

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
JUNE 4, 2019
9:00 AM
MINUTES**

Commissioners Present: William Massey-Vice-Chairman, Joseph Parrish, Ricky Jones, Bert B. Boldt, II

Others Present: Marcia M. Johnson-Clerk of Court, Erin Griffith-Assistant Finance Director, Michael Moron-County Coordinator, Alan Pierce-RESTORE Coordinator, Michael Shuler – County Attorney, Lori P. Hines-Deputy Clerk to the Board.

Call to Order

Vice-Chairman Massey called the meeting to Order.

Prayer and Pledge

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes

There were no minutes available for approval.

Payment of County Bills

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

Public Comments – *(This is an opportunity for the public to comment on agenda or non-agenda items. When you are recognized to be heard by the Chairman, please sign the speaker's log and adhere to the time limit. An individual will be allowed to speak for three minutes whereas a designated representative of a group or faction will be allowed to speak for five minutes.)*

Ms. Andrea Novak, Alligator Point/St. Teresa Association, thanked Commissioner Boldt, the Board and everyone involved in getting the temporary asphalt road. She stated people that live in that area are so pleased that there is no dust and they feel safe. She said they look forward to working with the county in the future on a permanent solution.

Mr. Gordon Hunter, a resident of St. George Island, said they are forming a group called the Friends of the Apalachicola Regional Airport. He explained this is a volunteer group of aviators and aviation enthusiasts who want to volunteer to help the airport with different events and activities. He reported they have over 40 people and the idea is to promote the airport and support the FBO and Airport Manager. Mr. Hunter stated they opened up with a pancake breakfast last Saturday and it was a success and they will try to do it quarterly. He reported Centric Aviation is tentatively planning an air show in the fall. He stated they want to support aviation and support the youth of the county. He said Centric Aviation has given away a couple of \$1,000 scholarships in the last year to students. Mr. Hunter reported he took one of the students flying and now he is on that career path. He stated a Civil Air Patrol at the airport for youth is also being discussed. Mr. Hunter reported they have talked about creating a World War II Museum at the airport. He stated they have a good relationship with the Camp Gordon Johnston Museum and will get some artifacts from them. He explained their group has people in the community that are interested and want to support and stimulate economic development. He stated as aviators they see improvements that could be made and they will offer suggestions. Mr. Hunter said anyone can join their group if they have a love of aviation and support the airport.

Mr. Alan Feifer, Concerned Citizens of Franklin County, read a prepared letter about Weems Memorial Hospital. He stated the town hall meetings are essential so they can hear from the people.

Mr. Shannon Hartsfield, a resident of Eastpoint, stated they are having some issues with the East Hole boat ramp. He explained people are fishing in the mouth of the boat ramps and blocking the boat ramp so people cannot get in with their boats. He said he called the Florida Fish & Wildlife Commission (FWC) and they cannot do anything about it. Mr. Hartsfield asked if they can get some signs because this is becoming an issue.

Sheriff A. J. Smith – Traffic Control Update

Sheriff Smith said they have received complaints about speeding on Alligator Drive, Gulf Beach Drive and Lanark Village. He stated they have decided to have zero tolerance and bring people into compliance. He reported for the last two years his department has been doing a lot of traffic and for about 10% of the traffic stops they are writing citations. Sheriff Smith stated he instructed the deputies to have zero tolerance if individuals are 8-10 miles over the speed limit so his department will be writing citations. He stated he may bring in some people at peak times. Sheriff Smith reported he has assigned a deputy full time to traffic. He said 12-13 tickets were written yesterday. He reported it will not take long to get the word out and people are not concerned about what happens with tourism but need to know this is a safe community. Sheriff Smith explained the roads are in bad shape and it is compounded when they are speeding and driving erratically. He reminded everyone the texting and driving laws go into effect July 1st. Sheriff Smith said the deputies are working traffic when they are not on a call or

on patrol. He said he wanted the Board to know he is taking this seriously and if they have any comments or suggestions to please let him know. Commissioner Jones thanked Sheriff Smith. Commissioner Boldt encouraged this zero tolerance to be a permanent policy so people are not confused about the proper observation of the Franklin County laws. Sheriff Smith agreed and said he appreciates the support.

Mr. Moron offered the following item from his report:

1. At your March 19th meeting the Sheriff appeared before the Board and presented his plan for a drug rehabilitation center in Franklin County. The Sheriff asked that you allow him to use the Bay City Work camp for his drug rehabilitation center. Before you would agree to the Sheriff's request, the Board directed me to engage an architect that would come up with an estimated cost to renovate the dorms at the Workcamp for use as a drug rehabilitation center. Mr. Doug Shuler, the architect, has been able to get a general contractor to visit the site a couple of times; however, in order to get an accurate renovation estimate, that contractor has requested plans. Mr. Shuler estimates that it will cost between \$12,000 - \$15,000 to create "as built" plans. Is the Board in favor of paying for the "as built" plans from professional services? ***Board discussion/action.***

Mr. Moron pointed out these are "as built" plans so they must measure everything but this must be done to move forward. He said this is also to renovate for a drug rehabilitation center so the plans will include some Agency for Health Care Administration (AHCA) requirements. **Commissioner Boldt made a motion to approve this request.** Commissioner Parrish asked if the Sheriff is moving forward with this plan before they agree to spend this money. He stated if the Sheriff has not acquired funding for the drug rehab then they are wasting \$12,000-\$15,000. He questioned if the Sheriff is planning to move forward. Sheriff Smith reported in the last month the county had two suicides and both involved meth. He said it is critical they get this done and find the money to open the rehabilitation center because there is a huge need. Sheriff Smith reported they are noticing a larger homeless population and they may also be able to help them. He said he is still willing to do it and this is a great location. Sheriff Smith stated Sheriff Mike Harrison, Gulf County, has committed \$100,000 to help with operating expenses. Commissioner Boldt stated he thinks this is a good investment and they have a plan for a functional use at the facility. He said there is also an opportunity from another county to bring in outside funding so it looks promising. Commissioner Jones said when they first discussed this idea part of getting the "as built" plans is determining the feasibility of using this building. Mr. Moron agreed. **Commissioner Jones seconded the motion. Motion carried; 4-0.**

Mr. Moron presented the following item from his report:

2. Based on your conversation at the May 21st regular meeting, I explained to the Sheriff that the County was not getting the normal amount prison inmate crews to assist with the enormous grass cutting task. Sheriff Smith explained that he doesn't have enough

or a consistent number of trustees to commit on a regular basis, however he is willing to take on one singular job at a time. For instance, he could have a crew to assist with sandbags at the EOC, or a particular area to assist with grass cutting. He asks that we send him a list of jobs and he will try to address each item, as quickly as he possibly can.

Sheriff Smith agreed if they have a list they will try to work on it. He stated they discussed with the State Attorney's Office that instead of charging fines individuals are put into a Sheriff's work program. He explained the more people they have in the program the more they will have to work on these items. Sheriff Smith said the other day the boat ramp looked bad so he called their crew and they worked to clean it up. He stated they will continue to do what they can to help the county look good. Commissioner Massey reported they did a great job on the elder care property yesterday. Sheriff Smith said they cleaned there and even washed the van. Mr. Moron stated they will have the County Department Heads contact the Sheriff directly with their lists and he can decide what he can and cannot do. Sheriff Smith asked then to prioritize the list. Commissioner Parrish asked to prioritize the sandbags at the EOC first as we are in hurricane season and then coordinate with Mr. Nabors on the grass cutting and other items. Mrs. Brownell reported the state inmate crews started yesterday on the sandbags.

Department Directors Report

Howard Nabors – Superintendent of Public Works

Mr. Nabors stated sand for sandbags has been dumped at all locations. He reported inmate crews and regular crews are cutting grass, weed eating and picking up trash.

Mr. Nabors said they will bring a motor grader this week to try out before the county approves purchasing one.

Mr. Nabors explained they tried out the new machine for marking roads yesterday and it worked well. He said the cost was less than expected and was \$4,000 for the gun, the strips to paint with and 2 gas bottles. He explained the marking will last 4-6 years but they cannot do long lines. Mr. Nabors stated they can do stop signs, stop bars, and handicapped markings.

Mr. Nabors reported the Road Department completed their class yesterday and have been re-certified to work with inmates.

Mr. Moron read the following item from his report:

9. Mr. Howard Nabors, Superintendent of Public Works, stated that Ryan Drive in Carrabelle is in need of major repair. Mr. Nabors stated that the pipe under Ryan Drive is failing and needs to be replaced, which would require a major cut on the road. The problem is that this is an expensive project, and even though there is some claim that this is a County Road, it is within the Carrabelle City limits. This is a similar situation to

what the Board recently discussed about grass cutting and road repairs within the City of Apalachicola. Is the Board of the same thinking that Ryan Drive is the City of Carrabelle's responsibility?

Mr. Moron said what usually happens on a project like this is the city would pay for the materials and the county has the equipment and would assist with the work. He stated the county does not pay for the materials. Mr. Nabors reported the sidewalk also needs to be taken out because this is a major job. He explained they will be paving soon on Highway 67 and on Tallahassee Street there are pipes that are undermined and he is not sure if they will be replaced under the contract when they pave. He said this problem will cause the road to cave it later if it is not corrected. Mr. Nabors stated this is the third time in two years this place on Ryan Drive has been dug out. He explained this will be a major job and it has some big pipes. Commissioner Massey asked if they determined who owns the road. Commissioner Parrish stated if it is within the city limits then it is a city road and outside the city limits it is a county road. He reported the two cities must be treated the same if that is the Board's policy. Mr. Nabors explained this is a major job and they will have to shut off the road and place 90'-100' of pipe. Commissioner Parrish asked if this is part of a paving project. Commissioner Massey answered no. He reported Highway 67 is going to be paved and this road is to the west of Highway 67. Mr. Nabors estimated this job will take about 3 days. Commissioner Parrish asked if Ryan Drive would qualify as a Small County Outreach Project (SCOP) to help the City of Carrabelle get this work done. Mr. Moron said he will send this information to Mr. Curenton. Commissioner Massey explained the issue with the area. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to get with county staff and see if this project is eligible for SCOP or SCRAP.** Attorney Shuler said the county needs to clarify with the City of Carrabelle the county's position in writing that Ryan Drive is a city road and not a county road. He explained he does not want any misunderstanding that the county's attempts to be helpful do not mean the county is claiming ownership of the road. Attorney Shuler stated he will draft something for Mr. Moron to send to the City Manager at the City of Carrabelle. **Commissioner Parrish amended his motion to reflect the County Attorney's comments. Commissioner Jones amended his second.** Mr. Moron said this may help with the application to DOT.

Mr. Moron offered an item from his report, as follows:

10. The Board approved the concept of a new Road Department Administration Building during last year's budget process and there is approximately \$298,000 available in the Road and Bridge Fund for the project. The plans for the building have been drawn up and the next step in planning the project will be the composition of the bid documents. Dewberry Engineers, your engineers of record, could assist with the preparation and development of the bid documents (advertisement, bid tab and bid process) at the contracted hourly rate not to exceed a maximum billable amount of \$2,500. Should the construction bids come in on target, the project would then be turned over for administration/contract award to County staff, or the County Attorney, to handle the

contract with the low bidder. Should the bids exceed the construction funds available for the project, the County will need to wait for additional funding. **Board action** to approve up to \$2,500 to be paid out of the Road and Bridge Fund for the development of bid documents for the new Road Department Administration Building.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve up to \$2,500 to be paid out of the Road and Bridge Fund for the development of bid documents for the new Road Department Administration Building.

Fonda Davis – Solid Waste Director

Mr. Albert Floyd, Acting Director, appeared before the Board. He stated Mr. Davis is on vacation and his department does not have a report. He reported two ball teams won last night and advanced to state. He said the Double A's and Ozone's will be going to play in Sebring and Blountstown. Commissioner Jones said both teams were undefeated in regional tournaments. Mr. Floyd agreed that is correct.

Pam Brownell – Emergency Management Director

Mrs. Brownell read her action item, as follows:

Action Items:

Request the Board Approval to advertise an RFP for Emergency Planning, Disaster Recovery and Hazard Mitigation Grant Program Services.

Mrs. Brownell stated the county is looking at a substantial amount coming from this disaster and her department does not have time to write the grants as they are trying to get reimbursements from FEMA. She questioned if the county wants to turn all the hazard mitigation money over to Mr. Frank McColm, FCMC, for buyouts. She reported there are a lot of projects on the Local Mitigation Strategy (LMS) that they can put forward but they need someone to write the grants. Commissioner Parrish asked if this is the same thing as last time when they had a controversy. Mrs. Brownell answered yes. Commissioner Parrish inquired if there is a way to avoid these issues this time. Mrs. Brownell explained the contracts were cancelled when Attorney Shuler added the substantial penalty. She reported there is a 5% penalty already in there. Commissioner Parrish stated this will be substantial money but there are no assurances the contractors will do their job and there must be some guarantee. He commented the county has obligations and there must be a clause of some kind to have them actively perform their job. Mrs. Brownell stated in the hazard mitigation grant normally they do that and stipulate it in the task and they get paid from the direct administration costs. She explained they write the grant, oversee the grant, see that the project is done and get paid from the administration costs. Commissioner Parrish stated theirs comes in on disaster recovery and what the roles are and there must be something in there that makes them

perform. Mrs. Brownell reported in some of the negotiations between Attorney Shuler and the contractors they included a professionalism clause. She explained they may not get someone to do this work if they are asking the contractor to pay for the project if it gets denied plus the 5%. She reported the contractor is entering the information so there is no guarantee. She went on to say there is no guarantee when county staff enters the information. Commissioner Parrish said when the county hires professionals it is their responsibility to make sure staff is following the correct steps. He stated there must be some mechanism to make sure this group, which keeps up with FEMA regulations and requirements, leads the county and makes sure they are correct. Commissioner Parrish reported there must be some level of expertise to hire these individuals or the county staff can do the work. Mrs. Brownell asked if the Board will table this item until she can contact the state about the penalty. Commissioner Parrish reported he wants to make sure this is done correctly so the county gets reimbursed because this is taxpayer's money and they want to spend it wisely. **Commissioner Parrish made a motion to table this matter and see what Mrs. Brownell can do and for her to work with the attorney. Commissioner Jones seconded the motion.** Commissioner Jones asked if this is 3 separate Request for Proposals (RFP's). Mrs. Brownell responded no just 1. She explained the county is first tier and money will be coming to the county and unless you have projects ready to submit then the second tier or third tier will submit their projects and the money will go to them. She stated if they want everything to go to the buyouts then they can let Mr. McColm know and he can write the grant. Mrs. Brownell explained she does not want the county to lose the money because they do not have someone to write the grant and get the projects ready. She reported there are projects in the LMS and the county never gets a large amount but this time she thinks the amount will be large because of the size of the storm. Commissioner Jones asked if there are currently contracts in place and when these contracts need to be active by. Mrs. Brownell reported they would have advertised next week if the Board approved this matter. Commissioner Jones asked if the county is currently without contracts. Mrs. Brownell answered yes, they all cancelled their contracts. Commissioner Boldt asked if this is a time sensitive issue. Mrs. Brownell reported they are telling them to get their projects ready because the money is coming but they do not have a date. She said they are adding to the LMS every day. Commissioner Parrish stated things are also taken away as projects are completed. Mrs. Brownell said they also remove some items if they determine they are not LMS projects. Attorney Shuler reported he will be happy to have these discussions but the Board instructed him to have a penalty provision in the contracts to have the contractors held responsible but the contractors said they could not and would not sign. He explained FEMA said the contractors could sign if they wanted to but the contractors did not want a financial penalty so they all cancelled the contracts. He went on to say unless the Board changes their position then his direction is to make sure the contractors will have some liability. Commissioner Parrish questioned how the county has assurances when they are hiring a consultant. He said the county added a financial penalty and everyone cancelled the contractors so he would like to know if there is another way to do this. He reported the county needs to get projects ready. Commissioner Parrish reported this is different from disaster recovery. He explained there is no financial penalty needed for getting these projects shovel ready. He reported under the disaster recovery if they tell the county what to do to get

reimbursed and then the county does not get reimbursed should there be a financial penalty. Attorney Shuler clarified the Board's instructions are to have some kind of financial penalty if in disaster recovery the consultant fails to comply with FEMA regulations which results in a failure to reimburse the county. He said the contractor wants the contract structured so 100% of the profit would be private and 100% of the risk would be public. Attorney Shuler stated he will work with Mrs. Brownell and the state and try to come up with some alternative for the Board. Commissioner Parrish reported it is not the contractors fault if FEMA changes the rules. Attorney Shuler stated that was one of the concerns of the contractors because they could get approval at the field level and intermediate level and then not get final approval and the county does not get reimbursement and it triggers the penalty. Commissioner Parrish said if they get through two levels and then it gets denied then he does not think that is the contractors fault. He went on to say if they cannot get approved for the first levels they cannot still expect the county to pay. Commissioner Boldt asked if it is legal for the contract to be participatory so the contractor gets a certain amount for each level but does not get the full amount until the final approval is done. Attorney Shuler said they will look at all of the issues that have been discussed. **Motion carried; 4-0.**

Mrs. Brownell reported they got the report back from 360 and she is reviewing it. She said she will discuss it with Commissioner Jones and then they will get back with the Board on things they found and things that can be improved. She reported they are in the process of rewriting the County Emergency Management Plan (CMP) and getting with the department heads to make sure they understand there are policies in the CMP. She stated they will sign off on the CMP.

Commissioner Jones thanked Mrs. Brownell for all they do. He said to run the EOC during a time of activation sometimes takes more people than are showing up. He reported the Board cannot make it mandatory for people to fill their seats during an evacuation but they also cannot run everything on half staff either. He stated he wanted to thank her because when the redundancies fail there is not always something they can do about it. Mrs. Brownell said they are still waiting for someone to volunteer for ESF18, Business Continuity, where the messages are sent to the businesses. She reported Mrs. Beth Brinkley has helped in the past and will continue to help but has other obligations. Mrs. Brownell explained she is unable to be there full time like she was in the past. She stated she attended the Chamber meeting and said they are looking for 2 people to distribute the message. She explained it is the same message but they have a list of businesses and also make sure it is sent by email to them. She reported this is a volunteer position.

Commissioner Parrish stated they need to direct county staff to place an advertisement in the newspaper and tell people they need to sign up for Alert Franklin and how to do it. He explained they have talked about it in meetings and Mrs. Brownell has talked about it at the Chamber. Commissioner Parrish said this is a big part of what happened in Hurricane Michael with people thinking they were signed up and they were not. **Commissioner Parrish made a motion to put an advertisement in The Apalachicola Times informing the public how to sign**

up for these alerts. Commissioner Parrish stated we are in hurricane season and when the county issues a mandatory evacuation then people need to leave. He explained if they do not leave then they may not have any help for 72 hours. He stated if people stay then they must be self-sustaining and have their own food and water. Commissioner Parrish explained if you stay then you must be prepared to take care of yourself. He reported the county will err on the side of caution with issuing these orders and the orders are based on current information. He stated one of their number one jobs is protecting the public health and safety. **Commissioner Jones seconded the motion.** Commissioner Jones stated everyone also needs to have their re-entry tags so it is easier to come back. Mrs. Brownell said they have been filling these out regularly. Mr. Moron asked for the motion to be amended so they could advertise both. **Commissioner Parrish amended his motion to include re-entry tags. Commissioner Jones amended his second. Motion carried; 5-0.**

Mr. Moron reference Item #5 on Mrs. Brownell's report. He read an email from Mr. Pierce which addressed the change and new personnel. He stated this will make Mrs. Brownell's job harder.

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. Thursday 10:00AM, June 6th, Joshua Gabel, Regional Director, Capital Region, Office of US Senator Marco Rubio, will be coming by Franklin County EOC to meet with Emergency Managers in Preparation for the start of Hurricane Season to get an update on what each county is doing to prepare.
4. EOC Staff continues to submit request for reimbursements to FEMA for Hurricane Michael.
5. FEMA PDMG KJ Chafen has been deployed to another disaster. Our new PDMG will be TJ Randle and our TFL is Kimberly Settles. They are the FEMA Representatives that assist FCEM with reimbursement request from FEMA.
6. FCEM Staff attended the Governors Hurricane Conference from 05/11/19-05/17/19. Staff attended and received certification from numerous classes and workshops.
7. 05/09/19 FCEM Staff participated in the State HURREX along with hosted an exercise at the EOC testing the Crisis Track Software.
8. EOC Staff meet with CACAA, Michael Moron regarding Eastpoint Limerock Wildfire Recovery efforts.
9. EOC staff met with American Red Cross regarding upcoming Hurricane Season Preparedness. American Red Cross has sent their letter of intent to support FCEM for this year.
10. Site Inspections have been and will continue to be performed on facilities throughout the county for FEMA Reimbursement Requests.
11. 05/28/19 Met with Duke Energy regarding Critical Facilities List.

Erik Lovestrand – Extension Office Director

Mr. Moron said Mr. Lovestrand is in Pensacola at a seafood training.

County Extension Activities May 8 – June 4, 2019

General Extension Activities:

- Assisted local citizens with information regarding pine beetles, soil tests, sea oats sources, citrus greening disease, and herbicide use to control duckweed in Eastpoint private pond.
- Extension Director attended the annual Extension Symposium in Gainesville.
- Provided wildflower presentation for Apalachicola Senior Center.
- Provided honey bee/beekeeping presentation at the Apalachicola Senior Center.
- Two articles printed in Apalachicola Times on Extension topics.
- Provided article on prescribed fire for Panhandle Outdoors Extension e-newsletter.

Sea Grant Extension:

- Participated in interviews with stakeholders to gather public input regarding the recently funded Triumph project to FSU that will focus on Apalachicola Bay and our oyster resources.

4-H Youth Development:

- Planning for upcoming Summer Camp sessions. Office Manager is getting campers and counselors registered in 4-H Online. Will be sending 30+ youth to Camp Timpoochee.
- Participated in Jefferson/Leon 4-H Ecology day with a reptile presentation and live specimens.

Family Consumer Sciences:

- Family Nutrition Program (FNP) Assistant completing nutrition classes in the local schools prior to summer break.

Agriculture/Horticulture:

- Participated in planning meeting for 2020 Ag Adventures program at the UF Research farm.
- Conducted citrus greening workshop for local citizens with experts from UF/IFAS and FDACS and the North Florida Cold Hardy Citrus Association.

The meeting recessed at 10:00 a.m.

The meeting reconvened at 10:08 a.m.

Mr. Moron reported Mr. John Collins, Avcon, will read the bids. He explained this bid is for the access road at the Apalachicola Regional Airport. He said this is a section of road that will allow airport users to access the t-hangars. He explained this will keep automobiles off the apron.

Mr. Collins stated 4 bids were received. Mr. Moron and Mr. Collins opened and read the bids as follows:

Bid Opening – Commercial Access Road Improvement – Apalachicola Regional Airport

<u>Company</u>	<u>Location</u>	<u>Bid Amount</u>	<u>Alternate #1</u>
C.W. Roberts Contracting, Inc.	Tallahassee, FL	\$1,150,872.00	\$543,572.00
Pigott Asphalt & Sitework, Inc.	Crawfordville, FL	\$1,340,262.00	\$685,955.00
Roberts & Roberts, Inc.	Tallahassee, FL	\$1,051,319.50	\$607,076.25
North Florida Construction, Inc.	Clarksville, FL	\$1,162,870.00	\$579,641.00

All companies submitted Bid Bonds.

Mr. Moron asked for the members on the review committee. Mr. Collins stated Avcon will review the bids and submit a recommendation. Mr. Collins reported the bids can also be submitted to Mr. Moron, Mr. Pierce and Mr. Jason Puckett, Airport Manager, to review. Attorney Shuler said it will be sufficient for just the engineer to review the bids and come back with a recommendation. **On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to turn the bids over to the airport engineer to come back to the county Board with a recommendation and make sure the bids are in compliance for the project and if funding is available to allow alternate #1 and if not do the base bid.** Commissioner Boldt asked what Alternate #1 is. Mr. Collins explained Alternate #1 is on the west side of the airport. He stated they want to maximize the use of the DOT funding so if anything is left over they wanted to be able to use it on the west side. He stated ultimately they want to be able to connect the main part of the airport to Highway 98 without going through the neighborhoods because it is difficult to get large trucks to the airport. He said Alternate #1 is if they have extra funding to construct part of the west side of the road to help connect this in the future.

Marcia M. Johnson – Clerk of Court – Report

Clerk Johnson stated she does not have a report but Mrs. Griffith has a small report on the budget good faith estimate. Mrs. Griffith reported the good faith estimate was received from the Property Appraiser's Office and her estimate of the taxable value for the upcoming budget year will be \$1,925,000,000 which is an increase of 1.84% over the taxable value that was used for the current budget year. She stated it is too early to have any of the other numbers right now.

Alan Pierce – RESTORE Coordinator – Report

There was no report from Mr. Pierce at this time.

Michael Morón – County Coordinator – Report

Mr. Moron stated Chairman Lockley is at a medical procedure he could not get rescheduled. He presented his report, as follows:

1. This item was handled earlier in the meeting.
2. The Board addressed this item at the beginning of the meeting.
3. At the last meeting I was directed to contact FDOT regarding Highway 98 road repair construction project. The following is the response I received from Mr. Carter Johnson, FDOT District 3 Government Affairs Liason.
*The contractor, Anderson Columbia, has completed approximately 75% of the project work items as of 5/30/2019. Work began on 12/16/2018 and was awarded for \$8,971,271 and is scheduled for 290 days for this 22-mile section in Franklin County. The contractor operations started with temporary repairs of the existing roadway using milled asphalt material to fill roadway wash outs. The primary focus for the first few months was to stabilize the roadway front slopes which in some cases were completely washed out due to Hurricane Michael. This work consisted of placing Articulating Concrete Block (ACB) Mats, Bank and Shore Rip Rap Material and large quantities of fill material to reinforce/protect the roadway for future storm events while maintaining the existing roadway. We are near completion of the reinforcement work and will soon be completing permanent roadway reconstruction on the few remaining areas. ACB Mats and reinforcement are scheduled to be completed by 6/14/2019. The final roadway repairs in areas of reinforcement work cannot be completed until the ACB Mats are placed due to equipment used installing the mats will damage the pavement. The final surface of pavement or Friction Course will be placed on all remaining areas immediately after the reinforcement work is completed by the end of June. This will correct the uneven pavement or dips in the roadway. **Contractor is on schedule to complete project by 8/8/2019.** Items to be completed after 6/30/2019 include guardrail installation, grassing, signs and pavement markings. These items should require very few if any lane closures or disruptions to traffic.*

Mr. Moron asked if the Board has any questions. There were no questions. Commissioner Boldt stated this is a good history of what they have seen in the last 6 months.

4. Mr. Alan Pierce, at the last meeting, requested and received Board action to authorize a \$35,000 payment to M of Tallahassee for paving of Alligator Drive. Mr. Pierce failed to include the \$1,595 cost to stripe the road, so the total cost of this project is \$36,595 which will be paid from Commissioner Boldt's share of the paving funds. M of Tallahassee also paved the 200 feet of Alligator Drive down by the Fire Station that was damaged during Hurricane Michael, which means the County got a good deal on the price. **Board action** to authorize the \$1595 payment to M of Tallahassee for striping Alligator Drive.

On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize the payment of \$1,595.00 to M of Tallahassee for striping Alligator Point.

5. **Board action** to approve \$11,000 from professional services for Langton Consultants to assist Mr. Pierce in improving the TRIUMPH application for the fuel farm. Mr. Pierce stated that special services are required in order to document the economic impact that the \$1.04 million of TRIUMPH funds will have at our airport, and the creation of jobs. There are adequate funds in professional services.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve \$11,000 from professional services for Langton Consultants to assist Mr. Pierce with improving the TRIUMPH application for the fuel farm.

6. A few weeks ago, Mr. Pierce and I met with Ms. Portia Sapp, Director of the Division of Aquaculture, along with others in the seafood industry to discuss Oyster Aquaculture full water column lease areas and the application process for Apalachicola Bay. There was much discussion, debate, information, and comments presented at this meeting. Based on all that was said, Ms. Sapp sent an email (attached) that contains application and procedure information for Skipper Bay in Wakulla County and Alligator Harbor in Franklin County. Attached to her email is a draft application process that she sent for your review and comments. At your earliest opportunity, send me your comments, which will be forwarded to Ms. Sapp for a final draft. **Board discussion.**

Mr. Moron said this draft will be presented to the Governor and the Board of Trustees for their approval. He asked the Board to send him their comments to forward to the agency.

7. Below are three requests from Community Action Agency that require Board action. Each request is different in nature so separate motions may be necessary.
 - There is a Limerock Fire survivor who was renting during the time of the fire and is now living in one of the Community Action travel/camper trailers. After an extensive search for permanent housing, with the assistance of Community Action staff, this gentleman has submitted an application to Carrabelle Cove Apartments. His application has been accepted and there will be an available apartment in two weeks. Community Action would like authority to use \$489 of the Fire Relief funds to assist the survivor with moving expenses. This would relieve Community Action from any further assistance for this survivor. **Board action.**

Mr. Moron said this individual does not want a permanent trailer. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve this item.**

- Community Action received notification that one of the travel/camper trailers was unlawfully removed from the approved property. With the combined efforts of Community Action staff, the Sheriff's Department, and a witness, the travel/camper trailer was recovered. Community Action is requesting a \$700 payment from the Fire Relief funds for a replacement battery, an electrical cord, and some other minor repairs. **Board action.**

On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve this request. Mr. Moron said he will send a copy of the police report. Commissioner Parrish asked if the individual took a camper trailer that was given to them until they could get permanent housing. Mr. Moron discussed how the camper/trailer was moved. Ms. Angela Webster, Capital Area Community Action Agency, explained the camper/trailer was given to one of the survivors and the person never had their power or water connected so they were going to move the camper. She reported a second RV was moved onto the lot which blocked them from getting the camper/trailer. She said while they were waiting for him to remove the second RV she received a telephone call from the Sheriff's Office that they suspected illegal activity was going on and the camper had been removed. Ms. Webster stated they went to site and the trailer had been removed. She reported someone came by their office looking for some services and overheard the conversation and told them where the missing trailer was. Ms. Webster stated she went out and called the Sheriff's Department and they matched the VIN numbers and it was the trailer.

- Community Action became aware of two gentlemen that are homeless due to Hurricane Michael. One of these gentlemen is living in a tent on his property and the other is temporarily with family but also has his own property. Both are waiting for FEMA or other assistance for permanent housing. Community Action would like to offer each of these gentlemen a camper/travel trailer for at least six months to a year. The County would need to authorize temporary power that would be for this specific purpose and would expire within the same lease timeframe. **Board action** to authorize temporary power contingent on Community Action authorizing the lease for these two Hurricane Michael survivors. With this approval, you are also authorizing Community Action to pay for transport and setup fees.

Attorney Shuler stated the Board should get on the record that this is an emergency situation and this is the only place for their housing. He explained this needs to be distinct from the other people who come to the county wanting temporary power. Attorney Shuler said he will work on drafting a document to distinguish these two unique circumstances. Commissioner Parrish stated one of these individuals is in his area and he knows for a fact his house was

destroyed in the storm. He reported the other one is from Eastpoint and it is well documented that both of these individuals lost their homes. Commissioner Parrish said this is the right thing to do under this emergency situation with Hurricane Michael. He pointed out Gulf County and Bay County have also done this. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve this item.**

8. Commissioner Massey and County staff has received multiple complaints about the condition of a lot on Oak Street in Lanark Village. Due to the type of complaints received by staff, an inspection request was sent to the Health Department. Commissioner Massey reached out to the family and found out that they suffered a series of health and other issues. Based on the Health Department's report, other information, and the potential effect the condition of this property could have on surrounding properties, I recommend we place a dumpster on the County's right of way in front of the offending property to give family members an opportunity to clean up this property. Other family members have assured Commissioner Massey that they will clean up the property. **Board action.**

Mr. Moron said this is a very bad situation that could affect surrounding homeowners. Commissioner Parrish reported he has no problem helping them straighten up their property if it could affect their neighbor but the county does not need to place the dumpster there for 45-50 days. He stated they need to know when the action will be taken and drop the dumpster off there and then pick it up a couple of days later so other people do not use the dumpster for other things. Commissioner Parrish asked Commissioner Massey to coordinator when they need the dumpster. He explained the county does not have dumpsters to leave there for any amount of time as they use the containers for recycling and other things. Commissioner Massey reported he informed them the container would be left for 2-3 days. He said it will probably take 3 dumpsters to get this area cleaned. He reported Commissioner Boldt knows where this lot is. Commissioner Massey stated this is the only way they are going to get this area cleaned. **Commissioner Parrish made a motion to move forward with this action.** Mr. Moron explained this is an emergency because it is a health and safety issue based on the Health Department's Report. **Commissioner Parrish amended his motion to include this is an emergency because it is a health and safety issue based on the Health Department's Report. Commissioner Boldt seconded the motion. Motion carried; 4-0.**

9. This item was addressed by the Board earlier in the meeting.
10. The Board handled this item earlier in the meeting.
11. County staff is ready to proceed with the FDOT awarded Small County Outreach Program (SCOP) for the survey, design, permitting and preparation of construction plans and bid documents to widen and resurface CR 30A from US98 to Thirteen Mile Road. The estimated maximum cost of the project is \$343,174. **Board action** to authorize the

Chairman's signature on the Resolution of Authorization and FDOT State-Funded Grant Agreement for this project.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize the Chairman's signature on the Resolution of Authorization and FDOT State-Funded Grant Agreement for this project.

Mr. Moron reported construction funding will be available in 2022.

12. Williams Communications received a complaint, from Fire Chief Hartsfield, that there were problems with the Alligator Point/St. Teresa Fire Net control point. I authorized William Communication to troubleshoot the problem and their technician determined that the lack of climate control at the site is causing the equipment to go into low power mode and the VHF radio is experiencing RF interference. Since the County's FCC License has been approved, Williams Communication will work with Mrs. Brannon at the Sheriff's Office on filing an interference complaint to stop the RF interference. I recommend that the Alligator Point/St. Teresa Fire Department install an HVAC unit in the building where equipment is located to address to low power mode issue. **Board action** to authorize payment of the \$596.50 invoice for troubleshooting the system.

Commissioner Boldt made a motion to authorize payment of the \$596.50 invoice for troubleshooting the system. Mr. Feifer stated Mrs. Brownell donated an air conditioner to the fire department and that will solve the issue. **Commissioner Parrish seconded the motion.** Commissioner Jones clarified with communication between the fire departments and Williams Communications he thought the communication would have come to Mr. Moron. Mr. Moron said the fire department complained to Williams Communications and they forward the complaint to him so they are following the procedure. **Motion carried; 4-0.**

13. **Board action** to ratify the Chairman's signature on two letters of support. Both letters were for grants with May 31 deadlines. Only one motion is needed for both letters.
 - a. This letter of support is for the City of Carrabelle's 2020-21 Small Matching grant application for funds for Phase VI renovation project for the Justiss Building (Old City Hall). The Board has sent similar letters of support for previous phases of this project.
 - b. This letter of support is for the Carrabelle Lighthouse Association's 2020-21 Special Category \$114,000 grant application to preserve, repair, and paint the endangered Crooked River Lighthouse and the Keeper's House Museum in Carrabelle.

On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to ratify the Chairman's signature on the two letters of support.

14. On May 23rd I was informed that there were air conditioning issues at Weems West. If the Board recalls, that was the first week of the above 80-degree weather in the County. Based on my calls to the Clinic Manager and the Facility Manager, three of the four HVAC units at Weems West have been inoperable since Hurricane Michael. I immediately directed the Facilities Manager to get three proposals from local HVAC contractors to replace the three units. Based on the proposals received, GW Services was selected to replace the three units, which they installed and had online by Friday May 30th. **Board action** to declare the purchase of the three HVAC units an emergency, based on the rising heat index, waive the advertising requirement of the County's bid policy, ratify my action and authorize payment of the \$14,000 GW Services invoice from the Healthcare trust fund.

On motion by Commissioner Jones, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to declare the purchase of the three HVAC units as an emergency based on the rising heat index, waive the advertising requirement of the County's bid policy, ratify Mr. Moron's action and authorize payment of the \$14,000 Invoice to GW Services from the Healthcare Trust Fund.

15. At the Thursday May 30th Weems Board of Directors meeting, a narrative (attached) from the architect for the new facility project was discussed. This narrative includes a new estimated total project cost of \$17 million. This amount includes items from two lists, the first list are items that were previously deleted but is now included in the project. The second list includes items that are new to the project. Some of the items on both lists might be mandatory as others are optional. I was directed by the Chairman at the last meeting to have Mr. Cannington here today to present the estimated total project cost so the Board could start negotiating a contract, however I am fully aware that \$17 million is not an amount the Board is willing to proceed with. Commissioners, we are at a point where I feel the Board needs an advocate, your own project manager, who has the necessary experience that could bring the project into budget, follow your directives, and provide all of the necessary information needed for you to make necessary decisions prior to and during the project. My recommendation is Ms. Nikol Tschaepe (resume attached) the current Facilities Manager at Weems Memorial. Ms. Tschaepe would remain at Weems but would be appointed as the Project Manager for the new facility and would report to this Board, at each meeting if necessary, on the status and progression of the project. Ms. Tschape is here today to address any questions or concerns you may have. **Board discussion/action.**

Mr. Moron asked the Board to consider this action and allow him to verify Ms. Tschaepe's resume, ask USDA if she qualifies in this position and see what she needs to get this done. He said if the Board is interested then he will proceed and report back at the next meeting. Commissioner Parrish asked if the current Chairman of the Board in favor of this action as the hospital is in his district. Mr. Moron stated Chairman Lockley is in favor of proceeding with this and has met with Ms. Tschaepe. Commissioner Parrish said Ms. Tschaepe is the facilities

manager and would continue in that position and is paid at her current salary by Weems Hospital. Mr. Moron agreed. Commissioner Parrish stated he has received questions about whether Ms. Tschaepe would be a county employee and that is not the case. Mr. Moron said that is correct. Commissioner Parrish reported she will continue doing her job and will inform the Board of other things on getting the project back in line with what the Board previously approved and getting the numbers back to where they were. Mr. Moron explained she can get the hospital back to a reasonable number but the Board knows they cannot go back to \$10 million previously quoted. Commissioner Jones said if the Board proceeds with this they need to make sure they are not going to run into any problems with Ms. Tschaepe having dual roles. He explained they may need to make a complete move decision if she cannot do both. Mr. Moron reported she is an employee of Weems Memorial Hospital but until construction is complete she has a temporary re-assignment. Commissioner Parrish asked if she will continue her role to maintain the facilities. Mr. Moron answered yes, as there is a current roof project going on that she also has to monitor. Commissioner Parrish reported the roof must be put back on or that would be insurance fraud. He explained they cannot take money and not use it for the intended purpose. Mr. Moron said if the county does not put on the roof then the insurance company will not cover the hospital. Mrs. Griffith agreed this is correct. She explained with our coverage with the Florida League of Cities they handle the front end funding for the project so the county does not have to do the capital outlay or pay the vendors to do the roof repairs. She reported the county is only responsible for the insurance deductible which will most likely come from the Health Care Trust Fund and that is eligible for FEMA reimbursement because they will assist with insurance deductibles. Mr. Moron asked for authorization to pursue this matter and then they will work out the details and present it at the next meeting. **Commissioner Jones made a motion to proceed.** Commissioner Boldt stated he wants to make sure Ms. Tschaepe has a very specific scope of duties because she has multiple roles. He said there are two primary roles and there is a clear scope of work. Mr. Moron reported it will be presented at the next meeting for approval. **Commissioner Parrish seconded the motion. Motion carried; 4-0.**

16. At a recent meeting, Mrs. Mel Kelly spoke during public comments and one of her requests was for the County to consider the automatic door opener at this building's entrance to assist with any requiring ADA Access. I checked with Court Administration and was told that the automatic door was not an ADA requirement. What is required for ADA access is a specific amount of pressure on the push doors, so installation of that automatic door opener would be a cost to the County not the Court. Based on prior projects, the Trial Marshal estimates that it would cost approximately \$3000 - \$5000 to install the automatic door opener. Is the Board interested in seeking quotes for this project?

Mr. Moron said Chairman Lockley is not in favor of this item. He stated the second meeting in July Court Administration is coming to talk about security updates and that would be a good time to talk with them about future plans. **On motion by Commissioner Parrish, seconded by**

Commissioner Jones, and by unanimous vote of the Board present, it was agreed to table this item at this time.

17. Inform the Board that the recreational season for red snapper in Gulf state and federal waters opens on June 11th and runs through July 12th. "This season is for those fishing from private recreational vessels and those fishing from charter boats that don't have a federal reef fish permit. Charter boats without a federal reef fish permit are restricted to fishing in state waters only." For more information go to myfwc.com.

18. Remind the Board that the Florida Association of Counties 2019 Annual Conference & Educational Exposition starts on Tuesday June 11th and ends on Friday June 14th.

Mr. Moron said he will look into signs at the boat ramp as the Board has an ordinance. He stated he will work with FWC and make sure they are aware of the ordinance.

Commissioner Parrish asked when something will be done with the guardrail at the cemetery. Mrs. Griffith reported they received payment from the person that damaged the guardrail and a 50% deposit has been sent to Monument Fabrication in Port St. Joe to fabricate the guardrail and it should be up soon. Commissioner Parrish said it has been hit 4-5 times. He stated people have been asking him when this would be done.

Michael Shuler – County Attorney – Report

Attorney Shuler requested approval for the following items:

THREE ACTION ITEMS

Possible Removal of Property Left on Right of Way

At 24 Marks Street, Apalachicola, Florida several items of personal property have been left for an extended period of time. The personal property consists of two trucks, one boat on a trailer and two motor homes.

Commissioner Parrish has requested that I review this matter and take such lawful action as the facts and circumstances allow.

I have attached a copy of the aerial map of the subject property, together with a photograph I took. In the foreground are the two trucks; the boat is right-hand foreground and the two motor homes are in the background. As you see, the right of way boundary literally skirts the front of the structure and the entire front yard is in the right of way.

Board Action Requested: Authorization to investigate this matter and to remove the property from the right of way as allowed by law.

Commissioner Parrish stated he received calls from constituents and he and Attorney Shuler went to the site and reviewed the situation. **Commissioner Parrish made a motion to direct Attorney Shuler to move forward with this matter.** Attorney Shuler explained if they determine this property is abandoned then he will go the Sheriff's Department and ask for the property to be red tagged and moved but first he will try to locate the property owner and give

them a reasonable time to move the items. **Commissioner Jones seconded the motion.**
Motion carried; 4-0.

CANVASSING BOARD CONFERENCE ORLANDO, FLORIDA– OCTOBER 18, 2019

Board Action Requested: Authorization to travel to the Canvassing Board conference in Orlando, Florida; checking in on Oct. 17th and checking out Oct. 19th.

On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to authorize travel for Attorney Shuler to attend the Canvassing Board Conference. Commissioner Jones said the Chairman has changed since the last Canvassing Board and asked when the Board should address it. Attorney Shuler responded normally the Supervisor of Elections asks for the change and he recommended waiting for her.

Airport Hanger Rent

On May 30, 2019, Mr. Hunter Gordon spoke with me and he also, at my request, copied me with an email he had from FDOT. The gist of the meeting and email is that Mr. Hunter contacted FDOT concerning the fact that Centric Air, your FBO operator and airport maintenance company, directly invoices and collects rental income from persons who rent T-Hangers, such as Mr. Gordon.

Mr. Gordon says FDOT told him that this arrangement violates FDOT grant rules and that we would not be receiving more grants, or words to that effect, until this is corrected.

A copy of the FDOT email to Mr. Hunter is attached. I have not printed the 44 page attachment, but I have forwarded the email to the Clerk of Court as your record custodian.

I spoke with Jason Puckett, your airport manager, and he informs that FDOT has been aware of this arrangement for quite a long time.

Given the importance of the possible consequence of losing FDOT grant funding at the airport as reported by Mr. Hunter following his contact with FDOT, I wanted the board to be aware of this.

As a side note, I would inform the board that on occasion in the past FDOT has threatened cessation of grant funding for various reasons, but they never have.

One possible solution to this problem identified by Mr. Hunter is for the county to become responsible for invoicing for the rental of T-Hangers and then pay that amount to the FBO operator for the cost of grounds maintenance. Presently, the FBO operator is responsible for the cost of invoicing and collecting for T-Hanger rental. If Mr. Hunter is correct, then Franklin County would now become responsible for the cost of invoicing and collecting for T-Hanger rental.

Board Action Requested: The board should appoint someone to contact FDOT to clarify this matter. Perhaps the airport manager, Jason Puckett?

Commissioner Parrish inquired if Centric Aviation, FBO, is operating on behalf of the county. Attorney Shuler replied they are and according to Mr. Puckett he has in the past communicated this and had meetings with DOT. He said the Chipley Office was bypassed and they went straight to the state and the state has looked at this and decided they will accept Centric Aviation billing directly and collecting the income because they are not taking the money off of

the airport property but using the income to do maintenance, grass cutting, etc. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to direct Attorney Shuler and Mr. Puckett to contact FDOT and clarify this matter.**

Attorney Shuler said he has a number of information items and asked if the Board has any questions. The Board did not have any questions.

EIGHT INFORMATION ITEMS **Dog Island Hurricane Michael Debris Removal**

In November 2018, Franklin County entered into an interlocal agreement with the Dog Island Conservation District so that it could piggy-back onto the debris removal and debris monitoring contracts that Franklin County had competitively selected. Franklin County then uploaded the interlocal agreement with the Dog Island Special District into the State Emergency Management web-portal so that the Florida Department of Transportation (“FDOT”) would pay 100% of remaining Hurricane Michael debris. This is the same process used for assisting the cities of Apalachicola and Carrabelle: entry into an interlocal agreement, followed by uploading the agreement into the web-portal; thereafter, Franklin County had no participation in, or liability for, the clean-up of Hurricane Michael debris.

As of May 24, 2019, six months later, the FDOT and the Dog Island Conservation District have not reached agreement concerning debris removal.

On or about May 10, 2019, Senator Montford’s office asked Franklin County to participate in a joint conference with his office, FDOT and the Dog Island group to discuss clean-up of Hurricane Michael debris from Dog Island. With the Chairman’s authorization, myself, Pam Brownell and Tress Dameron attended the meeting via phone conference.

Another meeting occurred on May 28, 2019 via phone conference. The parties appear to accept that any contract for debris clean will need to be directly between FDOT and the Dog Island District.

If this should change for any reason, I see significant concerns with Franklin County managing debris removal from Dog Island; to wit: First, to date the board has treated the Dog Island group the same as the two cities, we entered into an interlocal and uploaded it into the state’s emergency management system; nothing more. It will open a can of worms with the two cities if we now agree to manage the Dog Island project when the county refused to manage clean-up in the two cities. You know what will happen when the next storm hits; the cities will want us to manage their clean-up also. Second, if Franklin County manages the clean-up, we become responsible for the payment of any ineligible debris that gets picked up. This was one of the main reasons why the two cities were required to manage and be responsible for their own Hurricane Michael debris clean up. Finally, the interlocal agreement with Dog Island provides that Franklin County will have no financial responsibility for the removal of Hurricane Michael debris and is dependent upon the State of Florida accepting all legal and financial responsibility for debris removal resulting from Hurricane Michael.

No final decision has been made regarding FDOT paying for clean-up of Hurricane Michael debris from Dog Island, but a helpful dialogue has commenced due to Senator Montford’s leadership.

SEASIDE SERENITY RESORT PUD

On May 21, 2019, Franklin County tabled the planned urban development (“PUD”) ordinance and directed myself and Mr. Curenton to commence discussions with the developer concerning affordable housing and report back within thirty days.

On May 22, 2019, I contacted Mr. Dan Garlick, the representative of the developers and requested that we schedule a meeting to discuss affordable house.

Mr. Garlick informed me that his client was mulling over its options and was not ready to meet, or words to that effect.

I informed Mr. Garlick that I had extended the invitation to meet and that the ball was in his client’s court to schedule a meeting, as I would not contact him further to arrange a meeting.

My statement is not intended to be adversarial. It is meant to clarify that his client has the burden of scheduling a meeting to discuss affordable housing and if that meeting does not occur it is the responsibility of the developer, not Franklin County.

Presently, a draft is circulating of a possible contribution by the developer to affordable house. A copy is attached.

Morton Buildings Request Concerning Metal Structures as a Single-Family Dwelling

About a month or more ago, Mr. Jeff Findley with Morton Buildings contacted Mr. Curenton concerning a request for an opinion whether Mr. Findley’s metal building was, or was not, subject to Franklin County Ordinance 2018-3. This is the ordinance providing restrictions and conditions on the use of metal structures and pole barns as single-family dwellings.

Mr. Findley appears to be of the opinion that his building is not subject to ordinance 2018-3 because it has a wooden wall frame, wooden rafters, as opposed to metal frame and metal rafters, and is clad with metal sheeting on the exterior walls and roof.

After careful review of the matter, I am of the opinion that Mr. Findley’s building is subject to the restrictions and conditions of ordinance 2018-3 as it is either a metal structure or a pole barn, both of which are regulated by ordinance 2018-3. I informed Mr. Curenton of this on May 24, 2019.

Airport Lease Extension Negotiation with Centric Aviation

I have asked Jason Puckett to assist me in developing benchmarks for the lease extension. We are continuing to work on this. Centric is aware of this and seemed to me to be without objection to this process.

Tree Removal Behind Sheriff Department

I have contacted a forester a few times and he reported to me that he has checked and there is no one who is both in the area and interested in the removal of trees from such a small parcel of land, but he will keep trying. He is the forester used by my immediate, and some of my extended, family, so I think he will help if possible. I’ve reported this to the Sheriff.

Also, the Sheriff said he will try to find someone to cut the trees and, if so, he will send them to me.

2019 Annual Conference June 11-14

I will be unable to attend the annual conference this year due to the fact that I have a trial that week and I have been subpoenaed to testify in another trial that week. Typically, the annual conference is held at the end of June, but for some reason it is being held in the middle of the month.

I am a member of the Board of Directors of the County Attorney Association and I have sent them two reports of the activities of two sub-committees that I ran for the period 2018-2019.

Attorney General Request That Weems Preserve Records

On May 28, 2019, I received an email from the Florida Attorney General instructing Weems Hospital to preserve records concerning certain drugs that the AG's Office is investigating as it relates to possible price fixing. I have forwarded that email on to Mr. Cannington with directions that he have the hospital IT staff make a duplicate electronic copy of drug purchases for the relevant period and preserve it as directed by the AG's Office.

Supervisor of Elections Building Repairs

I have intermittently contacted the Supervisor of Elections to determine if she is satisfied with the progress on the repairs to her building. I checked again on May 30, 2019. Supervisor Riley reports that she remains satisfied with the progress on the repairs; however, she is concerned that the floor tiles replaced in the room where the ballots are canvassed poorly match the existing tiles.

Litigation Update

1. **Stelzenmuller vs. Franklin County:** This litigation involves claims for damages and a taking of property resulting from the alleged failure of Franklin County to properly maintain Alligator Drive. As of May 24, 2019, the Plaintiff has twice failed to successfully serve the lawsuit and I have instructed outside counsel appointed by FACT, your insurance carrier, to file motions to quash the defective attempt at service of process. FACT has a \$5,000 deductible.
2. **Juan Carlos Gill vs. Franklin County:** This litigation concerns the alleged failure of your website to comply with the Americans with Disabilities Act. Although the lawsuit was filed in federal court months ago, on March 21, 2019, it has not yet been served. FACT will not provide a defense to this lawsuit as it is not a covered claim.
3. **HLS Properties (Mr. Kirvin Floyd) vs. Franklin County:** This litigation concerns the RV development application that was not heard in July 2017. No trial date has yet been set, but the case has a notice has been filed with the court by the Plaintiff that the case is ready for trial. They expect to take up to three days for the final hearing. The court has ordered that the parties mediate the case prior to July 1, 2019, but the mediator (Carlos Alvarez) selected by the parties has no availability until after that deadline. The parties are going to request additional time for mediation from the court.

4. Mike Murphy vs. Weems Hospital, Dr. Conrad and Kenny Gilbert, the ambulance director, and H.D. Cannington: This litigation involves Mr. Murphy's allegation that he was wrongfully terminated due to his alleged political activities and whistle-blower activities relative to the operations of the ambulance. The hospital's insurance carrier is providing a defense (it is not FACT) but it has a \$35,000 deductible. The lawsuit has been served and the county's Answer is due June 21, 2019, as mutually agreed to by the attorneys. The outside counsel has had some family medical issues that have caused a delay in responding.

Commissioners' Comments

Commissioner Boldt asked if they are at a point with Weems Memorial Hospital that they need to consider advocating for 2-3 public meetings for input on what the future of the facility should look like. Mr. Moron answered yes, and explained the Weems Board of Directors and the CEO wants meetings once they have the price and know what they are moving forward with. He stated public meetings will be scheduled all across the county. Commissioner Parrish clarified they will conduct public hearings after they receive the price. Mr. Moron answered yes.

Commissioner Boldt said he is hearing a lot about the need for repair and refurbishment of the boat ramps in the county. He questioned if they should be looking at a plan for the all the boat ramps. He explained there is an aquaculture industry that is using a high demand area and competing with fisherman. Commissioner Boldt said they have seen the good standard of practice at the Buddy Ward newly improved and built boat ramp. He questioned if they should have a plan working with FWC to facilitate funding. Mr. Moron explained Mr. Curenton will come to the Board and tell them when the funding cycle is for the Boating Improvement Fund and the Board will decide which boat ramp qualifies and which one is the highest priority. He recommended the Commissioners meet with Mr. Curenton about which ones are their priority and he can also tell them which boat ramps qualify. Commissioner Jones reported in the 2 years he has been a Commissioner they have been able to do something at Indian Creek Boat Ramp and they are in the design phase of redoing the Old Ferry Dock Boat Ramp which is heavily used by the commercial side of the industry.

Commissioner Parrish brought into discussion the road from Highway 98 to 13 Mile. He stated it would be nice if they could go from Highway 98 to the Gulf County line because the Gulf County side has already been done. He explained it is just a couple more miles and then the whole road would be done. Commissioner Parrish asked if they could amend the grant to do this work. Mr. Clay Kennedy, Dewberry, reported that 2 miles is already under design with their company. He explained for some reason DOT split up the contract on these items. Commissioner Parrish stated then all of C30 will be done. Mr. Kennedy said that is what he understands.

Commissioner Boldt questioned if they have a plan of care for looking to recruit a new Library Director. Mr. Moron answered yes, he has a meeting today and Mrs. Kate Aguiar, Library Advisory Board, will provide an update. He explained the advertisement is on the website and will be in the newspaper this week.

Adjourn

There being no further business to come before the Board, the meeting was adjourned at 10:59 a.m.

Noah Lockley - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts