. Feifer reported he talked with Sacred Heart hospital and they are concerned that the County wants them to build a new hospital here. He explained they may have a different approach to healthcare in this county. He said it has been over 10 years since the citizens voted for building a new hospital and he remembers the drawing of a 2 story hospital at a cost of \$31 million. He reported now they are talking about renovating the old hospital and adding some additional space. He stated health care in the county has changed and they do not want to constrain any of the potential providers by telling them what the county expects such as building a hospital when there may be better alternatives. He suggested the Board revisit the instructions they gave to the County Attorney and County Coordinator. He explained there are some very good ideas out there but it all goes

to the instructions that were given to staff. Mr. Feifer said he is not sure anyone is going to build a new hospital. He reported 80% of the healthcare in the county is now being delivered from out of the county and that is not likely to change. He said there has been a change to health care and now specialization is in favor. He explained the county does not have the demographics to have this type of specialization. He reported in speaking with Sacred Heart Hospital they are spending millions of dollars on equipment and the local hospital cannot compete with this type of technology. He asked the Board to revisit the instructions given to staff going forward.

Mrs. Anna Carmichael, St. George Island Business Association, requested a road closure for Snowbird Appreciation Day on February 20th on St. George Island. She explained the road closure will be from Pine Street west at the stop sign between the bank and the Express Lane to the stop sign at the corner of Doc Myers and The Beach Pit for the period from 3:00 p.m. until 7:00 p.m. She reported they would like to have a block party type appreciation for the snowbirds. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the road closure for Snowbird Appreciation Day.**

The meeting recessed at 10:00 a.m.

The meeting reconvened at 10:13 a.m.

Request for Bids/Proposals/Qualifications Opening

St. George Island Bathroom Renovation Project:

Mr. Moron stated no bids were received for the St. George Island Bathroom Renovation Project. He said he and Mr. Doug Shuler, architect, discussed re-advertising the project. Mr. Moron did not recommend re-advertising at this time as it is too close to spring break and summer. He requested the Board allow him to delay this project and re-advertise at the end of summer. Mr. Moron reported this is probably a 2 or 2 1/2 month project and he does not want to re-live the issues they had at Carrabelle Beach Park. Commissioner Sanders asked if there is any part of the renovation that is important or dangerous enough that it needs to move forward. Mr. Moron stated the issues at St. George Island are not the same safety issues that were present at Carrabelle Beach. Commissioner Massey inquired if the current bathrooms will accommodate everyone until the end of summer. Mr. Moron answered yes. Commissioner Jones agreed with Mr. Moron that this project is not about safety but is about making the bathrooms more accommodating and the facilities better overall. **Commissioner Jones made a motion to delay this project until September or October or whatever time they deem is best to re-bid the project. Commissioner Sanders seconded the motion.** Commissioner Lockley asked if the repairs are cosmetic. Mr. Moron said yes for the most part. Mr. Pierce reported it is also an expansion to make the bathrooms more ADA accessible. **Motion carried; 5-0.**

CR 65 (Bayshore Drive) Sidewalk Improvement Project CEI Services:

Mr. Moron and Mr. Pierce opened the Request for Proposals (RFP's), as follows:

<u>Company</u>	<u>Location of Company</u>
Exp. U.S. Services	Tallahassee, FL
Alday-Howell Engineering	Marianna, FL
North Florida Professional Services	Lake City, FL
C.W. Roberts Contracting	Tallahassee, FL
Dewberry	Port St. Joe, FL

Mr. Pierce expressed concern that the information received from C.W. Roberts Contracting, Inc. is a bid and not a RFP. Attorney Shuler advised Mr. Pierce to open the bid but not to read the amount. Chairman Parrish said the bids have already been taken on that project. Mr. Moron agreed and said M of Tallahassee was the low bidder and he has an item on his report about that project. Mr. Pierce questioned if the bid should be given back to the company. Attorney Shuler answered no, and said all the RFP's were read publicly so now the documents will be turned over to the committee for review and a recommendation. He stated the County has a right to hold the bid amount as a non-public record for 30-45 days so they are not giving the amount out. **Commissioner Lockley made a motion to send the RFP's to the review committee and for them to come back to the Board with a recommendation.** Attorney Shuler asked who is on the review committee. Mr. Pierce answered Mr. Curenton but he is not sure who the other members are but it is a standing committee. **Commissioner Jones seconded the motion. Motion carried; 5-0.**

Removal of Derelict Vessels:

Mr. Pierce stated some additional money was received for the Derelict Vessel Program. Mr. Moron reported Gulf County has signed a Memorandum of Understanding (MOU) for the one vessel that is located right over the county line in Gulf County and he will address the MOU during his report. Chairman Parrish described the location of the shrimp boat and said Gulf County agreed with Franklin County receiving the funds and receiving bids to remove the vessel. Commissioner Massey asked where the boat is from. Chairman Parrish answered Alabama and said the boat traveled up the river during a storm many years ago but on the way back hit a log and sunk. Mr. Pierce reported a specific quote is received for each boat and then a total bid amount is submitted. He stated the bid is for a total of three vessels. Chairman Parrish said one vessel is in Carrabelle and two are up the Apalachicola River. Mr. Pierce and Mr. Moron opened the bids, as follows:

<u>Company</u>	<u>Location of Company</u>	<u>Bid</u>
Hondo Enterprises, Inc.	Defuniak Springs, FL	\$63,612.00
MS Dockside Marina	Carrabelle, FL	\$ 9,223.00 (One Boat)

Morgan Marine Salvage & Freeport, FL
Recovery

\$49,500.00

Mr. Pierce requested the Board turn the bids over to Mr. Curenton for his review and conformance with the FWC grant. Commissioner Lockley questioned if the bid that only addressed one boat will be in compliance. Mr. Pierce was not sure how it would be addressed but said that bid may not be the low bidder anyway. **Commissioner Massey made a motion to send the bids to the review committee for review and a recommendation. Commissioner Lockley seconded the motion.** Commissioner Jones said his understanding is the list they are working from is the list FWC already has of derelict vessels. Mr. Moron agreed the boats are already on the FWC list. Mr. Pierce explained the County can give ideas of boats but FWC creates the list. He went on to say if the boat has a known owner then FWC will make every effort to have the owner take the vessel out. Commissioner Jones explained if you look on the website there is also a distinction between an abandoned vessel and a derelict vessel. He reported the questions he has been receiving are about abandoned vessels. Mr. Pierce said if anyone knows of a derelict vessel then they can bring the information forward because FWC may not know about the vessel. **Motion carried; 5-0.**

Joe Crozier – Apalachee Regional Planning Council (ARPC) – Discussion

Mr. Crozier reported the county does not need a concrete slab for used oil containers. He said the double sided container is all that is required.

Mr. Crozier informed the Board the ARPC talked to the Northwest Florida Water Management District (NFWFMD) and provided the best practices and suggestions to Calhoun County about the oil drilling but it was not well received. He said they offered support and the best ways for them to move forward safely.

Mr. Crozier said he talked with the Commissioners about the conference they are hosting. He referenced the Riparian County Stakeholders Coalition and said they are also working with the Sierra Club and the Apalachicola Riverkeeper to hold a conference in Tallahassee about the future of Apalachicola River and Bay. He stated the Corps of Engineers (COE), FWC, and The Nature Conservancy will be at the conference and the keynote speaker on Thursday night will be former U.S. Senator Bob Graham. He stated they will be discussing science on the first day and how the low flows are affecting the river. He explained the second day will be a legal update with the COE and some representatives from the University of Georgia, Florida State University and the University of Florida. He said the last day they would like to invite the Commissioners to be present to address the economics and how a transboundary institute could be set up between Georgia, Florida and Alabama. He reported they are looking for the best way to collaborate and the best way to use the RESTORE dollars. He stated Gulf County has also been invited to attend the conference. Mr. Crozier said they will facilitate up to 20 commissioners or delegates between the 6 Riparian counties in the circuit. He explained on Friday after the meeting they will be taking everyone on the river. Chairman Parrish said if he

attends; he would like to attend all three days. He explained he has represented the Board on these issues for 11 years and was stunned he was not invited to speak at this conference to let them know how the people of Franklin County feel. Chairman Parrish said in reviewing the speakers for this conference, it was discouraging that no one from Franklin County government was asked to speak. He stated he has had discussions with the COE and there are things they are doing that he does not agree with. Chairman Parrish reported he would like to attend all three days if the Board would like him to attend. He stated he would like the opportunity to speak when everyone is there to listen and not when some of the entities have already left. Chairman Parrish reported there needs to be a place for the county in these discussions to address the concerns of the people of Franklin County. He explained if he is not allowed to speak then there is no reason to attend. He stated he knows most of the speakers and has a difference of opinion on some issues but not about how to move forward with the water flows coming down the Apalachicola River. He reported the water flows are affecting tupelo trees in Gulf County, oysters in Franklin County and other counties along the river. He explained he would like to make Franklin County's feelings known as Franklin County is the last county to receive the fresh water flows down the river. He stated he would like to explain the detrimental effect this is having on the bay. Commissioner Massey asked if Chairman Parrish can speak at the conference. Mr. Crozier answered yes and encouraged the Board to attend all three days. He stated all local governments are invited for the whole event and they left a place for local governments to speak. **Commissioner Massey made a motion to authorize Chairman Parrish to attend the conference for three days.** Commissioner Sanders inquired about what is happening and why state agencies and other agencies are not looking at Franklin County government anymore. She explained this is the same thing that is occurring with DACS not looking at the county for oyster licenses when the county was interested in handling it. She stated this Board represents all the people from Franklin County. Commissioner Sanders said this Board is not being respected on behalf of the people of Franklin County. She stated she did not think she would see a day when Franklin County was not respected especially about Apalachicola River issues and Apalachicola Bay issues. **Commissioner Sanders seconded the motion.** She reported Chairman Parrish should speak and attend for all three days. Chairman Parrish stated maybe they do not want to hear what the County has to say. Commissioner Sanders said she is very disappointed at the fact that ARPC did not contact Chairman Parrish personally because they always have. She explained the people of Franklin County have been very pro-active at bringing light to the situations in Franklin County and the Board has helped do that and she is surprised that neither the state nor anyone else thinks they have to come through the county and be respectful. Commissioner Jones asked about the dates for this conference. Mr. Crozier reported March 14th-16th at Doak Campbell Stadium in Tallahassee. Commissioner Jones agreed the Chairman needs to attend but he would also like to go because it is important to the future of Franklin County. He said Mr. Crozier is here today because it was brought up at an ARPC meeting. Commissioner Lockley stated any Commissioner who wants to go should be allowed to attend. **Commissioner Massey amended his motion for any Commissioner to go to the conference. Commissioner Sanders amended her second. Motion carried; 5-0.** Chairman Parrish said this government represents the whole Franklin County region and they need a seat at the table and their opinions need to be known. Mr. Crozier

stated Commissioner Jones was the first commissioner of any county that he invited last year and he did think of him first.

Public Hearing – Cabo Select Properties – Land Use & Rezoning

Mrs. Amy Kelly read the following:

The Franklin County Board of County Commissioners proposes to adopt the following by ordinance: An Ordinance changing the Land Use Change to the following parcel of land in Franklin County:

A 2.00 acre parcel lying in Section 13, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida, as shown on the attached map, be changed from Industrial to Residential.

Mrs. Kelly pointed out there have been a couple of parcels that were denied land use changes in this area. She stated one was denied in April, 2016 for Mr. Aaron Ray. Mrs. Kelly presented a map of the property and described the location. Chairman Parrish asked if two other individuals requested land use changes in this area. Chairman Parrish questioned if those requests were also near the industrial area. Mrs. Kelly answered yes. Chairman Parrish asked what the current zoning is. Mrs. Kelly stated it is currently zoned industrial. Chairman Parrish asked if the Board should take public comment at this time. Attorney Shuler reported the Board should hear from the applicant first and then public comment. Mrs. Beth Barber, Coastal Realty Group, appeared representing the owner. She explained the owner is trying to sell the property and all the requests she has received want to know if they can place mobile homes on the property. She reported the area is zoned industrial and is very limited on mobile home properties and that is why the owner is making this request. She stated Mr. Ray was trying to rezone his property of 10 acres for a mobile home park. Mrs. Barber said he wanted 10 units on his property but this applicant only wants to change to mobile home residential for one unit. Commissioner Lockley asked how large this parcel is. Mrs. Kelley stated 2 acres. Mr. Pierce questioned if Mrs. Barber knows the surrounding landowners because it is odd to have 2 acres of residential in the middle of industrial property. Mrs. Barber replied the 16 acre parcel across the street is owned by a family from Georgia and they are not looking to sell anytime soon. Mr. Pierce reported it was all zoned industrial when Buckeye Cellulose owned the property. Mrs. Barber said the only working parcel is a saw mill behind this parcel. She went on to say the other parcel is an abandoned mobile home and another parcel is forestry. Mr. Pierce suggested a more comprehensive approach than putting 2 acres of residential in the middle of industrial property. He stated someone needs to talk with the owners of the property and come up with a better plan for this area. He explained he can see conflict with a mobile home if someone comes in with industrial uses in this area. Mrs. Barber said they would welcome some industrial uses in Carrabelle since employment is low. Chairman Parrish stated the Board has addressed this issue twice before when people requested changes in this area. Commissioner Massey reported he had several calls about this area. Chairman Parrish asked for public comment at this time. Ms. Cecile Hance, a resident of Carrabelle, stated she and Mrs. Harriett Hance Mostellar jointly own a parcel across the street. She reported they are in opposition to

this request. She said this is a small parcel surrounded by a long standing industrial designated area. She reported there is an existing industrial use right next to the property. She reported the sawmill can be loud and there will be conflict if someone is trying to live on the adjacent property. Ms. Hance stated a large portion of this property is wetlands and has not been delineated by DEP or any other regulatory agency. She reported there is no active electric, no water well or septic system on this parcel so they will be trying to site these items that do not currently exists in wetlands. She said rezoning this one parcel would be spot zoning and it does not make sense to have an industrial setting and put a residential lot right in the middle of it. She asked the Board to deny this rezoning request. Mr. William Parker, owner of the sawmill next door to this parcel, reported he is concerned a noise ordinance might come with this change because the sawmill is loud. He stated he objects to this request also. Chairman Parrish asked how many acres around this parcel are industrial and were there ever any industrial uses on this site. Mr. Pierce said the Buckeye Cellulose plant was on this property. Ms. Hance stated River Road Trucking was also in this area at one time. Chairman Parrish questioned if an environmental review was ever done on this property after these uses. Mr. Pierce stated when he was hired in 1988 this plant had just closed down and was an active Buckeye site and had industrial zoning. Ms. Hance said she does not know if the wetlands were ever addressed but there was an active sawmill and chemicals were used. She explained there was remediation from potential groundwater contamination in the 1980's but the groundwater wells have been removed and the property was given a clean bill of health at that time. Commissioner Lockley asked if this property has city water. Ms. Hance stated the owner would have to drill a well for water. Chairman Parrish explained his main concern was industrial uses on the property and then the owner drilling a well and drinking the water. He questioned if this is safe to rezone this parcel to residential in an industrial area. Ms. Hance reported she was in the environmental group with Buckeye Cellulose and during her tenor there was waste oil removed from the River Road Trucking area but she does not think remediation was required. Mr. Pierce referenced the map and said this parcel is 2 acres and it appears 60-80 acres are zoned industrial in this area. **Commissioner Massey made a motion to deny the rezoning. Commissioner Sanders seconded the motion.** Mr. Pierce stated the Board should deny the land use and rezoning. Attorney Shuler agreed there are two issues-land use and rezoning. **Commissioner Massey amended his motion to deny the land use and rezoning. Commissioner Sanders amended her second. Motion carried; 5-0.**

Chris Langston – Langston & Associates – Request

Mr. Langston said he is here to present new information which dates back to the second meeting in November. He stated he has information to present because he feels like the Board was mislead at that meeting and it lead to the Board ultimately making a decision and writing a letter. He explained in the meeting his request was for a simple support letter from Franklin County about a mining activity up Highway 67 for the purpose of mining fossilized shell to be put in the bay for the oyster habitat restoration that is located all on the gulf coast. He explained in the meeting there was some concern about the adverse affects on the adjacent wetlands, rivers and tributaries and the adverse affect on the bay. He stated there were also

some concerns about groundwater and potable well contamination. He reported he has met with individuals and DEP and read a letter from Katie Collins, the Environmental Administration in the Mining and Mitigation Program. He explained he has done some research also and all their site visits find the mine site to be in compliance and ultimately there is no impact on the adjacent wetlands, surface water or water pollution that would have an adverse impact on the bay. He stated there were some concerns about potable wells getting muddied but if it did happen it was not caused by the mining operation. Mr. Langston said during the same meeting there was some concern that there was no market for the fossilized shell. He presented a proposal he received from Louisiana for 22,000 tons for oyster cultch deposition. He reported this mine will generate jobs and stimulate the economy. Mr. Langston stated he is on the City of Apalachicola agenda tonight for leasing part of Battery Park. He said there will be jobs in this location loading barges to take the materials out. Mr. Langston explained he is here showing respect to the Board but the ultimate decision will be made by the Governor and Cabinet. He reported he is seeking local support for this project to make the process easier. He said in the meeting where the Board wrote the letter there were some concerns about how the state has allowed this proposal to get so far. Mr. Langston read Objective 2 from the Tate's Hell State Forest Management Plan. He said this plan can be obtained from their website. He explained Tate's Hell State Forest is actively seeking ways to generate revenue in Tate's Hell to offset their management costs. He read #5 from the management plan, as follows:

Pursue additional revenue-generating possibilities through miscellaneous forest product sales (palmetto fronts, crooked wood, etc.), recreation fees, and/or leases.

Mr. Langston stated they are looking to lease the property for mineral rights and will pay a royalty to the state to offset the management costs of Tate's Hell State Forest. He said he is here to address the concerns today. He offered to meet with the Commissioners one on one if necessary and said he has already met with some of the Commissioners. He reported there is 2,100 acres of submerged state owned lands and approximately 26 dry sided leases that the state already does and two are for mining. Mr. Langston stated the Board decided to write a letter on December 8, 2017 and after watching the meeting he feels what the letter states and what was voted on was not the same. He offered to provide the Board with copies of the letter. He asked the Board to make a motion to rescind the letter and re-write a support letter. Mr. Langston reported this project will create jobs county wide. He presented a picture of the spat recruitment on fossilized shell and the material that is currently being place in the bay. He stated this is a local source versus bringing in a product from out of state. Mr. Langston asked the Board for a letter of support for this project. He said local support is important and he will also be seeking local support elsewhere as well. He asked if the Commissioners had any concerns about the mining operation because he would like to address any issues.

Commissioner Lockley made a motion to rescind the letter the Board wrote on December 8, 2017 and issue a new support letter for the Langston mining operation as it was presented here this morning. Commissioner Sanders reported the letter the Board sent was not about support of the limerock mine, it was about the usage of roads bought with preservation funds. She explained the letter did not have anything to do with the limerock mine and the Board did

not voice their opinion about that. She said the letter said the Board did not feel like it was right to lease property that was bought for conservation with Conservation and Recreation Lands (CARL) funds, Florida Forever funds and Preservation 2000 money. She stated they never said anything about the mine. Mr. Langston presented a copy of the letter to the Board. He said the letter specifically points out Chris Langston, Gene Langston, Langston & Associates and his proposal which is the fossilized shell mine. Commissioner Sanders referenced the portion stating the property was purchased with Preservation 2000, Florida Forever and CARL funds but never said anything about the mine itself. She asked Mr. Moron to comment as he wrote the letter. Mr. Moron agreed. Commissioner Sanders reported it addresses the use of the property. Mr. Langston explained the management plan spells out the uses that are allowed. Commissioner Sanders said bringing this back up is disrespecting her as a commissioner. She stated this is her area and she is well versed in this area. Commissioner Sanders reported Mr. Langston mentioned Katie Collins but she was not even there when all of this transpired. Mr. Moron handed out a response from DACS to the letter the Board sent. Commissioner Sanders reported Mr. Langston is trying to say the Board objected to the limerock pit/mill but they did not and only said they were concerned with land being used other than what was described to be used in the CARL program, the Preservation 2000 program and the Florida Forever fund. She explained whether Mr. Langston gets the permit for the limerock pit is between him and the state. Attorney Shuler clarified the motion is to rescind the letter written by the Board on December 8, 2017 and issue a new letter of support for the Langston mining operation as it was presented here this morning. **Commissioner Lockley amended his motion to issue a letter of support for the mining operation. Commissioner Massey seconded the motion.** Commissioner Jones asked if anyone in the room knows if the lands designated this way and bought with these funds are being used in the ways they are describing. He said he wants due diligence and wants to know if the lands purchased with CARL funds are being leased out. Mr. Moron said he would have to research this issue. Commissioner Sanders said it is not happening in Tate's Hell. Mr. Langston said he has the information and provided it to the Board. Chairman Parrish informed Mr. Moron when people appear on the agenda they need to submit any pertinent information prior to the meeting so the Commissioners have time to review the documents. Mr. Moron said he informed Mr. Langston of this rule. Chairman Parrish stated from now on if the information is not submitted then they are to be taken off the agenda. Chairman Parrish explained if the Board had known what was coming up then they might have asked Mr. Moron to do some research. Mr. Langston reported he does have more information but it is contained in the Tate's Hell State Forest Management Plan. He stated it does show that Tate's Hell State Forest was bought with CARL funds but there is no legislative constraint which means it does allow for Tate's Hell State Forest to go after the minerals which are contained there. Mr. Langston apologized and said if he had known the questions that would come up then he would have provided the information. He reported there are several different kinds of leasing and he discussed mining of minerals. He explained his father was involved in drawing up the plan from the mining aspect. Mr. Langston explained the first hurdle he had to pass was to make sure there was no prohibition against this type of operation. He stated there is no path to ownership when property was purchased with CARL funds and Preservation funds but they are not trying to buy the property. He said they will lease the

property from the state and pay a royalty just like any other mining operation. He explained a lot of the areas used the same funds so this is not a precedent setting case. **Motion passed by the following vote:**

AYE: LOCKLEY, MASSEY, PARRISH, JONES

NAY: SANDERS

Marcia M. Johnson – Clerk of Courts – Report

Clerk Johnson did not have a report at this time.

Alan Pierce – RESTORE Coordinator – Report

Mr. Pierce appeared before the Board and presented his report, as follows:

1- Provide Board with building permit review of the last 3 years. I thought it would be beneficial for the Board and the public to know the status of building in the county. In general the county building industry is slowly, but steadily, recovering from the housing collapse. In 2004 through 2006, housing starts reached a peak of about 175 new homes being built each year. With the collapse of the housing market nationwide, housing starts fell dramatically here as well. At the bottom, in 2009, the county issued only 19 permits for new houses. In 2015, the county issued 42 house permits; 2016 it was 55 houses; and then in 2017, 58 new houses were started. In 2017 the county stopped issuing permits in the cities of Carrabelle and Apalachicola, so the total number of new homes built in the county, including the cities, was probably more like 65.

If the estimated value of a new house across the county is \$300,000, and using 65 housing starts as a number, the housing industry in the county added almost \$20M worth of value to the tax base last year.

Mr. Pierce reported one of the reasons the County did not receive any bids on the St. George Island Bathroom Renovation Project was because the housing industry is operating at full capacity. He said according to information he received the contractors have a year back log.

2- Provide Board with copy of county draft grants manual submitted to the US Treasury in response to the Sept. 26, 2017 Treasury Compliance Review. It could easily be months before we get a response from Treasury on the draft manual, but when we do, and if it is positive, then the county will need to adopt the manual so that we are in compliance with federal RESTORE regulations.

3- Board update on status of relocation of Gulf Shore Blvd. FEMA completed the Environmental Assessment (EA) of Gulf Shore Blvd in August, 2017, which authorized the relocation of the road. The Project Worksheet (PW 591) with the authorizing funds was going to expire in Dec. 2017. (It was originally issued on June 25, 2013.) I knew we could not get the project completed before December so I asked for a time extension until July 31, 2018. The extension was granted in January, 2018. I had been expecting that FEMA would issue a new PW

authorizing the relocation after the completion of the EA in August, 2017, but that appears not to be the case.

After reviewing the existing PW 591, and after discussion with FEMA personnel on a conference call last week, I am now satisfied that FEMA is not going to issue a new PW based upon the EA, and that the county needs to utilize the existing PW to complete the relocation. There is \$420K in PW #591. Virginia, the Road Dept secretary, and I submitted \$80K worth of reimbursements yesterday for the work the Road Dept did on clearing and building the base for the relocated road. The last engineer's estimate to complete the road was some \$300K and that did not take in account the county's efforts so there should be enough funds to be some sort of hardened surface on the relocated road.

However, the county still does not have a signed contract with Preble-Rish Dewberry to provide engineering services so the final design for Gulf Shore Blvd has not been done. (The lack of signed contract is also affecting the progress on designing and permitting the rebuilding of Alligator Drive.)

And, to clarify the Board record, the Board voted to approve a contract and Task Orders for Dewberry on Dec. 5, and it was in my Dec. 5 report that I would provide the Board with a copy of the Task Orders, but I have been unable to do so because Dewberry can't generate Task Orders without a signed contract.

I have spoken to Pam Brownell, EM Director, and she believes we have made an adequate effort to comply the FEMA Supercircular, even though she says she cannot get confirmation from FEMA. She is redoing the ad for her FEMA consultant because she has time to do it, but regarding the contract for engineering services I am running out of time. I believe that if there are any issues regarding the Dewberry contract they could be resolved if FEMA every reviewed the contract. Board direction on whether it wants to proceed with the Dewberry contract based upon the knowledge that both Pam and I believe we have complied with the FEMA requirements.

Mr. Pierce stated Mrs. Brownell wants a consultant to assist her in being in compliance with all the FEMA regulations but he is running out of time on the designing project and wants to move forward. **Commissioner Jones made a motion to move forward. Commissioner Lockley seconded the motion.** Commissioner Lockley asked if they have enough information to get going. Mr. Pierce answered yes, and said he has talked with Attorney Shuler, Dewberry and Mrs. Brownell. He said he understands Mrs. Brownell's position but he thinks the County is compliant. He said Mrs. Brownell has tried to talk to FEMA but is not getting a final answer. He explained he is trying to help the Board resolve the problems for the citizens at Alligator Point. He said he is not sure they could get another extension or not on Gulf Shore Boulevard as it has been 4 years. He explained he feels comfortable moving forward but he realizes it is the taxpayer's money and the Board is responsible for that money. **Motion carried; 5-0.** Mr. Pierce stated he will get the contract signed.

4- Provide Board with update of the TRIUMPH meeting held in Apalachicola on January 29. There was an overflow crowd in the Board meeting room last Monday because the TRIUMPH Board announced it was ready to begin the review process of the some 119 pre-applications it has received. The TRIUMPH staff economist, Dr. Rick Harper, made a detailed presentation of what a high scoring application will contain (show a sustainable economic activity resulting from

TRIUMPH funding), and what a low scoring application will contain (duplication of existing facilities (no new boat ramps); low level of local match, supplanting existing funds (using TRIUMPH funds instead of other funds to fix existing leaking pipes), and quality of life projects (building better parks).

A good application will also have a specific scope of work with measurable deliverables. TRIUMPH wants to know what it is getting for its money.

The result of Dr. Harper's presentation was a list of some 24 projects that did not meet eligibility requirements. None of the projects submitted for work in Franklin County was on the list, so that means all 10 of the projects submitted by the county, and the two cities, meet the minimum criteria for eligibility. Each applicant will now get a letter from TRIUMPH advising what steps the applicant should take next. The general step will be to submit a full application for the proposed project. In that full application there is a question, "Does the county commission support the project?" It is not a requirement that applicants ask the county commission for support, but the TRIUMPH Board is going to take that into consideration when the full applications are reviewed. As the Board is aware, it has not been asked to make any comments on any of the cities' applications. It is unknown when any one will make a request to the county, but the TRIUMPH staff stated they thought it would take an applicant 45 days to complete a full application, so I expect that in the next 2-3 months the Board will be hearing from applicants. The Board needs to remember that only \$15M of TRIUMPH funds is dedicated to projects in the county, and yet the current list of projects has some \$18M of funds requested (and that includes a request for \$2M for the Armory). Another \$120M of TRIUMPH funds will be distributed competitively throughout the 8 counties. We have no idea whether any of our projects will be competitive with projects outside of Franklin County.

And, the current list of applications is not the only set of applications that county may be presented with. The TRIUMPH Board will continue to accept new applications until all the funds are dedicated, so there may be future projects that are more meritorious than what is currently in the list. As an example, the Board will be presented with its final economic study of the airport sometime in February/March, and that study may indicate the county should seek TRIUMPH funds for something at the airport.

Mr. Pierce stated the Franklin County School Board has submitted 3 projects but they were submitted late and no one knows the merits of these projects since Triumph has not reviewed them yet.

5- RESTORE update- as the Board is aware, the county has held off developing its list of RESTORE projects. I recommend that the Board continue to hold off developing a list of RESTORE projects until we get a better idea of what is going to be funded by TRIUMPH. RESTORE projects can be environmental, economic development projects or infrastructure projects, so it may be that economic development or infrastructure projects the TRIUMPH Board does not want to fund might be something the county wants to fund through RESTORE. Specifically, if the TRIUMPH Board does not fund the Armory then the county may want to consider putting the Armory project on the RESTORE list. There is no timeline to submit projects for RESTORE, because those funds are dedicated to the county and are reserved until the county commission decides to spend them. Ultimately, in 15 years, the county will have \$23M of RESTORE funds reserved for it in the US Treasury. The TRIUMPH funds are going to be allocated much more quickly so the county might want to wait a bit to see how TRIUMPH

goes before developing its RESTORE projects. I say this for the benefit of the county, but this applies to the cities as well.

Mr. Pierce recommended waiting until the Triumph Board gives a better indication of what is being funded before they make decisions on RESTORE funds. Chairman Parrish reported the \$18 million worth of projects did not include the school board projects. Mr. Pierce agreed and said he does not know how much those projects are for but the information is available online. Chairman Parrish stated some of the projects may meet the original criteria but there are additional items that are required such as matching funds and other items. He said the other items must be done when the full application is completed. Mr. Pierce explained the Triumph Board is going to be selective so they may not make it past the second hurdle. Commissioner Lockley asked if they have approved any projects. Chairman Parrish stated they have not funded any projects. Mr. Pierce informed the Board the Triumph staff repeated that they want to be partners with the applicants to help change the counties to be more economically successful in the coming years. He said the Triumph Board is allowing the 24 applicants that were ineligible to revisit their applications so this will also tie up the Triumph staff with helping these applicants and reviewing the projects. Mr. Pierce reported there will not be a Triumph meeting in February so the next meeting may be sometime in March. He felt like the Triumph Board is overwhelmed. Commissioner Lockley said they can hire more staff. Mr. Pierce stated they do not want to hire a large staff and use all the money and do not want counties to hire consultants. He explained they feel like the County can make their application good with the information available. Mr. Pierce reported as far as he knows there are only two individuals trying to review the 119 applications.

The meeting recessed at 11:37 a.m.

The meeting reconvened at 11:49 a.m.

Public Hearing – Local Planning Agency – St. George Island Overlay District

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, CREATING THE ST. GEORGE ISLAND CORRIDOR OVERLAY DISTRICT FOR PROPERTY LOCATED WITHIN A 2,100-FOOT RADIUS OF THE CENTER POINT OF THE INTERSECTION OF FRANKLIN BOULEVARD AND GULF BEACH DRIVE, ON ST. GEORGE ISLAND, FLORIDA, AS DESCRIBED IN PLAT BOOK 2, PAGE 7, FRANKLIN COUNTY, FLORIDA, EXCLUDING THE AREA EAST OF THE EAST BOUNDARY OF THIRD STREET EAST AND WEST OF THE WEST BOUNDARY OF THIRD STREET WEST; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. THIS IS THE FIRST (1ST) OF TWO PUBLIC HEARINGS. THERE WILL BE NO ACTION (VOTE) AT THE FIRST PUBLIC HEARING. A VOTE WILL BE TAKEN AT THE SECOND PUBLIC HEARING TO BE SCHEDULED AT A FUTURE DATE.

Chairman Parrish adjourned the meetings of the Board of County Commissioners and convened the meeting of the Local Planning Agency (LPA). Attorney Shuler reported this is the public hearing to discuss the St. George Island Overlay District that is being proposed for the business district on St. George Island. He described the location of the overlay district. He stated it is appropriate at this time for the Board to receive public comment. He offered to answer any questions from the Board. Chairman Parrish asked for any questions from the Board. There were no questions. Chairman Parrish asked for public comments. Mr. Mason Bean, a resident of St. George Island, said he appreciates the Board writing the new overlay but he hates to give up the C-2 zoning. He asked the Board to remove the prohibition for boat storage or allow it as an accessory use or special exception. He stated they are in support of marinas and this is the only area on St. George Island where there will ever be a marina and they do not want to give it up. Mr. Bean reported for future economic reasons, the island needs a marina and safe place to harbor. He discussed the section addressing roofs and asked for this section to be stricken because he hates to see it limit the design. He pointed out insurance companies do not like gable roofs and encourages and gives discounts for hip roofs. He asked the Board not to restrict the opportunity for future growth. Ms. Daphne Evanoff, a property owner on St. George Island and Eastpoint, said she does not want the architect to limit what they can do in the county overall with roofs or materials. She asked the Board to keep their minds open and let the building department review the elevations plans on building sites. She brought into discussion prohibited uses and said some of these items need to be allowed. She reported fish camps have always been on the island and that is how the island started so they need to keep that in mind. She said she has two commercial lots next to the water tower tank and the ground towers over her structure by 12 feet because that is how much the fill has been increased. Ms. Evanoff said she was glad they allowed the fill to be governed by the FEMA maps. She stated some alleyways go all the way through and sometimes they end beyond her property where there is a wetland. Ms. Evanoff reported the St. George Island tower has allowed a right-of-way and she cannot access the back of her property due to the road never being put in by the county. She explained on a 25 ft. lot with setbacks and no access to the back the trash issue is not realistic. She said everyone wants to have a nice looking island but it is a matter of everyone being conscious and courteous to their neighbor. She expressed concern about who will put the sidewalks in. Ms. Evanoff stated on addressing present structures they must be careful in determining how much is required to meet the standards. Ms. Evanoff said she does not know what happened with the RV's for Mr. Walter Armistead but it appears it was rescinded and allowed. She reported she has a problem if due process is not done properly. Attorney Shuler went over the new prohibited uses in this draft in Page 3 and 4. He explained he felt like there was direction from the Board on these issues. He discussed alternative language he is considering for the purpose of excluding the selling off of dry stack storage spaces and prohibiting this practice on the island. He said his understanding is the Board does not want to allow people to store boats and/or boats and trailers on unimproved property within the commercial district and it is a prohibited use. He explained storing boats on the ground is a separate prohibition. Attorney Shuler addressed Page 6 Pedestrian Walkways and Sidewalks and said the some of the Commissioners expressed concern about taking up building space for sidewalks and also about water being displaced on the lots and into the

roadway. He questioned if the Board wants to eliminate or keep the sidewalk provision. He stated the Board does not have to make a decision today but if they have further guidance he would like to take that into consideration as he prepares the final draft of the ordinance. Attorney Shuler reported on Page 6 in Development Standards he added a maximum of 2 boats and 2 trailers on improved property within the overlay district. Attorney Shuler stated these are the principle changes since the first public hearing. He asked if the Board has any questions or directions. Chairman Parrish said he is concerned about the sidewalk issue and his problem is with people having to back across the sidewalks to get to parking within the commercial district and the danger to pedestrians. Commissioner Jones agreed for the reasons they stated at the last meeting with safety and/or the size of the lots. He explained the intent is not to create something like downtown Apalachicola on St. George Island. He said it would be nice to have sidewalks but he does not think they can accomplish that without having safety problems or water problems. Mr. Moron reminded the Board in Eastpoint once the sidewalks were in place there were several close calls with pedestrians and traffic. He stated DOT said the pedestrian has the right of way. Chairman Parrish said he is concerned if people are backing up and do not see the individuals. Commissioner Jones reported there is also the possibility of having a water problem. Commissioner Lockley stated this will be a public safety issue. Commissioner Jones suggested they do away with the sidewalks unless someone has an objection. Mr. Pierce said unless they are going to do a comprehensive sidewalk plan then they should not make individual people put in sidewalks. Chairman Parrish stated personally he does not think the island needs sidewalks. Mr. Pierce agreed they should also strike the roof issue and let the building code rule. Attorney Shuler said the direction from the Board is to eliminate the sidewalk issue and remove the restriction on the roofs. Attorney Shuler inquired if there are any of the development standards that the Board wants to impose presently or any grandfathering exceptions they want to make. He said they discussed the outdoor storage of materials and goods for businesses and the screening and the shielding of garbage cans. He stated the Board needs to give him direction on what provisions they want to be effective now and what they want to apply as new businesses come in. He explained when Mr. David Theriaque, Theriaque and Spain, was present he had suggested some things the Board may want to apply now. He stated the Board does not need to make a decision now but they will need some guidance for drafting the ordinance. He reported the Board will be conducting a public hearing on February 20th and that will be a decision making time on whether to adopt the ordinance or not adopt the ordinance in its final form. Commissioner Lockley asked if the Board will vote at that time. Attorney Shuler answered yes. Commissioner Jones asked Attorney Shuler to get in touch with Mr. Lovestrand about the plants. He said the Board is not trying to put an undue burden on the businesses that are already there but they are trying to protect, preserve and give some guidance to that business district moving forward so they will have a plan since there never has been a plan. He discussed the outdoor storage area with a chain link fence around the property in the business district and said he is more in favor of screening this area than every individual trash can. Commissioner Jones questioned how the grandfathering will apply to current businesses and future businesses. Attorney Shuler agreed to address this issue. Commissioner Jones said he made a statement about true C-4 and he thought about it after the meeting but that is how he still feels about it. Chairman Parrish read

the section on stored materials and asked if this applies to dumpsters. Attorney Shuler asked if they have commercial dumpsters on the island. Commissioner Jones said there may be a couple of places that have them. Attorney Shuler stated he was just addressing the standard garbage can but he will address this issue. Commissioner Massey reported the county's dumpster has a wooden fence around it and doors that swing open so they can pick up the garbage. Commissioner Lockley asked if these have to be built to a certain standard because sometimes they do not look good depending on how they are built. Chairman Parrish agreed there will be some kind of standard. Chairman Parrish closed the meeting of the LPA.

Public Hearing – Board of County Commissioners – St. George Island Overlay District

Same description as above

Chairman Parrish reconvened the meeting of the Board of County Commissioners. He asked for public comment. Ms. Evanoff said they need to be allowed to have storage for boats on the island especially in this area. She reported on her property she has two kayaks, two wave runners, an offshore boat, a bay boat and a river boat. She stated they live on this property and two boats are not suitable. Chairman Parrish asked for Commissioner's comments. There were no Commissioner's comments. Chairman Parrish said this concludes the public hearing.

Michael Morón – County Coordinator – Report

Mr. Moron presented his report, as follows:

1. Ms. Deborah Belcher, your CDBG Administrator, is here today seeking **Board action** for the following two items. A copy of her full report is included in your packet.
 - a. A bid award of \$4,783 to Oxendine Construction Services, LLC., for the Nichols mobile home rehab at 571 Wilderness Road in Eastpoint.
 - b. Approve a homeowner application for mobile home rehabilitation for James E. and Janice A. Jackson (an elderly couple) located at 122 Squire Road in Apalachicola.

Mrs. Belcher stated there is one bid for Mr. Nichols and there are a couple of alternatives. She said \$4,783 is the final recommended amount. She explained there will not be a contract with the county but the Board approves the funding to the owner and the doc stamps and recording for the mortgage loan. Commissioner Sanders asked when Mr. & Mrs. Jackson were placed on the list. Mrs. Belcher stated they are being recommended today. **On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to award the bid of \$4,783.00 to Oxedine Construction Services, LLC for Mr. Donnie Nichols mobile home rehabilitation at 571 Wilderness Road in Eastpoint.** Commissioner Lockley asked if it is mobile home rehabilitation for Mr. & Mrs. Jackson. Mrs. Belcher answered yes, and said their home is feasible for rehabilitation as they need a heat pump replacement and some remodeling in the bathroom. Commissioner Lockley asked if they will have central air. Mrs. Belcher answered yes, she said they have duct work already but they have a gas furnace and air condition from 1994 that are original to the home and are now failing. Commissioner Sanders asked how much money will be left after Mr. & Mrs. Jackson's home. Mrs. Belcher was not sure what the bid would be on

Mr. & Mrs. Jackson's work but estimated about \$10,000 will be remaining. Commissioner Sanders reported the County needs to close out this grant so they can apply for another grant. Mrs. Belcher explained she is trying to get most of the money spent and she has some additional things she can do for Mrs. Pam Vathis. She explained the Jackson home is ready to go and she has already done the environmental assessment and it can be submitted to the Department of Economic Opportunity tomorrow. She reported this is the 10th home and the County had to do 10. **On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the request for Mr. & Mrs. Jackson.**

2. Weems Update a. As of Friday February 2nd, the balance in the Operating Account is \$130,000 and the balance in the Money Market Account is \$502,825. However Weems requested a \$150,000 from their Money Market Account to their Operating Account yesterday.

Commissioner Lockley said the public needs to know the hospital did not have to borrow money. Mr. Moron agreed they transferred from saving to the operating account.

b. Included in your packet is the Financial Report presented at the Weems Board of Directors meeting held on Thursday January 25th. At this same meeting Mr. Ben Vance of the County's auditing firm presented and reviewed the hospital's audit. There were other documents presented at the meeting, including but not limited to the 2018 Disaster Plan, the 2018 Hurricane Plan revisions, and the 2018 Organizational Plan. I have included all these documents in a newly created folder in your Dropbox account on your tablets and if you have any questions regarding this information let me know and I will have the appropriate Weems staff member contact you.

c. At your November 21, 2017 meeting the Board motioned to terminate the management agreement with Tallahassee Memorial Hospital (TMH) within 90 days. That effective date is approaching, but since the motion was made, Mr. Jim Coleman Jr. resigned from Community Hospital Corporation, Attorney Shuler and I have met with TMH's CEO, Capital Regional's CEO, and Sacred Heart Port St Joe Chairman and President to discuss their interest in Weems, and these talks are ongoing. Because of this, I recommend a six-month extension of the TMH management contract which would allow staff an opportunity to gather additional information to provide the Board for further discussions and direction. **Board action.**

Commissioner Sanders asked if during the discussions with Capital Regional Medical and Sacred Heart they addressed how they see the ambulance service with the operation of the hospital if they contract with the county. She asked if they will take over the ambulance service. Mr. Moron stated Capital Regional Medical Center and Sacred Heart do not manage ambulance services. He reported Capital Regional Medical Center will think about it and Sacred Heart said they do not run ambulance services. Commissioner Sanders said she is concerned because it has always been consolidated into one with the ambulance service operating with the hospital. She stated while they are looking at the hospital situations, they need to be looking at the ambulance situation too. She reported yesterday EMS responded to two tragic situations on both ends of the county at almost the same time. Commissioner Sanders stated they need to look out for the EMS employees. She said some of the counties run the EMS out of the Sheriff's Department. She explained they are proceeding with the hospital discussions but they need to make sure they do not leave the ambulance service

out. Mr. Moron said in the discussions they are addressing the ambulance service. **Commissioner Sanders made a motion to direct staff to look into what the other counties in the area do about their ambulance service and also contact Sheriff A.J. Smith and see if he would be willing to take over the ambulance if we have to. Commissioner Lockley seconded the motion.** Commissioner Sanders reported Sheriff Smith is familiar with this issue and has worked in other counties. She said they need to look into this because she cannot say enough about the EMS employees.

Commissioner Jones said from the research he has done there is probably less than 5 in the State of Florida that still do hospital based EMS and Franklin County is one of them. Commissioner Lockley said the County has to have the ambulance service. **Motion carried; 5-0.** Chairman Parrish asked the Board about the action Mr. Moron requested for the extension of the TMH contract.

Commissioner Lockley said he does not have a problem with Tallahassee Memorial Hospital and he is willing to give them 6 months but at the same time they bring the payroll back here. He said he wants one payroll and the top people not being paid from Tallahassee. He reported the CEO, CFO and Director of Nursing are paid from Tallahassee. He explained he wants the payroll to come out of the same coffers and then all the employees will be working for Franklin County and not TMH. Mr. Moron clarified if the CEO, CFO and Director of Nursing are paid from the TMH contract then the Board wants them paid here by the leasing company. Commissioner Lockley answered yes, the same as the other employees. He stated they are getting extra benefits and cannot run the hospital. Commissioner Jones said this is part of TMH's management contract. Chairman Parrish agreed they are negotiating the contract. Commissioner Lockley agreed and said they want the payroll here. Commissioner Jones said he is not opposed to it but does not know how many things they can address at one time. Commissioner Massey stated they need to have a workshop with the Hospital Board members and find out who is in charge of telling the CFO and Mr. Cooper what to do. He explained the Board is telling him one thing and the Hospital Board is telling him another and they need to discuss who is in charge of him. Chairman Parrish said the Board is in charge. Commissioner Massey asked who does the hiring and firing. He said they also need to meet with them and fill the vacancies on the Hospital Board. He explained they need him to complete a time and motion report to turn into Mr. Moron on what he does during the week and have a meeting with him. Mr. Moron asked if they are referring to Mr. Cooper. Commissioner Massey answered yes. Mr. Moron questioned if they want an activity log. Commissioner Massey replied an activity log and a time and motion report. Commissioner Sanders said she does not have a problem continuing the contact with TMH but does not have any confidence in Mr. Cooper. She stated she does have confidence in TMH but she does not know how to rectify the problem. Commissioner Sanders said there are other people at TMH that can do this but if they continue she wants them to know there are a couple of Commissioners that do not have confidence in Mr. Cooper and she is concerned. Chairman Parrish said this message has been relayed. He explained if they are going to extend this contract then it must be extended the way it is. He stated they can't renegotiate now. Commissioner Lockley said they can ask. Commissioner Sanders suggested they let Mr. Mark O'Bryant, TMH, know that the Board has lost confidence in Mr. Cooper. Chairman Parrish reported while they are negotiating with the other entities they need to keep going with this contract until the Board makes up their mind what they are going to do. Commissioner Lockley reported Mr. Cooper is not showing any initiative or trying. Commissioner Massey agreed and said they need to have a workshop with the Hospital Board and see what is going on. Commissioner Sanders said they do not have a Hospital Board because there are only 1 or 2 valid members. Commissioner Massey stated they do need to appoint some members. He reported they have only met with the

Hospital Board one time since he has been on the Board. Chairman Parrish asked if the Board wants to extend the contract. Commissioner Sanders asked if they can extend the contract for three months. Commissioner Massey said according to Attorney Shuler it will take at least six months. **Commissioner Massey made a motion to extend the TMH contract for 6 months. Commissioner Jones seconded the motion.** Commissioner Lockley said he did not want to but he wants to keep the hospital open. Commissioner Jones stated some of the same issues are the issues he had in mind when he said months ago that the problem with this Board running the hospital was that all the information they are being given is history and not current and what is going on now. He explained he asked for information this week from the Hospital about the EMS Maintenance Logs and Mr. Moron is going to make them available to the Board members. **Motion carried; 5-0.**

d. I have included a copy of the current make-up of Weems' Board of Directors including their term renewal dates. There were at least three instances in 2017 when regular meetings were cancelled due to a lack of quorum. I would ask that the Board consider filling the vacant seats and replacing or renewing the seats with expired terms. This can be done at the next meeting.

e. Mr. Cooper informed me that he has submitted a grant application for a new ambulance. If this grant application is approved the County (Weems) will be responsible for a matching amount of approximately \$20,000.

Commissioner Sanders stated usually they come and ask the County Commission but he did not. **Commissioner Sanders made a motion to approve the grant application because the county needs a new ambulance and that the money comes out of the Capital Outlay money. Commissioner Massey seconded the motion. Motion carried; 5-0.**

3. At your last regular meeting I informed the Board that FWC had approximately \$488,000 for another derelict vessel removal program. If all went as planned the bids for those vessels should have been opened earlier this morning. As a reminder, one of the vessels is a shrimp boat sunk on the west bank of the Apalachicola River, which places it in Gulf County waters. Mr. Mark Curenton working with Mr. Don Butler, Gulf County's administrator, got the Gulf County Board of County Commissioners to approve a Memorandum of Agreement (MOA) authorizing Franklin County to remove the vessel. **Board action** to authorize the Chairman's signature on the MOA.

On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the MOA and authorize the Chairman to sign the document.

4. In addition to the MOA with Gulf County, **Board action** is needed for the Chairman's signature on a Resolution authorizing Franklin County to apply for Florida Fish and Wildlife Conservation Commission grant funding to remove the derelict vessels.

On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to adopt a Resolution authorizing Franklin County to

apply for Florida Fish and Wildlife Conservation Commission grant funding to remove the derelict vessels and authorize Chairman Parrish to sign the Resolution.

5. County staff has received a complaint that the property owner at 1819 E Gulf Beach Drive has a shed, deck, and dock that has not been permitted by your Building and Permitting Department. **Board action** to authorize Attorney Shuler to work with staff and contact the property owner in an attempt to rectify these violations.

Commissioner Lockley made a motion to direct Attorney Shuler to work with staff and contact the property owner in an attempt to rectify these violations. Commissioner Sanders seconded the motion. Attorney Shuler asked if the Board action also involves taking enforcement action in court if need be or should he come back to the Board for further authorization to go to court. Chairman Parrish said people cannot be allowed to build whatever they want without coming to the Building Department. Commissioner Sanders said Attorney Shuler needs to do whatever he needs to do. Commissioner Lockley agreed. Commissioner Jones said he thinks it would be cheaper to have a code enforcement officer to do these actions than having to take legal action. Commissioner Sanders reported they do not know where the money is coming from for a code enforcement officer but they need to do it. **Motion carried; 5-0. Commissioner Lockley made a motion to see how much the whole package will cost to have a code enforcement officer. Commissioner Sanders seconded the motion. Motion carried; 5-0.**

6. This item was addressed earlier in the meeting.

7. Mr. Mark Curenton and Mr. Warren Emo, after months of emails and discussions, have a solution to replace the Armory's front door. Mr. Emo is proposing to remove the existing historic "pocket" doors and engage a craftsman to reconfigure the doors while maintaining the unique features and arches of the historic doors. He will also construct a new door jamb / exterior wall assembly to replace the existing aluminum storefront entrance. The historical requirements for the door design and unique features at the door opening are addressed as well as addressing the egress requirements by the State Fire Marshall. The total cost of this project is \$22,135 which is \$6,799 more than the remaining \$15,366 grant balance. If the Boards authorizes this project the County will be responsible for the \$6,799 balance, which could be paid from the Repair and Maintenance budget. **Board action** to approve this project and authorize the Chairman's signature on Change Order #2.

Commissioner Sanders made a motion to approve this project with the stated terms and authorize the Chairman's signature on Change Order #2 in the amount of \$22,135.00.

Commissioner Jones seconded the motion. Commissioner Lockley questioned the price of the doors. Chairman Parrish reported the original estimate was \$40,000 so this is a reduced price after a meeting with the architect. **Motion carried; 5-0.**

8. At your January 16th regular meeting bids were opened for the construction of the sidewalk on North and South Bayshore Drives. M of Tallahassee, Inc. was the low bidder at \$391,805.70 which was \$32,973.70 higher than the amount allowed in the grant for construction. FDOT informed Mr. Mark Curenton that they have reviewed M of Tallahassee's bid and will provide the additional funds

needed for the project. **Board action** to authorize the Chairman's signature on the FDOT supplemental agreement authorizing the additional funds, a Resolution authorizing the project, and the Notice of Award to M of Tallahassee.

On motion by Commissioner Jones, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the FDOT Supplemental Agreement authorizing the additional funds and authorize the Chairman to sign the agreement, adopt a Resolution authorizing the project and issue a Notice to Award to M of Tallahassee in the amount of \$391,805.70 for this project.

9. At your December 19th regular meeting the Board authorized me to purchase a new vehicle for the administrative office and a series of vehicle transfers to the Building Official department and the Maintenance department then sending a vehicle to auction. Staff was able to purchase a vehicle from the Sheriff's Association bid list, so we can send the truck currently assigned to the Maintenance department to auction which would help offset the cost of the new vehicle. **Board action.**

On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to send the truck currently assigned to the Maintenance Department to auction.

10. Ms. Lori Switzer your SHIP Program Administrator is requesting Board authorization to release FY 2016-17 \$60,000 from the Disaster Funds program. These funds are held in a reserve to assist home owners that qualify with roof repairs in the event of a tornado or other natural disaster. These funds will be disbursed to the Emergency Repairs and Home Rehabilitation programs. The Disaster Funds program will be funded \$60,000 from FY 2017-2018 SHIP money the County recently received. **Board action.**

On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize the release of \$60,000 from the FY 2016-2017 Disaster Funds Program.

11. The Northwest Florida Water Management District has notified the County of the public hearing date for additions or modifications to their Five-Year Land Acquisition Work Plan. This public Hearing will be held on February 8, 2018 at 1:10 p.m. (CST) at Emerald Coast Utilities Authority, 9255 Sturdevant Street, Pensacola, Florida 32514. A copy of the letter listing the proposed modifications to the 2018 plan is included in your packet.

Mr. Moron said there may be a change to this date and he will send it to the Commissioners in case anyone was planning to attend.

12. Erik Lovestrand your Extension Office Director is asking for Board approval and the Chairman's signature on a letter to the Florida Department of Environmental Protection Division of State Lands office submitting our application for a sublease of the Robert L. Howell Building. Mr. Lovestrand will

complete the application for the sublease. **Board action** to authorize the Chairman's signature on the letter. This item was handled earlier in the meeting.

13. Inform the Board that I have received the invitation for the Camp Gordon Johnston Days Reunion Parade which will be held on Saturday, March 10, 2018 beginning at 10:45 a.m. Parade lineup starts at 9:45 a.m. I will complete the Parade Entry Form and coordinate parade transportation with Mrs. Pam Brownell.

14. Inform the Board that the Guardian ad Litem Program hosted orientation sessions on Friday January 26th at 12 noon and another at 5:30 p.m. that same day. Based on the volunteers that attended there will be two training sessions here in the Commission meeting room on Saturday February 10th and the other on the 24th.

Mr. Moron said they have some good volunteers.

Mr. Moron stated the Board approved the Title IV Non-Discrimination Policy and Resolution for the LAP Program in 2016 and he needs to update the Resolution and Policy with the name of the new Chairman. He explained normally this would be done every 3 years but they need to update the Chairman's name. **On motion by Commissioner Lockley, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the Title IV Non-Discrimination Policy and Resolution with the name of the new Chairman.**

Michael Shuler – County Attorney – Report

Attorney Shuler presented the Lease Agreement and Re-Purchase Agreement for two dump trucks. Attorney Shuler read the following statement and Resolution:

As initially discussed during budget process for this current year and approved by the board on January 2nd, the Road Department will be trading in (1) 2003 Mack Dump Truck, last (4) of the VIN 5234 to pay the (1) year lease payment on two new dump trucks. There will be a rolling lease agreement with Capital Truck whereas the two trucks valued at \$295,000 will be owned by Franklin County for (13) months, at the end of the period, the trucks will be bought back by Capital Truck before a second payment is due on the lease. At that point, the rolling lease arrangement will be in effect - every 13 months Franklin County will be trading out for (2) new dump trucks. This arrangement is already in place in several neighboring counties with good reviews of the program. A formal lease purchase agreement with the financing company Leasing 2, Inc must be executed each time along with a resolution authorizing the signature of the chairman. The resolution is as follows (see attached).

RESOLUTION FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS

At a duly called meeting of the governing body of the Franklin County Board of County Commissioners held on the 6th day of February 2018 the following resolution was introduced and adopted.

RESOLVED, whereas the governing body of the Franklin County Board of County Commissioners has determined that a true and very real need exists for the acquisition of the Equipment described in the Lease-Purchase Agreement presented to this meeting; and has further determined that the equipment will be used solely for essential governmental functions and not for private business use.

WHEREAS, the governing body of the Franklin County Board of County Commissioners has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

BE IT RESOLVED, by the governing body of the Franklin County Board of County Commissioners that the terms of said Lease-Purchase Agreement and Escrow Agreement are in the best interest of the county for the acquisition of such equipment, and the governing body of the Franklin County Board of County Commissioners designates and confirms the following persons to execute and deliver, and to witness (or attest), respectively, Leasing 2, Inc. Lease-Purchase Agreement and Escrow Agreement, if applicable, and any related documents necessary to the consummation of the transactions contemplated by the Lease-Purchase Agreement and Escrow Agreement.

s/Joseph Parrish
Joseph Parrish, Chairman
Franklin County Board of County Commissioners

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Lease-Purchase Agreement and Escrow Agreement is the same as presented at said meeting of the governing body of the Franklin County Board of County Commissioners.

s/Marcia M. Johnson
Secretary/Clerk

(SEAL) February 6, 2018
Date

Attorney Shuler explained the Re-Purchase Agreement is a one page letter agreement from Capital Truck which lays out the terms. He said the County can either accept the terms or not but there are no negotiations. He stated a number of government agencies have been using this agreement and Mr. Nabors seems satisfied with the process. Attorney Shuler reported there is an exit strategy each year if the Board elects not to fund the trucks. He explained the County would then turn the trucks and equipment back over to the company. He requested the Board adopt the Resolution and authorize the Chairman's signature on the Lease Purchase agreement and the Re-Purchase Agreement by Capital Truck. **Commissioner Sanders made a motion to adopt the Resolution and authorize the Chairman's signature on the Purchase**

Agreement and the Re-Purchase Agreement by Capital Truck. Commissioner Massey seconded the motion. Commissioner Lockley asked if this company also leases cars. Attorney Shuler did not know but said he would find out. **Motion carried; 5-0.**

Attorney Shuler reported recently the Board was faced with a development application concerning another Recreational Vehicle (RV) park on Island Drive. He explained part of the process they were trying to go through procedurally was to have the Board review the application as a Planned Unit Development (PUD). Attorney Shuler stated he wants to bring to the Board's attention that he and Mr. Pierce agreed that although in the late 1980's the County did adopt a PUD Ordinance at the time the County was designated an Area of Critical State Concern and the development orders and zoning ordinances at that time did not become effective until they were subsequently approved by the State of Florida following adoption by the Board. He said they cannot find any evidence that the State ever approved this PUD Ordinance so this is not a valid ordinance. He reported this ordinance is still on the books and creates confusion so he requested the Board authorize him to conduct a public hearing so the Board can make a decision whether or not to officially revoke or rescind the PUD Ordinance.

Commissioner Lockley made a motion to authorize Attorney Shuler to conduct a public hearing so the Board can make a decision on whether or not to revoke or rescind the PUD Ordinance. Commissioner Massey seconded the motion. Mr. Pierce agreed they were not allowed to use this ordinance because the Governor and Cabinet did not like the structure of the ordinance and it is confusing to have this ordinance on the books. Mr. Pierce discussed Franklin County's PUD experience. He pointed out PUD's can work in rural areas but are actually designed for urban areas. He explained if they ever need a PUD Ordinance they can draft something perfect for the county. Commissioner Sanders reported back in the 1980's and 1990's they also had Development of Regional Impact (DRI) such as St. James Bay so the PUD Ordinance does not have any credence. She agreed with removing the ordinance from the books. **Motion carried; 5-0.**

Attorney Shuler stated it is not the normal time to appoint the member and alternate member to the Canvassing Board at the Supervisor of Elections Office but the Canvassing Board workshop is being held in April. He asked the Board to think about appointing a member and an alternate in case they want to attend this workshop and receive the necessary training. Commissioner Lockley asked where the conference is being held. Commissioner Sanders responded Orlando. Commissioner Lockley said he may be on the Canvassing Board. Commissioner Sanders stated she is retiring and Chairman Parrish is running for election so the other three Commissioners would need to serve. Attorney Shuler agreed typically the Chairman would be a member but he is running for election. He explained if Commissioner Lockley is the primary then the Board would need to appoint an alternate. **On motion by Commissioner Sanders, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to appoint Commissioner Lockley as the primary member and Commissioner Jones as the alternate.**

Commissioners' Comments

Commissioner Sanders reported the County is in the Northwest zone for FWC for outdoor activities such as hunting/fishing and that allows them two weeks in the middle of January to continue hunting. She explained they have the first four days at Thanksgiving and then an 11 day ban and then it opens back up. She stated this creates a problem for the Central and South Florida hunters because they are done with their hunting by the middle of January and come to this area for the last two weeks of hunting. She explained this year they are coming into areas that have been used for many years by other hunters and it is causing hunter conflict. She stated she would like to work with Michael Moron and contact the Division of Forestry and FWC and see if there is something they can work on to try and eliminate the hunting pressure. Commissioner Sanders suggested rather than closing hunter season they just let it run through until the second week in January and then all the hunting in the State of Florida under general gun will close at one time and then there will not be this conflict. She said she tried to do this back in the 1990's but was not able to get it done. Commissioner Sanders reported it needs to go back to the way it was prior to the 1990's when it opened on Thanksgiving and ran all the way through and then closed the second week of January. She said everyone understands this is public land for public use but they need to show some respect. Commissioner Sanders stated she may also need to talk with Attorney Shuler on the legal issues. **On motion by Commissioner Sanders, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to allow Commissioner Sanders to work with Mr. Moron and Attorney Shuler and start closing down hunting under general gun at the same time in the State of Florida.**

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 1:05 p.m.

Joseph A. Parrish - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts