

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
OCTOBER 18, 2018
4:00 P.M.
MINUTES**

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

Others Present: Michael Moron-County Coordinator, Alan Pierce-RESTORE Coordinator, Michael Shuler – County Attorney, Lori P. Hines-Deputy Clerk to the Board.

Chairman Parrish called the meeting to Order.

Mr. Moron reported Franklin County remains in a State of Emergency. He stated the Board is here to continue the discussion about the Memorandum from the Department of Transportation (DOT) stating the state will prioritize the funding of Hurricane Michael debris removal in fiscally constrained counties such as Franklin County. Ms. Jenny Devlin, CDR Maguire, said she contacted Crowder Gulf, debris contactor, and Tetra Tech, debris monitor, and requested written authorization and consent that they will re-assign their contractual obligations over to the state if this Memorandum is approved. She stated the written consent has been received from Crowder Gulf and the Board has copies. Ms. Devlin reported Tetra Tech has verbally agreed but she has not received the email. She said when she receives the email; the county will receive a copy. Attorney Shuler explained the debris contractor and debris monitoring contracts are for 3 years so the first step is the email confirmation that they will agree to the transfer of their obligations under the contracts as to Hurricane Michael not for the whole 3 year period. He said the next step is the DOT Memorandum with authorization for approval. He stated he will draft a subsequent written document for the contractors to sign so the county will have a written record and not just an email. Ms. Devlin provided an update on debris removal. She stated the first truck picked up 745 cubic yards and yesterday they picked up 6,023 cubic yards which is a day's work for 9 trucks. Ms. Devlin reported there are 9 trucks with double trailers on the road today picking up debris. She said they are doing a good job and this is good production. Mrs. Jennifer Daniels, Emergency Management Department, said Mrs. Pam Brownell, Emergency Management Director, could not attend the meeting but recommends approving the DOT contract. Attorney Shuler said one of the items on the agenda is what the recommendation is of CDR Maguire who is the county's consultant for emergency planning and emergency response. He stated they also provide guidance on items such as the DOT Memorandum. Ms. Devlin reported CDR Maguire recommends the county accept the proposal from DOT. Attorney Shuler said this is also his recommendation. He reported Mr. Frank McComb, State Emergency Management, is recommending the county approve this

proposal. Attorney Shuler stated he has put this in written form and asked if the Board has any questions. Commissioner Sanders questioned Item #6 which says DOT will use Franklin County's existing contractors for debris removal and asked if this is correct. Attorney Shuler answered yes and said he spoke with the general counsel for DOT and they sent down a sample contract with the format they want to use and the pricing they want to use for the local contractors. He stated they will be using local contractors but will be entering into their own separate contract for the services using our price the best they can. Chairman Parrish asked if the contractor will continue working. Attorney Shuler answered yes, they do not have any interest in interfering with the county's existing contractual relationships. Commissioner Massey asked if they are going to put some additional trucks in the county. Ms. Devlin answered yes; they are looking for subcontractors for Crowder Gulf. Commissioner Massey reported the contractors are working west to east but he was hoping they would add someone working in the west and then the two contractors could work to come together. Ms. Devlin reported a planning session will be conducted when they have additional subcontractors. She said when they had this discussion, she suggested they use a minimum of three temporary sites at one time so they are covering the entire county at one time and coming inwards. She stated the meeting was at 4:00 p.m. today so she will find out later what happened. Commissioner Massey expressed concern that the piles are getting bigger. Commissioner Sanders asked if there will be a second pass. Ms. Devlin responded yes, there will be a second pass to pick up debris. Commissioner Sanders asked the contractors to make sure they get all the roads in the county because some of the roads are in outlying areas. She reported this is the first time she has had enough damage to have debris so there will be trash and yard debris from Jeff Sanders Road. Chairman Parrish verified the contractors received the maps of the county and the cities. Ms. Devlin agreed they have the maps. Commissioner Sanders stated she would like to know how many homes in the county were destroyed. Mrs. Jennifer Daniels, Emergency Management Department, reported the Property Appraiser has just completed her damage assessments so they will have the numbers tomorrow. Commissioner Sanders requested Mrs. Daniels email the numbers to the Commissioners when she receives them. Attorney Shuler said what DOT is asking of Franklin County is contained in a Memorandum that was sent to all the County Emergency Management Directors from Mr. Wes Maul, Director of the Florida Division of Emergency Management. He reported this Memorandum is about the state prioritizing funding Hurricane Michael debris removal for fiscally constrained counties. He explained the Board decides whether or not these services come to the county. Attorney Shuler read the portion of the letter that references the mission statement DOT is requesting from Franklin County. He reported the general counsel for DOT told him they are omitting the emergency road clearance as the county has already cleared the roads. He stated he has informed the general counsel that he would like to be able to revisit this issue. Attorney Shuler reported this part was left open but is not part of the draft contract that was sent to the county. He stated they will come down free of charge to the county and the county will not have to meet the 12 ½% match requirement for the county and the state as they will assume 100%. Attorney Shuler said they will assume legal responsibility for the debris. He reported if they do not remove the debris according to FEMA regulations then the loss is on DOT not Franklin County. He explained the county would have to front the money and then seek reimbursement if they collect the

debris but now DOT will front the money to remove the debris and they are subject to being reimbursed or not reimbursed by FEMA. Attorney Shuler explained this will also allow them to come into the unincorporated areas as well as the municipal areas. He said there are a lot of benefits to this agreement. Attorney Shuler stated he also talked with Ms. Ginger Delegal, Executive Director of the Florida Association of Counties (FAC), and they are recommending all the fiscally constrained counties accept this offer from DOT. Attorney Shuler reported they are all jointly recommending that the county accept this offer and consider authorizing staff to send this mission statement to the state EOC after the county gets the written release from the current contracts. Chairman Parrish asked if Attorney Shuler is preparing the paperwork to send to the contractor and monitor to expedite this process so this does not go on for two weeks. Attorney Shuler agreed to expedite this matter. Chairman Parrish explained if the county does not sign this Memorandum then the cities will not be entitled to this 100% reimbursement. He stated this is going to be in excess of \$1 million and he does not know if the county has the 12½% but he is sure the cities do not have the 12½%. He said the county now has answers to their questions. Attorney Shuler stated they now have to meet with the contractors and get assignment of the contracts which gets the county out of the financial responsibility. Chairman Parrish suggested the Board approve this offer as it is a onetime deal that will help the county and the cities. Commissioner Sanders referenced the Interlocal agreement and asked if it is between the county and the state or the cities and the county. Attorney Shuler reported the proposal is for the Interlocal agreement to be between the county and the cities. He stated this Interlocal agreement came from Mr. Matt Fuqua, Calhoun County, and Ms. Michele Jordan, Jackson County, who put this document together for the cities so they can join in with the counties in acceptance of the DOT Memorandum. Attorney Shuler said the DOT general counsel said an Interlocal agreement or Resolution will work. He explained DOT wants a written agreement showing the local governments are not being moved out of the way and that DOT is being invited to do the work on our behalf, pay for it and be responsible for it. Commissioner Sanders read a portion of the agreement referencing pre-selected contractors. Attorney Shuler said he has not edited this agreement but whatever happens the county has pre-selected contractors and the county has a contractual obligation to them. He reported DOT is within the boundaries of their state authority and they are trying to honor the agreements the county has entered into. Commissioner Lockley asked if they have an estimate of how long the cleanup will take. Ms. Devlin responded in discussing this matter with Crowder Gulf, they think it will take 2 weeks with what is currently out there. She explained once people start getting things out of their houses, they estimate it will take 4-6 weeks. Commissioner Lockley asked if the 2 weeks is for the whole county. Ms. Devlin replied that is the county not the cities. Chairman Parrish said there will also be a second pass. Ms. Devlin agreed. Commissioner Lockley stated he was asking because they are going to have the Seafood Festival and he does not know what condition the area will be in. Ms. Devlin stated they are doing all they can to get some more subcontractors. Commissioner Massey clarified the individuals need to move the debris out to the side of a county road or city road and not on private property. Ms. Devlin agreed and said they will not go behind gates to get the debris. Commissioner Jones asked if the Interlocal Agreements are for the terms of the contracts or just for Hurricane Michael. Attorney Shuler answered he plans to draft this so it is only for Hurricane Michael debris

pickup. He said the contracts are for 3 years and hopefully the contracts will not be needed but DOT has not offered to come down for any other event. Chairman Parrish pointed out the cities will need to sign the Interlocal Agreements or they will be excluded. Chairman Parrish reported Franklin County is the only county that has not signed the agreement. **Commissioner Massey made a motion to approve. Commissioner Jones seconded the motion.** Chairman Parrish asked for public comment. Mr. Ron Nally, City Manager for the City of Apalachicola, said he appreciates the Board's consideration of this Memorandum. He stated it is good news that the Seafood Festival will be held. He explained in the past everyone has worked together to make this a successful event and it would be unfortunate for large amounts of debris to remain in place if the debris contractor is not allowed to start work in the city in a prompt manner. He asked for any consideration the Board could give. He supported the Interlocal Agreements and the county working as a whole to get the debris cleaned up. Mr. Grayson Shepard, a resident of the City of Apalachicola, inquired about separating the debris and if the local media outlets could provide information about the separation. Commissioner Massey stated the City of Carrabelle provided flyers about separation of the debris. Commissioner Jones commented EOC also provided this information. Ms. Devlin reported the alert system has been pushing out guidance on separating 4 different kinds of debris. She stated residents must register for this service but it does have specific guidelines. Ms. Devlin explained the different kinds of debris. The Board agreed EOC will provide this information. Mrs. Brenda LaPaz, Mayor for the City of Carrabelle, recommended the Board sign this Memorandum and said the City will also sign. She questioned if the City of Carrabelle will need to sign a release from their contractors. Attorney Shuler stated he will contact the city attorney about this matter but he thinks they should piggyback 100% on all the documentation. Commissioner Jones explained the other day in the meeting he was talking about how the debris would be cleaned up and he did not think about the Seafood Festival when he was talked about the county pickup versus the city pickup. He stated he meant they need additional trucks for the cities and did not need to spread out whatever trucks they have all over the county. He reported they definitely do not need all the debris in place for the Seafood Festival. **Motion carried; 5-0. On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize the Chairman to sign the Memorandum of agreement when it is ready.** Commissioner Sanders stated in the contract it says the county will have a point person and asked who this person will be. Chairman Parrish stated Mr. Moron will be the point person. **Commissioner Sanders made a motion to appoint Mr. Moron as the point person. Commissioner Jones seconded the motion.** Commissioner Lockley stated Mr. Moron will be in the office but does the county need someone on the ground. Chairman Parrish said DOT just needs a contact person. Commissioner Lockley said he would like to see them bring in more trucks. Ms. Devlin pointed out the availability of trucks is the problem. **Motion carried; 5-0.** Mr. Shepard stated there is discussion about having the EOC taken over by the Sheriff's Office. He said a petition will be put together but he wanted the Board to know that is the way the majority of the community is going. He stated this will be presented at a future meeting.

There being no further business to come before the Board, the meeting was adjourned at 4:32 p.m.

Joseph A. Parrish - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts