

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
JULY 16, 2019
9:00 AM
MINUTES**

Commissioners Present: Noah Lockley – Chairman, 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, Michael Shuler – County Attorney, Lori P. Hines-Deputy Clerk to the Board.

Call to Order

Chairman Lockley called the meeting to Order.

Prayer and Pledge

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes

There were no minutes available for approval.

Payment of County Bills

On motion by Commissioner Massey, seconded by Commissioner 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.)*

Mr. Alan Feifer, Concerned Citizens of Franklin County, discussed the duties of county commissioners and said voting to encumber the citizens for 40 years without a logical, well thought and vetted approach to the issue is an abrogation of their responsibility. He reported each of the commissioners is worried about the financial obligations the new hospital will

require. He said it is criminal to continue moving forward on this path without realistic projections of costs versus realistic income for the first five years of the project. Mr. Feifer reported he believes there is a high likelihood that the hospital will default and the county books and commissioners will have to carry this responsibility. He cautioned the Board that any decision to move forward without the necessary facts is a dereliction of duty under their oath of office. Mr. Feifer stated at the workshop they ignored the \$1.5 million that has already been spent and carried as work in progress. He explained that money must be added to any future monies to be spent on the project for an honest total cost. He estimated final expenditures will be \$17-\$20 million including staffing and necessary and unexpected costs. He said other providers will be providing better services than Weems is designed to provide under current plans. Mr. Feifer said what was promised to the citizens was a fantasy and still is. He stated there has been a decade of mismanagement by commissioners.

Ms. Judy McFarland, a resident of Apalachicola, thanked the commissioners for the good job they are doing for Franklin County. She explained last year was challenging with the fire in Eastpoint and Hurricane Michael and the county was there for them and she said they appreciate it. Ms. McFarland reported she is a volunteer at the Franklin County Jail and teaches bible study to the women inmates every week. She said when she asked the inmates what they fear most they feared being released from jail. She explained there is no place for the inmates to go when they are released. Ms. McFarland stated she talked with the Sheriff and he shared his vision for helping both men and women. She reported 4-5 months ago the Board approved giving the work camp to the Sheriff for a rehabilitative/reentry center to fight the drug problem and they are waiting for the engineer's study. She explained this will be a 12 month residential program with vocational training. Ms. McFarland said there is a successful program called Fresh Start in Tallahassee but individuals must stay there. She said the success rate is less than 5% for people that complete the Fresh Start Program. She stated the Sheriff is raising funds and applying for grants to fund the renovation as well as the operational expenses so funding is not an issue since private funding is available. Ms. McFarland said many of the women in her bible study have children so they want to do this for the parents and children. She thanked everyone who came this morning and put on a green ribbon to show support. Ms. McFarland thanked the Board for making this a reality.

Mrs. Diane Brewer, a resident of Apalachicola, stated the hospital project is flawed because the plans were developed 12 years ago and do not meet the requirements of modern health care in a rural location. She reported Weems continues to be financially unsound and it has been reported extensively. Mrs. Brewer said what is really needed is a modern centrally located urgent care facility. She explained the USDA approved a \$10 million loan for 40 years which is not enough to construct the facility based on the estimates she heard of \$12-\$16 million. She reported the Board needs help to make a decision because they do not have a background in healthcare. She referenced an article in The Wall Street Journal about what the hospital of the future looks like. She presented a copy of the article for the Board.

Mr. Robert Heymann, President of Alligator Point Taxpayers Association, thanked the Board for all the things they are doing at Alligator Point specifically working on the new roadway. He stated bids will open on August 5th. He reported the county is working on a dune restoration project and he thanked the Board for that work. Mr. Heymann stated the new bike path is also wonderful.

Ms. Donna Butterfield, a resident of St. George Island, read a report she compiled from the Agency for Health Care Administration's (AHCA) review of Weems Memorial Hospital on May 23, 2019. Ms. Butterfield stated she does not know how this Board can consider borrowing \$14 million when they do not know if they still have a hospital. She explained all of this is pending and is about re-licensure.

Mrs. Denise Butler, a resident of Eastpoint, addressed the signs of a healthy community such as a library and how they take care of their most vulnerable citizens. She reported she volunteers with the women at the prison and teaches anger management classes. Mrs. Butler stated they want to be functioning members of the community again and they want to help the women because of the children. She said the programs at the jail are good and are helping. Mrs. Butler offered her support for anything to help with this problem.

Ms. Cheryl Fritsch-Middleton, Pastor of Forgotten Coast Community Church, said she is here to support Sheriff Smith's rehab/reentry program and the facility. She thanked the Board for approving this facility but said they need to get going. She explained she has met the inmates and their families. She reported they want to change but some of them have nowhere to go when they get out of jail. She stated they need an opportunity to move forward and to have hope and that program will provide these items.

Mr. Kenneth Burke, a resident of Eastpoint, said he has 40 years experience as an electrician at a medical center. He explained they did maintenance and electrical work but also helped prepare for the joint accreditation inspections which they passed. He reported he has some understanding of what is going on in the medical field and there are a number of red flags that have been brought up this morning. Mr. Burke said the goal of the hospital should be to give the best care to the patient, the second goal should be to help the family of the patient and the third is to always be financially capable of continuing the first two. He stated this is not the case with Weems. He said he has been contacted by a former CEO at Memorial Health Systems to be a voice for this area as they are concerned about the possibility of building a new hospital that was functional. He reported the red flags are very important and he cautioned the Board about spending money without enough investigation.

Ms. Kristen Anderson, a resident of Apalachicola, stated she is a member of the Hospital Board and is honored to serve. She reported knowledgeable professionals have done designs and projections for the new hospital and they can be modified if necessary. She stated there will be problems and unforeseen obstacles but they must forge on through these difficulties. Ms. Anderson said the people of Franklin County voted to build a new hospital and they want locally

controlled health care in the county. She reported they also want local professionals that know them to care for them here and they want to visit their families here. Ms. Anderson stated it is time to build the hospital they voted for.

Ms. Gathana Parmenas, a resident of Carrabelle, said she has watched the history with Weems Memorial Hospital and over and over there have been management failures. She stated AHCA issued a report which was condemnatory about management. She explained despite written notification of the danger of fire at the hospital and the problems with the fire system the hospital failed to conduct the required quarterly evacuation drills. She reported this is a not a money problem but a management problem. Ms. Parmenas said everyone thinks the feasibility study done in 2012 proved the hospital would work but it used old census data and failed to take into consideration that there is another hospital. She stated they declared a new Weems Hospital would have no nearby competition and that is not true. Ms. Parmenas explained that brings into question getting this loan. She said no matter how much money they put into a new building how are they going to lure management because small rural hospitals do not work.

Ms. Brenda Karlin, a resident of St. George Island, stated after the special meeting she spoke with Mr. H.D. Cannington, Hospital CEO, and he was not able to answer her questions. She questioned what the revenue sources are for Weems and what percentage is each source. She inquired what the expenses are and said without these numbers they cannot make a good financial decision about the hospital. Ms. Karlin explained they would all like to have good health care and would like it to be closer and sooner. She reported from the standpoint of an ongoing viable business health care must be financial sound and they must also look ahead and think about growth. She encouraged the Board to get the answers to these questions.

Chairman Lockley stated the Commission did everything they said they would for the rehabilitative facility. He explained they told the Sheriff they would give the building but they had to make sure it was okay according to the architects. He stated the architects are not through but they sent word that it might be finished this week. Chairman Lockley reported this was all the Board's contributed because there is no money. He said the Sheriff is getting the funding. He pointed out the Commission is not holding this up but they must make sure the building is capable of being used for this and to make sure the State would let it be a rehab facility. He explained when the study is finished then they will get with the Sheriff and decide yes or no. Chairman Lockley reported right now they are waiting but the Board has done what they agree to do. Mr. Moron stated the Board authorized the architectural firm to review and get costs to rehab the facility and also to rehab the facility to AHCA standards. He said it is taking some time due to items such as hurricane recovery but they also must do as-built plans as none of the original plans are available. He stated they will be here on Thursday to try and finish this work.

Department Directors Report

Howard Nabors – Superintendent of Public Works

Mr. Nabors said they are still cutting grass, cleaning ditches and putting in pipes. He presented the following item from his report:

Board Approval: Purchase of 2019 Caterpillar Motor Grader

4) YEAR TERM, 3.5% FIXED RATE, PRINCIPAL PAYMENT: \$41,186, INTEREST PAYEMENT: \$6,076 for a total of \$47,262 per year. Payments are including trading in the 2002 Caterpillar 12H Motor Grader Serial Number #4XM03321, Property Tag A004167 for \$40,000 The \$47,262 is already in the Road Department's budget set aside to purchase equipment with.

The quote from Ring Power is attached.

Mr. Nabors reported this will not increase his budget and he needs Board approval. Mrs. Griffith stated the equipment will be purchased off of the Sheriff's bid list and they will trade in the old equipment. Mr. Nabors said they will receive \$40,000 for the trade in. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve purchasing the 2019 Caterpillar Motor Grader.**

Fonda Davis – Solid Waste Director

Mr. Davis said the dune walkovers on the west end have been completed and are being inspected today. He reported the walkovers on the east end will be done tomorrow. He pointed out these are temporary repairs.

Mr. Davis reported they are accepting more household garbage at the landfill from Gulf County. He explained they are trying to assist Gulf County since they are having some issues. Chairman Lockley asked if they are making money. Mr. Davis responded yes. Commissioner Jones asked if they foresee issues with doing this and questioned if it is more than the county can handle. Mr. Davis said right now it is first come first serve. He stated another company Pridgett's Trucking is helping them move garbage right now. He reported there are 7 boxes and the garbage is being transported to Springhill Landfill. Mr. Davis stated Prickett's is hauling the garbage and he hopes they continue. Chairman Lockley clarified it is not taking up space they are just holding it temporarily until it is moved. Mr. Davis agreed. Commissioner Boldt questioned if the garbage is being moved to Springhill, Florida. Mr. Davis replied Springhill Landfill in Jackson County. Commissioner Jones asked how long it they will take in the garbage from Gulf County. Mr. Davis stated initially Gulf County asked for 6 months but it may be longer. Commissioner Jones questioned if they need to sign an agreement with Pritchard. Mr. Davis answered no, as they have an agreement with Richard's Trucking and he is the primary hauler for the county. He explained because of Mr. Richard's mishap they are helping out. Chairman Lockley inquired if Gulf County has a landfill. Mr. Davis answered no but they had a transfer station. He reported when they no longer needed Waste Pro service then the transfer station went away. Mr. Davis pointed out construction and demolition (C& D) debris is coming

from Gulf County also and is going into the landfill so it is taking up space so they need to think about that. Chairman Lockley asked Mr. Davis to keep a close eye on this issue and said they need to help their fellow counties out because our county may need help one day. He stated they need to keep an eye on it so it does not hurt our county. Commissioner Parrish agreed and said this could cause the landfill to close earlier because it is taking up space but he does agree with the Chairman that they need to try and assist their neighbors. He said they need to monitor it to make sure they do not have to open another landfill. Commissioner Boldt stated they must keep documenting in case inspectors question why their capacity is changing.

Commissioner Jones made a motion to send a letter to the Gulf County Commission and say we are fine with helping them but we need a reasonable answer from them on when they think their issues will be resolved. He stated if the county continues to take all of the C & D then we will run into a problem eventually. Attorney Shuler said this motion is appropriate.

Commissioner Parrish seconded the motion. Commissioner Parrish said he talked with some Gulf County officials and all their storm debris was going to Springhill Landfill because they did not have a landfill. He explained now that FEMA has probably stopped helping Gulf County they are trying to do the best they can. He stated it costs a lot for them to haul everything to Jackson County but our county does need to be careful with what they are doing. **Motion carried; 5-0.**

Mr. Moron presented the following item from his report:

4. Commissioner Jones, Fonda Davis, Mike and Pat O'Connell (SGI Civic Club) and I have been working on the possibility of applying for FDOT Beautification Grant (s) for the entrance to St. George Island as you exit the bridge. Specifically, the landscape improvement will be for the state-owned land between the exit of Bryant Patton Bridge to Bayshore Drive. Once the details of the plan have been completed, there will be a determination as to how many grants will be required to complete the project. The Civic Club is asking for preliminary approval to allow Mike and Pat O'Connell to work with County staff to create the plan and complete the draft grant application, which is due on August 22nd. As has been explained to me, the agreement to maintain the landscaped improved area would be the County's match. Mike, Pat, and Mr. Davis have met to discuss the project and the man hour cost to maintain the landscaped improved area. Mike and Pat are here today to answer any question you may have regarding this grant. I attached a picture that may help explain where the landscape improvements will be made, a recent FDOT beautification project, and blank application and contract documents. ***Board discussion/action.***

Commissioner Parrish asked if Mr. Davis is in support of this action. Mr. Davis answered yes. Commissioner Parrish questioned if they are prepared to use county labor to keep this up as the county's match. Mr. Davis reported they will need additional help but not full time. He estimated it will take 2 days per week to maintain the area. Commissioner Parrish asked what the cost would be. Mr. Davis said he does not know what the salary will be. Commissioner Parrish asked if there are volunteers that are willing to help. Mr. O'Connell stated there are volunteers that assist with picking up trash. He stated the Civil Club is committed to this project and is paying for a landscape architect to do the application to the Department of Transportation (DOT) for the grant. He explained they have stressed to the landscape architect

that this is to be a low maintenance project. Chairman Lockley said this will take an extra person and questioned how this is going to work because this is an extra duty. Mr. Davis said he is working 5-6 men now and needs more help. He explained they have 2 inmate crews but they are only there about half of the time. He went on to say the Parks & Recreation Department needs more help. Mr. Moron agreed and said this should be discussed during budget time. He explained today is only preliminary approval to allow county staff to work with the Civic Club to see if they can do this. He reported after the plan is done they should have an idea how many hours will be needed to get this done. Commissioner Massey asked if TDC can help. Mr. Moron said nothing will be submitted on behalf of the county without their approval. Chairman Lockley stated people may want this in other areas also and he does not want to agree and then the county does not have the manpower. Chairman Lockley stated Mr. Davis has said his crew is doing more than they should be doing now because he does not have enough help. He stated the county needs to make sure they have the help before they commit to doing this. Chairman Lockley suggested asking for money for a worker in the grant. Mr. Moron explained the county does not have to provide any money for the match but will have to maintain the improved landscape area. Mr. O'Connell agreed that is correct. Commissioner Massey said this is going to create a problem because people are going to want this in all areas. Chairman Lockley stated they can ask TDC to make sure they have enough money to take care of all the areas not just one. Commissioner Boldt reported a few months ago the Board celebrated volunteerism and when they think of grants it is good for the money but there is a post grant responsibility. He said they need to look at how they get good reliable volunteers to support this. Commissioner Boldt stated beautification is a part of the environment but there are also people that can enjoy it and help them maintain it because it is not all about the county staff. Chairman Lockley reported the volunteers will not last forever and what they are creating is a paying position. Mr. O'Connell said the DOT money is ongoing so other areas can apply in the future but it is just starting on St. George Island. He offered to help anyone interested in doing this in their area. He advised the Board they also had someone contribute \$5,000 to the project and that is their match. He stated they are committed to helping Mr. Davis in any way they can. Commissioner Jones said the primary difference is this area is unique because it is state owned. He stated the areas coming into Carrabelle are in private ownership and not state owned land. He explained he is for beautification everywhere but those areas are different. He explained they are not asking today to spend money but to support them moving forward with the grant process. He stated anything to do with budget can be addressed during the budget meetings. **On motion by Commissioner Jones, seconded by Commissioner Boldt, and by the following vote of the Board present, it was agreed to move forward to allow them to work together to at least apply for the grant:**

AYE: JONES, BOLDT, MASSEY, PARRISH

NAY: LOCKLEY

Pam Brownell – Emergency Management Director

Mrs. Brownell did not have any action items. Chairman Lockley asked if they are storm ready. Mrs. Brownell responded if the citizens have a plan then we are storm ready. Commissioner Jones reminded the residents they are in hurricane season and if the county has an event they need to take the proper precautions. He reported the county cannot take care of their needs in a mandatory evacuation. Commissioner Jones stated it is up to everyone to stay or leave but the county cannot provide services when the citizens are mandated to leave.

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 continues to submit request for reimbursements to FEMA for Hurricane Michael.
4. Site Inspections have been and will continue to be performed on facilities throughout the county for FEMA Reimbursement Requests.
5. EOC Staff hosted the LMS Meeting on 07/11/19
6. EOC Staff has been issuing updates and alerts regarding Tropical Storm Barry including Conference Calls with NHC/NWS/FDEM. Updates were posted using the EOC Website, Facebook, Twitter, and Alert Franklin.
7. Franklin County EOC Staff would like to remind residents to be storm ready. For assistance on Getting a Plan visit the EOC Website.

Erik Lovestrand – Extension Office Director

Mr. Lovestrand provided the following report for the Board:

County Extension Activities July 3 – July 16, 2019

General Extension Activities:

- Assisted local citizens with information regarding soil tests and plant health in the home landscape.
- Extension Director working with FDEP staff to clear building in preparation for renovation construction to begin in July.

Sea Grant Extension:

- Extension Director taught marine ecology class at youth summer programs.
- Extension Director coordinating with Gulf and Bay County to host two bay scallop restoration workshops in July.

4-H Youth Development:

- Summer 4-H camp for Franklin County youth took place during the second week of July. This year we had 34 campers, 10 youth counselors and 1 adult chaperone spend the week at Camp Timpooshee. Kids participated in a variety of indoor and outdoor activities developed around the principles of “positive youth development.” These included archery, air rifle, kayaking, swimming, crafts, and various other leadership development sessions.

Family Consumer Sciences:

- Family Nutrition Program (FNP) Assistant teaching hands-on cooking skills with pre-KK youth to 8th grade with “Kids in the Kitchen curriculum. Includes kitchen safety, cooking skills, how to follow recipes and, always the favorite part, taste testing!

Mr. Lovestrand said the 4-H Camp went well and they had incredible support from the community and CareerSource Gulf Coast. He reported 34 youth attended and 10 served as counselors. He stated this number is larger than last year and they are proud of the program and the work it has accomplished with the youth.

John Solomon – TDC Administrator – Report

Mr. Solomon read his report, as follows:

Collections Report:

The April (2019) collections were \$82,528.08. This is a \$21,164.36 decrease over April (2018) which is a 20.5% decrease.

Monday was April 1st so number different with checkins on the weekend.

Web Site Activity:

We had 32,315 web hits in the month in May of 2019 Compared to 26,457 in June of 2018 which is a 22.1% increase.

Visitor Center Numbers: The Visitor Centers welcomed 4,042 visitors in the month of June the yearly total for 2019 is 21,535 Visitors that have visited our centers this fiscal year.

Meetings:

The next scheduled board meetings is July 17th at 2:00pm at the Eastpoint Visitor Center

Chairman Lockley reported this is the first time there has been a decrease. Mr. Solomon answered yes but they are still ahead of the percentage from last year. He stated May and June should be back to normal. Chairman Lockley asked if their advertising is good. Mr. Solomon answered yes. He explained the way the weekends fell some of the collection time for April could have fallen on the last weekend in March not the beginning of April. Chairman Lockley asked Mr. Solomon to look at what they were discussing for the beautification project. Mr. Solomon said they have been talking about it and they already pay some to Mr. Davis for the

beach and park cleanup and it may go into the same category. He reported they have already made a supplement in the budget to discuss at budget time. Chairman Lockley said they do not want to focus on just one area but on all the areas if they choose to do the same thing. Mr. Solomon agreed the park cleanup is what they would be assisting Parks & Recreation with. Commissioner Parrish asked Mr. Solomon to give them an answer before this matter comes back to the Board. He explained he knows they help Mr. Davis with parks, beach cleanup and the bathrooms but they are talking about extending this and the current staff is swamped with work. Commissioner Parrish commented he is for the beautification project to enhance the area but he does not know how much money will be in the county budget to assume this responsibility and hire more staff. He stated they are looking for other ways to get this funded and he asked Mr. Solomon and the TDC Chairman to discuss this with their Board. Mr. Solomon asked the Board to direct him to speak with Mr. Davis about what kind of position he is looking for and the costs. Commissioner Jones said he will handle that.

Commissioner Jones stated he is not asking for a vote but he wanted the Board to know the TDC Board has been approached about giving money to the ball team going to the World Series. He reported the money is in the current budget and the TDC Board will talk about it and vote on it tomorrow. He referenced the handout showing the art work and said they are doing this as promotion. Commissioner Jones explained the TDC is buying shirts for all the parents and children that are going to the World Series. He stated there are two teams going from the state and one team was the Rays and one was the Marlins. He said our Florida team will be the Marlins and the front will have the Florida Marlin logo and on the back it will have Florida and the Forgotten Coast logo. He explained the shirts will promote the county when they are in Louisiana. He asked the Board to let him know if they have any issues with this. Commissioner Boldt reported he likes the logo with the Apalachicola oysters.

Chairman Lockley clarified he is not against the project for St. George Island, he just wants it for the whole county.

The meeting recessed at 10:13 a.m.

The meeting reconvened at 10:24 a.m.

Amy Ham-Kelly – Planning and Zoning – Report

Mrs. Ham-Kelly offered her report, as follows:

CRITICAL SHORELINE APPLICATION:

1. **RECOMMENDED APPROVAL:** (Unanimous- Contingent upon Receiving DEP/COE Permits) Consideration of a request to construct a Single Family Dock located

DEP and COE permitting. Request submitted by Garlick Environmental Associates, Inc

On motion by Commissioner Massey, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve this request contingent upon receiving the DEP/COE permits.

2. **RECOMMENDED APPROVAL:** (Unanimous- Contingent upon Receiving DEP/COE Permits) Consideration of a request to repair a Single Family dock located at Tract 3, Yancey Tracts, also known as 2602 Highway 98 East, Carrabelle, Franklin County Florida. The proposed project consists of repair to the existing 159ft access walkway, and construct a 154ft extension, as well as add a 8ft x 20ft terminus, and a 10ft x 20ft boatlift. Including the 636 sq ft of the existing walkway and the 616 sq ft of the proposed walkway, and the 160 sq ft terminus, the project total 1412 sq ft. Approval Contingent upon received DEP and COE permitting. Request submitted by Garlick Environmental Associates. Inc agent for Bobbie Whiddon. (Has House)

On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve this request contingent upon receiving the DEP/COE permits.

3. **RECOMMENDED APPROVAL:** (Unanimous) Consideration of a request to construct a Single Family Dock located at Lot 4, Block 2, Unit 1, also known as 612 Mariner's Circle, Alligator Point, Franklin County, Florida. The proposed access walkway is 100ft x 4ft, with a 10ft x 16ft terminus, a 13ft x 20ft covered boat lift, and two additional pilings within Alligator Harbor Preserve. Customer has DEP permit and is exempt from COE permitting. Request submitted by Daniel Oligmueller, applicant. (Has House)

Mrs. Ham-Kelley reported DEP was allowed to issue the COE permit. **On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve this request.**

RE-ZONING APPLICATION:

4. **RECOMMENDED APPROVAL:** (6-1 Vote) Consideration of a request to Re-Zone a 22.77 acre parcel from R1 to R1-A. Located at 2153 Highway 98, Carrabelle, Franklin County, Florida. Request submitted by Garlick Environmental Associates, Inc agent for William Simmons.

On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve scheduling this matter for a public hearing. Attorney Shuler verified this motion is to authorize the public hearing. Mrs. Ham-Kelly responded yes.

SKETCH PLAT APPLICATION:

5. **RECOMMENDED APPROVAL: (6-1 Vote- Contingent upon the approval of the re-zoning request being approved at the public hearing)** Consideration of a request to abandon original plat and for a Sketch Plat approval of a 22.77 acre parcel. The proposed new plat for the 22.77 acre parcel Shell Bay Subdivision, proposes 36 parcels, including 2 lots and as Common Area south of Highway 98. Lying in Section 35, Township 7 South, and Range 5 West located in Carrabelle, Franklin County, Florida. Request submitted by Garlick Environmental Associates, Inc. Agent for William Simmons.

Commissioner Massey made a motion to approve this request contingent upon the approval of the re-zoning being approved at the future public hearing. Commissioner Boldt seconded the motion.

The following discussion applies to item #6.

Commissioner Parrish said this request goes back many years and he understands there is no action required until recommendation from the Board of Adjustment for the variance but he does not understand how they can go through a special exception when it is noted in this C-1 zone that residential uses are strictly prohibited. He stated he has always opposed this and they all know the bay and industry are down now and people are looking to transition to other things to make a living. Commissioner Parrish reported he understands a lot of people in the Two Mile area are going to want to go this way too but this is precedent setting. He stated he does not know why this is on the report if no action is required. He explained the Board needs to understand if this is granted it will be the first of many requests. Commissioner Parrish questioned how this fits into the flood plain when you allow residential uses in C-1. He stated all they can build on ground level is water dependent uses and these are not water dependent uses so will they need to be elevated to meet the flood requirements of FEMA. Commissioner Parrish said these are items that need to be researched before it comes back to the Board after going to the Board of Adjustment. He explained there are a lot of issues that must be addressed because if they treat one request this way then everyone else should have the same opportunity. He pointed out the C-1 district has no setbacks because it has typically been used for water dependent uses. Commissioner Parrish reported this must be well thought out but he does not know how a special exception can be granted to a prohibited use. He stated for years he served on the Planning & Zoning Commission and knows what the Comprehensive Plan and Land Development Code say and he knows how the two work together. Commissioner Parrish said he wanted to bring this out but is not saying he is opposed to it but there are a lot of questions and it will be precedent setting. He reported they just issued some letters to people in the Two Mile area that had to remove different things and could not rent out rooms above Steamers restaurant. He stated he just wants to point out the issues that need to be addressed.

This following is the continuation of the discussion on Item #5:

Motion carried; 5-0. Mrs. Ham-Kelly reported they do not want to do the abandonment until after the rezoning is approved. Attorney Shuler explained one of the issues they had to content

with on Shell Bay years ago when it was platted is there were 6 lots along the bay and interior lots across the road and they wanted to get boat slips. He stated at the time the Board would not allow boat slips for the landlocked lots. He stated the entire subdivision was allowed to have 12 boat slips. He reported they need to keep an eye on this as they move along the process. Commissioner Parrish asked if this property is served by central water and sewer. Mrs. Ham-Kelly stated it will be. Attorney Shuler explained in case the Board is not familiar with the area it is where the great wall was built.

SPECIAL EXCEPTION:

6. **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request for a Special Exception to place 4 short term transient cottages in the C-1 Commercial Fishing District under item 2. Tourist Oriented Commercial Facilities on .29 acre parcel located at 332 Patton Drive, Eastpoint, Franklin County, Florida. Request submitted by Susan Reeder, applicant.

COMMERCIAL SITE PLAN APPLICATION:

7. **RECOMMENDED APPROVAL: (Unanimous- Contingent upon the Health Department approving and permitting the location of the septic system)** Consideration of a request to construct a 6,225 sq. ft. commercial space containing a Restaurant, Coffee Shop, and Retail Space. Lying in Section 29, Township 9 South, Range 6 West, also known as 243 Gulf Beach Drive, St George Island, Franklin County, Florida. Request submitted by Stephen Hull, agent for Hull House on SGI, LLC.

Commissioner Jones asked if there are any previous flood plain issues. Mrs. Ham-Kelly reported the property is in a flood zone but the grade is high so they will not need to go very high to meet base flood elevation. Commissioner Jones said with the septic tank and grease traps they will be approached by the Health Department. Mrs. Ham-Kelly agreed and said the information was sent to the Health Department because the grease traps and septic tank which are proposed to be under the parking area on the alley side caused a red flag. She stated the applicant/developer is aware if the Health Department does not approve the location of the septic system tank and the grease traps that this permit is dead and they would have to come back with something that would be approved. **On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve this project contingent upon the Health Department approving and permitting the location of the septic tank and grease traps.**

Commissioner Lockley asked if Mrs. Reeder is on the agenda. Mrs. Ham-Kelly reported Commissioner Parrish addressed this issue. She explained she asked Attorney Shuler if she should read the item and show the location but he thought the Board had addressed it. Attorney Shuler stated Mrs. Ham-Kelly asked if she should present this again after Commissioner Parrish's comments but he thought it had been adequately covered but that is up to the Board. He explained his understanding is there is no action required and it is just an informational item. Commissioner Jones said he understands it is just for information. Attorney Shuler stated the next step is they will submit an application to the Board of

Adjustment and the Board of Adjustment will conduct a public hearing and make a recommendation back to this Board. Mrs. Ham-Kelly reported it will go to the Board of Adjustment on August 7th and the recommendation to this Board on August 20th. She stated she will address all the concerns and questions.

Grant Slayden – 2nd Circuit Court Administrator – Security Update

Mr. Slayden stated he will present the security improvements based on the security exercise that was held last year at the Courthouse. He reported this is an update and they are not asking for any action. He said the security exercise last year in the Franklin County Courthouse proved to be successful. He stated 98 Courthouse employees were trained and an additional 26 first responders on the needs of Courthouse security. Mr. Slayden reported there were also representatives from the First and Third Judicial Circuits and the Escambia County Sheriff's Department present to observe. He stated the First Circuit and Escambia County Sheriff's Office used Franklin County's exercise as a model to conduct their exercise. Mr. Slayden thanked Franklin County Sheriff A.J. Smith, who took a lead role as incident commander and also provided time and staff. He commended Clerk of Court Marcia M. Johnson, Property Appraiser Rhonda Skipper and Tax Collector Rick Watson who provided leadership and gave staff time for the exercise. Mr. Slayden stated other community partners that helped were the Apalachicola Police Department, the State Attorney's Office, the Public Defender's Office, Franklin County government, Franklin County EMS, Weems Memorial Hospital and the University of Florida. He explained the goal of the exercise was to train Franklin County law enforcement personnel, emergency first responders and Courthouse staff on how to react in a Courthouse active shooter or violent incident and how to protect the public. He reported the Chief Judge felt like there should be a plan and that they exercise and demonstrate the plan to protect the public. Mr. Slayden said the key tasks were to analyze and improve procedures for Courthouse security and use existing material, equipment and personnel so there would be no additional costs. He stated everyone also learned to coordinate and work together. He reported they also exercise incident procedures of law enforcement so everyone is familiar with how it would work. Mr. Slayden said all the tasks and more were successfully accomplished as part of the exercise. He explained they made some improvements to the facility and will continue to make improvements that were identified in the exercise. He pointed out they were able to use court fee money, some facility funds and other funds to fund the minor improvements. He reported none of the money came from general revenue. Mr. Slayden stated \$9,825 in Court Facility fees were used and the Chief Judge contributed \$19,598 and they were able to create a second dedicated bailiff station, upgrade the closed circuit TV system using a local vendor, established access control points and badge readers at new locations and make fire safety and alarm upgrades. He said additional panics alarms were also set up. Mr. Slayden reported they are in the process of hardening the entrances to protect the bailiffs and others. He stated ballistic glass and bullet proof material will be used. He explained it will be a safer entrance but will not look oppressive. He said the upgrade should be completed by October of this year. He thanked everyone for this assistance and for the exercise. Mr. Slayden thanked Mr. Moron and said he is a tireless worker and good colleague. He said they have a

good county staff to work with. Chairman Lockley stated they appreciate what he is doing to help keep people safe. Commissioner Boldt asked if Mr. Slayden can provide any incidents county commissions have faced in relation to safety and concerns. Mr. Slayden reported there have been some incidents and the interest in this particular exercise stemmed from a shooting incident in Orlando. He explained these incidents are occurring with more frequency and they thought the court should be aware of these and be able to respond. He said everyday they ask hundreds of people to come to the Courthouse so they wanted to create an environment that is as safe as possible and use existing resources and they were successful. Mr. Slayden explained there was not one particular incident but were a series of events that heightened concerns about their need to provide a safe environment to address legal issues. He offered to answer any questions. The Board did not have any questions.

H. D. Cannington – Weems CEO

- Request to replace 4th HVAC Unit at Weems West - \$4950.00

Mr. Cannington reported the Weems West Clinic had 4 HVAC units and 2 were replaced before summer and the third had repairs. He requested the Board approve the purchase of an HVAC unit at a cost of \$4,950.00. He said the unit is 10 years old. **On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve this request.**

- Current Weems Financial Status

Mr. Cannington reported as of yesterday the balance in the operating and money market accounts was \$433,070.00. He stated the trade accounts payable as of Friday was \$228,654 plus a payable of \$621,000 to Tallahassee Memorial Hospital (TMH) for management services for past years. He explained the payable to TMH is not increasing or decreasing and they are not asking for payment but the money is still owed. Mr. Cannington reported he was also asked to provide their net accounts receivables and that amount is \$1,112,270.00. He explained this is the amount they expect to collect from the services they provide. He explained the gross receivables and actual amounts collected from Medicare, Medicaid and insurance companies. He reported the figure he provided to the Board is actually 35-40% of the gross. He said the audit that was completed at the end of September the amount was 52.3%. Mr. Cannington reported it is easy to estimate what you will receive from Medicare but not so easy to predict what will be received from the insurance companies. He said the insurance company will send an amount less the deductible and co-insurance and they have to collect the remaining balance from the patient. Mr. Cannington reported they try to be very conservative during the year. Commissioner Boldt presented a 1500 Claim Form which is a universal medical form used by practitioners that provide services. He referenced an area on the form about authorizations that insurance companies ask specifically for. Commissioner Boldt asked Mr. Cannington to assure this Board that pre-authorizations are happening within the hospital. He said they also want to make sure denial management is being done and they are carefully auditing the

payments to make sure the hospital is getting the most money possible. Mr. Cannington explained since they are not doing MRI's and surgeries they do not have many procedures that require pre-authorizations like larger hospitals do. He reported there are some insurance companies that require pre-authorization before they can admit a patient. He stated most insurance companies do not require that because most of their patients come in through the emergency room so it is already pre-authorized. He explained with everything being digital when the patient's insurance company is entered it pops up whether pre-authorizations are needed or not. He stated in relation to denial management their computer company Athena edits the claims and make sure they have the proper items. He explained Athena is responsible for correcting the edits and sometimes they go out the next day. Mr. Cannington reported sometimes the hospital is responsible for edits and they are trying to keep up with those. He reported they are making sure the payments are correct and there is software that does this once they enter it into their system but they have to enter information from all the different insurance companies. He said most of the remittance advice is done electronically and the IT company enters this into the system. He stated they are in the process of having this set up so the reimbursement amount matches what they are supposed to get paid. Mr. Cannington reported these are good points and one of the main things he has been working on since he has been here. He explained they have revenue cycle management meetings every Tuesday morning to look at the accounts that are on hold. Mr. Cannington said he thinks they can do better and that is what they are working on. Commissioner Boldt suggested they spot check Athena because it is very important. Mr. Cannington agreed. Chairman Lockley asked how they are doing in collections. Mr. Cannington stated they are doing pretty well and making improvements in revenue cycle management which is getting the proper information from the patient, making sure the billing is appropriate and capturing the charges. He said they have to make sure all the correct codes are on the billing and if they get a denial they must follow up and they are working on this. Chairman Lockley provided a history of the health care committee and the decision to ask for the \$.01 sales tax. He said when this was done they promised the people of Franklin County they would build a hospital and they have not done it yet but it should have been done. He explained every time they put it off it cost more money. He reported he knows the hospital and ambulance service are not going to make money but with the \$.01 they should be able to sustain the hospital if they are collecting the money like they are supposed to. Chairman Lockley reported it will not work if they just rely on the surtax to take care of the hospital. Commissioner Massey asked about an email they received last night from AHCA about shutting the hospital. Mr. Cannington said he is not familiar with the email. Mr. Moron explained under public comment today there was a comment about the last AHCA report citing substantial deficiencies at the hospital involving the critical access designation and the fire system. Commissioner Massey said it was also about the license. Mr. Moron said at some point Mr. Cannington has informed the Board of Directors about the claims. Commissioner Boldt said there should be a plan of correction for every one of the deficiencies and asked if the plan of correction is in process. Mr. Cannington responded yes and said this is a requirement by AHCA. He explained AHCA does surprise visits and when they visited the hospital had not updated their policies and procedures. He said this is done on an annual basis and the Hospital Board had asked to have a lot of their policies and procedures

reviewed by an attorney to make sure they were right. He said they were also looking at another company, a professional employer organization (PEO), that also provides policy and procedure reviews as a cost of what they are already paid. Mr. Cannington explained this is in the process but when AHCA visited the policies have not been reviewed since January of last year so they were not in compliance. He assured the Board there were no immediate jeopardy items that directly affect patient care. He said there were no deficiencies. Commissioner Boldt asked if there was a fire issue where they had to have a 24 hour fire watch. Mr. Cannington reported according to AHCA that is not an immediate jeopardy item. He explained they brought in the fire watch because there was a smoke detector in the maintenance shop that they were not sure was connected to the alarm. He went on to say they had fire watch for almost a week and then the sprinkler system was fixed and they were off fire watch. Mr. Cannington reported the fire detector in the shop was fixed but they still have some more work to do. He said there are no deficiencies at this time on the life safety side. Mr. Cannington reported from the AHCA licensure standpoint there were no patient care issues and no documentation issues. He discussed the requirement for a registered dietician. Mr. Cannington reported as of last month they have a registered dietician that will be coming every month to the hospital. He stated the plan of correction is required within 10 days of when they send the written report back. He said the plan of correction was submitted to AHCA and there were some additional things AHCA wanted and they gave them until the next Friday to resubmit. He stated the plan was resubmitted and accepted by AHCA. Mr. Cannington explained AHCA has the authority to come back after 45 days and for up to 90 days and do another site survey. Mr. Cannington reported AHCA has accepted the plan of correction which means all deficiencies must be corrected within 90 days. He agreed the survey was lengthy and there were a lot of deficiencies but most of them were because the policies and procedures have not been reviewed within the past year and they fixed that. Commissioner Boldt suggested the hospital take those site survey forms from AHCA and start developing operations manuals and documentation in the same order of the forms. Mr. Cannington said the reports says the Weems Governing Board is specifically responsible along with the CEO and he made it clear to the Weems Governing Board that according to AHCA they are responsible for the quality of care at the hospital and that he is also responsible. He explained at the Board meeting after the AHCA report the Board gave him a directive to have a Buildings & Grounds Report provided to the Board at every meeting and they also wanted to see the preventive maintenance plan. Mr. Cannington said the Board takes seriously that they are responsible for this matter and they are taking these steps. Commissioner Boldt said the Hospital Board has specific authority in directing Mr. Cannington, in facilitating his job and he wants them to know they have command control over the hospital. He reported they have the authority to be directing Mr. Cannington and he is consulting with them. Mr. Cannington said the Hospital Board understands that. Commissioner Boldt asked if they have any special policies that this Commission should be stating in addition to the Hospital Board is responsible for the overall operations of the hospital and its day to day activities. Mr. Cannington said he thinks that is part of the by-laws of the Governing Body. Commissioner Boldt asked if the authority is in the by-laws. Commissioner Parrish said he hopes the Hospital Board realizes they are in control of the hospital and for making recommendations. He stated he hopes the Hospital Board is

receiving the information they need to make those decisions. He reported if they are not receiving the correct information and there is not transparency to what is going on with AHCA and expenditures he hopes they realize how responsible they are. He stated Mr. Cannington works for them they do not work for him. He went on to say the Hospital Board is an advisory board to the Commission and the Board takes their advice to heart but they want to make sure they are getting the information to make the decisions. Mr. Doug Creamer, Hospital Board Chairman, stated they take their job seriously and study the bylaws and policies. He explained they are having a labor attorney address some of the policies and that is one of the reasons they were not available for AHCA. He stated they understand their responsibility but they also understand they answer to the Board of County Commissioners. He explained they cannot do anything without this Board's blessing. Attorney Shuler explained the way the bylaws are written the Hospital Board has been granted by the County Commission plenary authority to run the hospital with a few exceptions of things they are not allowed to do such as making the decision to build a new hospital and they are not allowed to buy and sell real property. He stated there may be 1-2 other limitations on their authority. He reported with the specified exceptions to their authority, the Hospital Board has been granted plenary authority to operate, manage and control the hospital in conjunction with the bylaws and operating procedures and policies that were put in place with the help of TMH. Chairman Lockley stated they have the authority but people are working against them because they do not want the hospital built. Mr. Moron said he disagrees with Mr. Cannington because there are some Hospital Board members that approached him and do not know where their role ends. Chairman Lockley said Mr. Cannington is supposed to ask the Hospital Board. Mr. Moron stated that is the problem. He explained each CEO has determined what authority they have on their own because nothing is written down that the CEO has to bring items for approval to the Hospital Board. He explained there is no clear definition and the Hospital Board members have not been trained. Mr. Moron stated the Hospital Board is an excellent community board and understands what the community needs in relation to health care. Mr. Moron reported his opinion is the Hospital Board is not clear about their role and what authority they have over the CEO and the overall operations of the hospital. He stated they do not know when Mr. Cannington needs their approval or recommendation and when he doesn't. Commissioner Boldt reported the Hospital Board has command control of the hospital and the CEO answers to the Hospital Board. Mr. Moron explained they do not know what authority they have to spend what amount of money or what contract can they engage in. He questioned if Mr. Cannington has the authority to hire before or after he consults the Board. Mr. Moron asked if Mr. Cannington has to explain where he is getting revenue to hire someone. He asked Mr. Creamer if this is an issue. Mr. Creamer replied yes but said this is the way policies are developed. Mr. Moron agreed and said they never set down and developed policies. He reported this can be fixed simply by training of the Board in what they require of them and then they move forward. Chairman Lockley stated Mr. Cannington is supposed to ask the Hospital Board and then they approve it and come tell this Board. Mr. Moron said the CEO will tell you he has the authority and can just notify the Board. Mr. Creamer stated the Hospital Board can set policies that require the CEO to do anything they want him to do but he does not think these policies will stand unless this Board approves it. He reported he does not want to be in a position where

this Board thinks they are trying to run a hospital without the Board knowing what is going on. Chairman Lockley stated that is why the CEO takes things to the Hospital Board and when they approve it then they tell this Board. Mr. Creamer said he agrees with that. He proposed their Board develop or update some policies that are necessary for them to have control of the hospital to the degree they want them to and then present them to this Board for their approval because he does not think the Hospital Board can make policy without this Board's blessing. Attorney Shuler said his understanding from Mr. Cannington's presentation is they currently have Mr. Leonard Carson, the county's longtime outside counsel on labor law issues, reviewing and making proposed changes to policies and procedures. He suggested Mr. Moron get in contact with Mr. Carson and find out his status in making these changes. Attorney Shuler said there should be an industry standard on the level of interaction between a Hospital CEO and the policy setting Board of Directors. He said getting this report from the labor attorney should be the first step and Mr. Moron could inform Mr. Carson of the situation and get his advice on how the policies can be updated. Attorney Shuler explained he has not reviewed the Hospital bylaws in a while but he thinks the Hospital Board has the authority to adopt the operating policies and procedures because this Board has granted the Hospital Board authority to operate the hospital except for a few prohibited actions. He said there is nothing wrong with the County Commission reviewing any proposed policies and procedures since ultimately this Board is responsible. Attorney Shuler reported it is appropriate for the Hospital Board to present the final proposal on updating the policies and procedures for operating the hospital before they make a final decision. Commissioner Parrish explained his main concern is if they increase expenditures there needs to be a revenue stream to pay for the expenditures other than for capital improvements. He stated if the CEO brings projects to the Hospital Board then they should be asking where the money is coming from and if they have money to sustain the project. He pointed out they are already giving over 50% of the Health Care Trust Fund (HCTF) to the operations of the hospital so they cannot keep coming back to the HCTF wanting more money to sustain the operations of the hospital because the other side of the fund is for capital outlay. Mr. Creamer stated they developed a budget this year and they are working within that budget and they will develop a new one for 2020 and operate within it. He said if they know a better way then he wants to hear it. Commissioner Parrish stated he is good with that. Commissioner Boldt suggested they contact Mr. Marc O'Bryant, TMH CEO, and look at their model and how they operate with their CEO and Board. He said they will probably be glad to help. Mr. Creamer commented they have been helpful in anything they have ever asked for. Attorney Shuler reported several years ago the County Commission placed a spending limit of \$50,000 on the Hospital CEO. He explained below that amount the CEO could decide but anything over had to go to the Hospital Board so the Board has taken action to control this issue. Commissioner Jones said they have to get to a place they have not been at before and that is transparency. He stated the citizens are not worried about keeping the hospital open but want to make sure they can afford to do what they are doing and they are not making missteps as they do not have enough of a safety net to miss it and make up the difference. He explained it is incumbent on them to make sure the residents feel comfortable that everything is being done to the best of everyone's ability concerning health care in Franklin County which is lacking. He reported for the Board to continue to not make any motion to try and improve

health care is one he takes exception to. Commissioner Jones said it might not be what everyone wants but that is the nature of making decisions. He reported they have to move to a place where the Hospital Board knows they have support of the Commission to do their work and make sure the residents are taken care of and they can have confidence in the health care system going forward. Mr. Cannington clarified in the hospital bylaws there are two other items the Hospital Board cannot do and that is hire a CEO without the County Commissioner's approval or purchase any capital equipment without approval of the County Commission. He agreed the Hospital Board has authority to give him whatever authority they determine. He explained since they did not have clear policies he has done what he has done at other hospitals. Mr. Cannington reported when he came here in May, 2018 he tried to make improvements with revenue cycle and with expanding services without a huge increase in expenses. He explained they had a budget and he thought that was under his responsibility and he thought the Board had given him authority to do that. Mr. Cannington stated when it looked like they could add ultrasound which he thought was a great idea they did not do it until the Hospital Board approved it and they did talk about the where the revenue was coming from. He said if they are looking at recruiting doctors there is no way he can offer contracts without giving them a proforma income statement for 3 years and getting their approval to do it. He reported it is up to the Hospital Board to decide how much authority they give him and he will be comfortable with it. Mr. Cannington stated getting back to collections they do the best they can to bill appropriately and collect money from third party payers. He reported once it becomes a patient responsibility they try to collect the money from them but do not take a hard line. He said they send letters, make phone calls and turn it over to an outside agency. He explained they try to determine quickly if patient meets indigent care or charity care guidelines and get them approved so they get the benefit of available funds. He reported they do not turn away patients that cannot pay. He said when he has contacted the Board they are comfortable with how they are doing this as long as they are doing everything to collect the money.

- New Facility Scope and Budget Discussion

Mr. Cannington said after the last meeting Mr. Moron emailed him about coming up with a budget for \$12 million. He stated he had many conversations with Mr. Joe Bynum and the budget he presented today is what he came up with. He said the budget is \$12,145,000.00 but the scope of the project has not changed since 2016 except they may remove the nuclear medicine area and mammo area. He reported they will save money on these two items and Mr. Bynum feels like they will also save on construction costs and reduce some of the contingencies because he is asking Culpepper Construction for a figure and they are coming back with a figure without talking to subs and vendors and pricing steel. He stated they are doing the best they can but do not have good prices. Mr. Cannington explained he and Mr. Bynum talked about all of the necessary items and they need the full \$887,000. Commissioner Massey asked why they do not let Culpepper Construction just give them a price they will build the hospital for. Mr. Cannington replied he asked Mr. Bynum for that and that is the next step but Culpepper Construction, the engineers and architects are not going to get a market price without being paid for it. He explained Mr. Bynum will have a price within one week from his

company, Culpepper Construction, the acoustic engineer and all of the other vendors to know what it will cost to get the real numbers. He reported if the Board approves this cost then the vendors will go out and price everything. He explained while they are doing that they will be going to AHCA and starting that process because it takes 3 months. He stated Attorney Shuler has some work to do with the bonds and he has to secure some interim/construction financing. He said in about 3 months they will have the figure. Mr. Cannington reported it will be the exact costs and scope of work and the Board will either approve it or not because they are not committed until they approve it. Mr. Cannington explained neither he nor Mr. Bynum can provide a market basket number. Mr. Moron reported whoever the Board designates needs to send this \$12.1 million scope to Mr. Bynum for the guarantee maximum price (GMP). Mrs. Griffith asked if the USDA wants to pursue some other fashion. Mr. Moron said there is some confusion because at one time they mentioned the county is no longer in a construction at risk manager mode and are now a design/build mode but he will need to straighten that out with USDA. Mr. Moron said they need to get the GMP so the Board can decide if they want to move forward. He reported they need to know what it will cost to get the GMP. Mr. Moron stated he can schedule a special meeting on Friday after the Budget Workshop and by then he should have the number. Chairman Lockley said to tell them the county has \$12 million to build a hospital if they want to build it and if they don't the county will get someone else. Mr. Moron said the price is old. Commissioner Boldt reported that is his point the plans are 12 years old. Mr. Moron explained without this they cannot move forward. Commissioner Boldt suggested another company come in and look at this and he said agrees with a cap on the money. He reported they agree the county can afford \$12 million and ask the company to tell them what that looks like today. Commissioner Jones stated the issue is the county has already spent \$1 million and it has gone to the contractor and the architect and questioned why they can't do this service for the county. Commissioner Boldt suggested their fee to figure this out can be built into what it will cost to build it. Chairman Lockley said if they want the job then they will tell the county what they can do. Mr. Creamer reported if they do not take this action then the hospital is over. He said they need the dollar amount and scope to move forward. Mr. Creamer stated these other companies had a chance to bid originally. Mr. Moron said if they want a true price to build then they are going to have to pay for it. He reported they need to get a price on the scope of work Mr. Cannington came up with. Mr. Cannington stated they are not asking for any decisions today and it will not cost anything for Mr. Bynum to get the bids. He reported they will have the bids by next Monday for what it will cost for the vendors to get the market basket price. Mr. Cannington said Mr. Bynum is talking to Culpepper and by next week he will have a cost from each vendor of what it will cost to get the numbers for the project but not the actual GMP. He suggested the Board allow Mr. Bynum to get the prices and in the meantime talk to Mr. Bynum about giving a price and seeing what they come up with. He said the decision will come next week after they get the proposals. Commissioner Massey clarified they will give a figure and then the Board can vote to approve that amount to get the GMP. Mr. Moron asked if they want to move forward in that manner and he can schedule a special meeting for next Friday. He said when they get that number then they have to decide if they want to go out and get the true GMP. Chairman Lockley said if they have already selected this contractor why are they paying him to give the number. Mr. Moron stated there are things

that have been added to the scope that were not included in 2016. Commissioner Parrish reported they have to know what they are paying for. **Commissioner Massey made a motion to authorize Mr. Moron to contact Mr. Bynum and find out a price for getting an updated price. Commissioner Parrish seconded the motion.** Commissioner Boldt stated they need to know what the health care system looks like. He said the plans are 12 years old and he suggested Erdman come in to give them an opinion. **Commissioner Massey amended his motion to have a special meeting on Friday, July 26, 2019 after the Budget Workshop. Commissioner Parrish amended his second. Motion carried; 5-0.**

Marcia M. Johnson – Clerk of Courts – Report

Clerk Johnson did not have a report but reminded the Board of the Budget workshops on Thursday, July 25, 2019 at 9:00 a.m. and Friday, July 26, 2019 at 10:00 a.m. Mr. Moron said the special meeting will be set up after the Friday Budget Workshop.

The meeting recessed at 12:00 p.m.

The meeting reconvened at 1:07 p.m.

Commissioner Massey was not present at this time.

Alan Pierce – RESTORE Coordinator – Report

Mr. Moron read the following report:

1. Airport Fuel farm TRIUMPH Application- On Feb. 5, 2019 the Board authorized Alan to submit a pre-application to TRIUMPH for some \$920K of TRIUMPH funds for a new fuel farm at the airport. At the time Alan, and AVCON, were expecting FDOT to provide a back-up generator. FDOT overcommitted on the funds they have available, so the TRIUMPH application was expanded to some \$1.04M to include funds for a back-up generator. The revised application will be submitted to TRIUMPH tomorrow, and it will be put into the Board files.

Chairman Lockley said it is best to have our own generator. Mr. Moron stated the county does not have to rely on the FBO as that was part of the contract negotiations.

2. Board action to authorize the Chairman to sign the pre-application for the FDEP Erosion Control Program which would help fund a beach along the damaged part of Alligator Drive. Mike Dombrowski is preparing the application and it will put as part of the Board file when completed. The deadline for submission is July 31. The request to FDEP is not a commitment the county will do the project, but it is our application to FDEP that they will then prioritize and submit to next year's legislature for funding.

On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize Chairman Lockley to sign the pre-application.

Michael Morón – County Coordinator – Report

Mr. Moron provided his report, as follows:

- Mike and Pat O’Connell
 - Angela Webster
1. For Board information, Mr. Curenton has submitted the following projects to FDOT for Small County Road Assistance Program (SCRAP) and Small County Outreach Program (SCOP) funding:
 - SCRAP – Widening and Paving Highway 67 from State Forest Road 166 to State Forest Road 172 - \$1,483,150.
 - SCRAP – Widening and Paving Highway 67 from State Forest Road 172 to the Liberty County line - \$2,113,528.
 - SCOP – Widening and Resurfacing Timber Island Road from Highway 98 to the Carrabelle River - \$819,740.
 - SCOP – Paving the unpaved portion of Mill Road to Burnt Bridge Road - \$1,059,834.There was some bridge repair and improvement work that Mr. Curenton considered but because it didn’t meet FDOT’s requirements, wasn’t submitted for funding.

Mr. Moron reported copies of the applications are being provided to the Clerk’s Office for the Board file.

2. Inform the Board that FDOT has returned the signed SCOP agreement to design the widening and resurfacing of the eastern end of CR 30A west of Apalachicola. At this time, with the authorization from the Board, the County can proceed with advertising for an engineering firm to design the improvements. **Board action.**

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to advertise for an engineering firm to design the improvements.

3. FDOT has notified staff that they are ready to proceed with the first phase of construction on the Alligator Point multi-use path, which will run from the marina eastward to Harbor Circle. Before Franklin County can begin this project, we will need to authorize the engineers on the project, Dewberry Engineers, to apply for a Coastal Construction Control Line Permit and to update the construction plans for the project. **Board action.**

On motion by Commissioner Boldt, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to apply for a Coastal Construction Control Line Permit and update the construction plans for the project.

4. This item was handled earlier in the meeting
5. Staff has received a request from Community Action Agency to approve up to \$300 so that a broken gas line could be repaired. This request is for an Eastpoint Limerock Fire survivor family that is living in one of the RV/Camper trailers located at 701 Ridge Road. This family is still trying to purchase a lot so they could get a permanent home. **Board action.**

On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve up to \$300 to repair a broken gas line.

6. For your information, the following is an update from Ms. Angela Webster at Community Action Agency on their permanent housing list.

Community Action Agency's list shows a total of (15) Limerock Fire survivors leasing camper trailers from Capital Area Community Action Agency.

They have (4) survivors in permanent housing, but only (3) were leasing camper trailers.

The first of these four to receive permanent housing was 691 Ridge Road. The (3) survivors leasing camper trailers were:

- 743 Buck Street*
- 621 Wilderness Road*
- 615 Ridge Road*

According to Ironwood Homes, we will receive permanent housing for four survivors this week. Delivery was delayed due to last week's weather conditions.

- 675 Ridge Road*
- 576 Ridge Road*
- 601 Ridge Road*
- 605 Wilderness Road*

Chairman Lockley asked what the total is with the trailers that are coming this week. Mrs. Webster reported after these 4 it will leave 7 because 1 received a camper trailer as replacement for her loss of residence. She stated that will leave 7 people who will need permanent homes. Chairman Lockley said he wants to know the total. Mrs. Webster explained they handle part of the requests and Mrs. Deborah Belcher, Roumelis & Associates, handles the other requests.

One of our survivors (16 Washington Street) was approved by the BOCC to receive the camper trailer she is currently leasing as a replacement for loss of residence.

This brings us to a total of (7) survivors in need of permanent housing, and (2) of these survivors are requesting the camper trailers as replacement for loss of residence.

Commissioner Parrish asked if the camper trailers are being moved to RV parks. Mrs. Webster answered yes. She explained they meet with them and discuss the current county ordinances and make them sign an agreement.

(4) survivors of the remaining (5) on our list, have been approved for the CDBG. These four families are experiencing some challenges with ownership of land.

Tress and Angela met with the Pastor of the church that adopted one of the families, and he has agreed to purchase land for the family @ 714 Buck Street.

This leaves us with (3) families experiencing challenges with land, but I am working with them to overcome these challenges.

Our remaining family would be 606 Wilderness Road, they are requesting a new mobile home, however they are not eligible for CDBG because they did not own a home only an RV.

Chairman Lockley asked if a representative from the church is present so they can explain the situation to them. Mrs. Webster answered yes, she met with him and he wants to put a lien on the land for the same time as the CDBG program does. Commissioner Jones asked if the family at 606 Wilderness Road owns the land. Mrs. Jones answered no, and said this family was set up before Capital Area Community Action Agency took over. She reported they were set up at an RV park and they took it upon themselves to move the camper to this address. She was not sure if the family is renting the property but one of the family members works for the people that own the property. Commissioner Jones explained the issue is everyone receiving help must own the property and asked if that is correct. Mrs. Webster agreed that is correct. Commissioner Jones questioned what they can do for this family. He stated they are not eligible for CDBG because they do not own the property. Mrs. Webster agreed. She offered to sit down and talk with them about purchasing property. She pointed out one of the tenants is incarcerated and he is the person with the finances. Commissioner Jones said they have done a great job and so has Mrs. Belcher but he is trying to make sure when people come to him with issues they understand their job as a Commission was trying to secure the grant funding and trying to secure an agency to handle the funds that were donated. He explained past that there are requirements and stipulations and items that are part of the grant process that they have no control over. Commissioner Parrish said they also need to make sure everyone is held to the same standard. Chairman Lockley agreed they have to follow the rules. Commissioner Jones reported it is not that they do not want to help them but if they are not eligible for CDBG funds then the only recourse is to try and help them from the donated funds. He explained they cannot take that step until they know everyone has been helped.

Mr. Moron stated he received an email from Mrs. Ginger Coulter, Franklin County Sheriff's Office, and FDLE has contacted her and they need additional signatures for the Justice Assistance Grant (JAG). He asked for the Board to authorize the Chairman's signature on the additional documentation. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize the Chairman to sign the additional documentation.**

7. The County has received a letter from the United States Department of Agriculture's Forest Service that new recreation fee changes will be implemented on July 26th to assist the department with maintaining sites and trails. A letter stating the affected campgrounds and day use areas along the changed rates is attached to my report.

Mr. Moron reported this applies to Hickory Landing and Wright's Lake.

T. Michael Shuler – County Attorney – Report

Attorney Shuler offered his report for the Board:

ACTION ITEMS

1. NIKOL TSCHAEPE CONTRACT

A draft of the contract between Franklin County and Nikol Tschaepe is attached for the board's consideration. A copy was delivered to Ms. Tschaepe for her consideration on 7/11/19.

After consideration, I am of the opinion that this re-arrangement of duties is not prohibited by the Agency for Healthcare Administration.

Mr. Moron tells me that Mr. Joe Bynum stated that USDA will not make any decision on Ms. Tschaepe's qualifications until the board elects to move forward with the project. I've asked Mr. Bynum to clarify this statement.

BOARD ACTION REQUESTED: I recommend that the board approve the contract and authorize the chairman to sign it.

Attorney Shuler said they will table this contract until next Friday.

Commissioner Massey returned to the meeting.

2. Franklin County Tax Collector – Tax Deed Refund

Mr. Richard Watson, Franklin County Tax Collector, has informed that he has determined that a refund of \$7,250.28 is due to Mr. James R. Woodward of Carrabelle, Florida due to an error in the public records concerning a tax deed issued on June 3, 2019.

In summary, the tax certificate purchased by Mr. Woodward described a parcel of a certain size. Years later after Mr. Woodward applied for a tax deed, the public record was corrected by the Property Appraiser, which resulted in a parcel of land materially smaller than the parcel Mr. Woodward thought he was obtaining title to.

Mr. Watson will issue a check from his office for this payment using current year tax collections.

The legal description of the property is the North half of Lot 14 and the West half of Lot 15, Block 17, KELLY'S PLAT, CARRABELLE, FRANKLIN COUNTY, FLORIDA, according to the map in current use in the public records of said county.

A copy of Mr. Watson's 6/25/19 memorandum to me is attached.

Since title to the land will be re-conveyed by Mr. Woodward to Franklin County, I wanted you to be informed of this matter and accept the conveyance.

BOARD ACTION REQUESTED: I recommend that the board accept title to the real estate in question as set forth hereinabove.

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to accept title to the real estate.

3. SGI Overlay Matter – C4 Residences with no commercial uses

Last meeting, I informed you that approximately two months ago, myself and Mr. Curenton were contacted by a representative of a group of property owners on St. George Island, Florida inside the overlay district from 3rd Street East to 3rd Street West. These properties consist of the shotgun houses there which are exclusively residential with no commercial retail on the first floor and are commonly rented out for transient rental purposes. I have referred to such structures as "C4 Residences" as a convenience.

What these property owners are requesting is that you consider holding a public hearing to amend the “Overlay District” so that their current C4 Residential Structures can be rebuilt with purely residential/transient rental uses with no first-floor commercial uses. In short, they want to be grandfathered from the current requirement of the SGI Overlay that all C4 zoned properties must have a ground floor retail space with no residential or transient rental on the ground floor allowed.

BOARD ACTION REQUESTED: I recommend that you refer this request to planning and zoning for their review and comment concerning this request.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to refer this request to the Planning & Zoning Commission for their review and comment concerning this request.

4. POSSIBLE LAND SWAP – ALLIGATOR DRIVE’S EASTERN INTERSECTION WITH TOM ROBERTS ROAD (“Intersection”)

In the absence of Mr. Alan Pierce, I have participated in discussions concerning a possible acquisition of lands to re-configure the Intersection of Alligator Drive and Tom Roberts Road at Alligator Point. On 7/11/19, I called Mr. Pierce to discuss this matter, but could not get him on the phone, so I am presenting this subject matter without any communication or clarification from him.

As you recall, Alan stated that time was of the essence in bringing to a conclusion the determination whether the Intersection would be rebuilt in its original location or re-aligned through the acquisition of two parcels of land. I believe he mentioned a 60-day window of time at the last board meeting.

Commissioner Boldt has been in communication with the two landowners concerning land necessary to improve the intersection. The discussion is whether the County can acquire two small parcels of land in order to eliminate the current sharp curve and replace it with a more-gentle curve, which would improve motorized traffic at this intersection.

The Alligator Point Water Resources District (“APWRD”) is one owner and the other parcel is in private ownership.

There is approximately 4,600 SF of private land that would be necessary for the project to re-align this Intersection. See attachments showing the proposed re-alignment and the property owners.

It seems that the APWRD may be in a position to assist the County by swapping an equal number of square feet of land with the private property owner. The District has requested that Franklin County send it an official request which it will take-up at their next monthly meeting. I’m told their next meeting is on July 20, 2019.

Another issue is that around 2009 when Tom Roberts Road was re-paved by the private developer of the South Shoals subdivision (now owned by Franklin County), the developer built the road partly on property owned by the District.

It would seem appropriate for the County to ask the ARPD to officially transfer the r/o/w for Tom Roberts from the APWRD to the County.

I have not directly contacted the APWRD, so I do not know if they want any payment from the County or not.

BOARD ACTION REQUESTED: Discussion and action on whether to make an official request for the APWRD to consider offering a land swap of approximately 4,600 square feet of land with the private land-owner and request the APWRD to execute a deed conveying to the County such lands as are need to re-align the right-of-way at the Intersection of Alligator Drive and Tom Roberts Road.

On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to submit an official request to the Alligator Point Water Resources District asking them to consider offering a land swap of approximately 4,600 square feet of land with the private land-owner and requesting the APWRD execute a deed conveying to the County such lands as are needed to re-align the right-of-way at the Intersection of Alligator Drive and Tom Roberts Road.

INFORMATIONAL ITEMS

5. Apalachicola and Carrabelle – Issue of alleged county roads inside city limits

Subsequent to your 7/2/19 meeting I have been separately contacted by representatives of the two cities concerning their position that certain roads inside their respective city limits are county owned roads, not city owned roads. The issue is who is financially responsible for repairs, maintenance and liability associated with the roads.

The roads in question in Carrabelle are Ryan Drive (this is the one with the apparently failing box culvert), Timber Island Road (the one with the bridge) and part of C30A running from the mouth of the Carrabelle River to the east within city limits. Another part of C30A is in the county near where it intersects with Hwy. 98 east of Carrabelle and is the county's responsibility.

The road in question in Apalachicola is 12th Street running north from Hwy. 98 to the city limit at 26th Street (basically just the other side of the cemetery curve). Another part of 12th Street is in the county and is our responsibility.

I informed the cities representatives that the county's decades old policy is that roads within the city are city owned roads for which they are legally responsible, unless they could show that the county had otherwise accepted a dedication or was legally responsible in a manner unknown to the county.

I also explained that the issue of mutual aid and assistance was distinct from the issue of who owned the roads and was legally responsible for them. I also told them that the county in the past had been willing to be helpful as time and resources allowed, but that helping out does not mean that the county accepted ownership for the roads in question, any more than it means that the county owns all the streets that we pay to pave inside the two cities.

I'm confident that each city is going to examine the matter to determine if they had a solid legal position concerning the county's ownership and responsibility for the roads listed hereinabove.

6. Apalachicola Airport – Lease renewal and T-Hanger Rent Collection

A final draft of the proposal was sent to Centric on 7/11/19 for their consideration.

Still outstanding is the matter of how FDOT may require that Franklin County begin collecting T-Hanger rent instead of Centric Aviation. I have contacted FDOT representative Quinton Williams about this matter. A copy of my email to him is attached.

7. Juan Gil vs. Franklin County (ADA Website Accessibility Lawsuit)

I filed my Motion to Dismiss on July 2, 2019. I was immediately contacted by Plaintiff's counsel, who has a July 16, 2019, deadline to respond.

Plaintiff's counsel stated a desire to enter into a reasonable settlement that would entail that going forward the county will agree to make its records readable by those with visual handicap or blind, but not require the County to convert existing on-line records. To date (7/12/19), I received no written settlement offer.

8. Alan Feffier Public Record Request

Mr. Feiffer has made a public record request to Weems Hospital which essentially relates to the possible construction of a new hospital and inquired about an allegedly closed finance committee meeting. Mr. Feiffer has been kept informed of the progress of our response.

At present, I am waiting on HD to provide me with all of his emails relating to the lapse in workers compensation coverage.

Commissioner Boldt reported the address at 2277 Oak Street is a piece of dysfunctional property and the property owners have been asked to cooperate for a long time in cleaning up the property and they have not complied. He stated he would like Attorney Shuler to take the next appropriate action to enforce compliance or the county can clean it up. Attorney Shuler reported the Board can direct him to complete due diligence and investigate the facts.

Commissioner Boldt made a motion to direct Attorney Shuler to conduct due diligence and move forward with enforcement under the negligence ordinance. Commissioner Massey seconded the motion. Commissioner Parrish asked to clarify the motion because the county does not go on private property and that will determine how he votes. Attorney Shuler stated what he has done in the past in Lanark Village is to begin with letters and then if necessary file a lawsuit to ask the court to compel them to clean up their property. He said his is not proposing the county go on private property to do any clean up. Attorney Shuler reported most of the time people want to comply but sometimes there are properties that are abandoned. Chairman Lockley asked if the people are in the area. Commissioner Massey responded they are there and they have tried for the last 7-8 months to get them to clean up the property. Mr. Moron explained this is the same property he requested dumpsters for because they were voluntarily going to clean it up but that did not work. **Motion carried; 5-0.**

Commissioners' Comments

Commissioner Jones reported as the Board's representative on the Apalachee Regional Planning Council (ARPC) he wanted to let them know they are meeting on Thursday and there will be a presentation from DOT about the possibility of an interchange off of I-10 only Highway 65. He asked if there is anything the Board wants him to bring to the meeting. Commissioner

Massey reported they need to get one for Highway 67 too. Chairman Lockley stated he would like to see a 4 lane all the way to Eastpoint. Commissioner Jones said they are trying to get the interchange first. He explained since the beginning conversation APRC has gotten letters of support and petitioned other counties. Commissioner Boldt said the traction in this environmental area is huge and there is also a safety factor for evacuation.

Chairman Lockley stated the county permits a lot of docks and he asked if the county has anything in place to make the property owners remove the posts if the dock is damaged or destroyed in a storm and they are not going to replace the dock. Attorney Shuler answered no. Chairman Lockley reported there needs to be something because the posts are eyesores and taking up room. Commissioner Boldt reported seawalls could be added to the same point. He said a permit is issued, the seawalls are destroyed and the property is dysfunctional and it is as if the property owner has no further responsibility. Chairman Lockley reported if they have insurance they probably received payment for the damage. He stated he would like to see something done about it. Attorney Shuler commented other communities have programs for abating nuisances but he is not familiar with maritime nuisances. He stated sometimes the government has to create a statutory framework to go onto private property to abate the nuisance and then they file a lien against the property. He went on to say this can become very expensive and if the property is homesteaded the lien will not attach. Attorney Shuler said he can check on the County Attorney email network and ask if any other small coastal counties have anything in place for this issue and report back to the Board. Chairman Lockley said he would like Attorney Shuler to review it. Attorney Shuler reported he will also ask the Florida Association of Counties (FAC) and the FAC attorneys if they can send a request to the League of Cities and see if someone else has created this kind of program. He agreed to report back to the Board. Commissioner Boldt asked if they could look back into the early Planning & Zoning decisions that were made and when they award an approval if there is a carryover that the owner has further responsibility to clean up the item that was approved. Attorney Shuler reported it comes down to enforcement and he discussed the issues with enforcement. Chairman Lockley stated if the poles break off someone in a boat could hit them and get seriously hurt or killed.

Commissioner Boldt expressed how much he appreciates the county's executive staff. He said they do not see them sometimes but they are there supporting them every day. He reported much of the information they know is because of the briefings they get. Commissioner Boldt said the department staff takes assignments and when there is an issue the Commissioners email them and it is solved. He stated as the newest Commissioner he appreciates that service and wants to recognize staff as being excellent.

Commissioner Jones stated they had some unpleasant discussions today for the Board and the citizens about health care as a whole. He explained what they saw was not dysfunction but the Board operating in the sunshine and not having backdoor conversations. He said the discussions were open, upfront and honest. He reported when there are discussions that are important to people they get differing opinions and disagreement happens very quickly. He said the Board

agreed to disagreed and worried about the job at hand. Commissioner Jones reported it is the same thing as they are moving into the public hearing and they are not going to make everyone happy but he is optimistic they will make a decision today.

The meeting recessed at 1:40 p.m.

The meeting reconvened at 1:50 p.m.

Public Hearing – Serenity by The Sea

Chairman Lockley said they will have a public hearing on the Planned Unit Development (PUD) for Serenity Seaside Resort. Mr. Mark Curenton, County Planner, explained the proposal is for 55 acres at the corner of South Bayshore Drive and Island Drive that is currently zoned R-2 Single Family Mobile Homes and C-2 General Commercial District. He reported a PUD for this area would allow residential and commercial uses which is basically a hotel with 100 units and residential. Mr. Curenton said the developer can provide the details but some of the items have changed since the last public hearing. He stated the developers have removed the gated road that accessed off of South Bayshore Drive. He referenced the site plan on the screen and said it is not accurate because it still shows the gate and access that are not there anymore. He reported the hard copy of the site plan that was handed out is more accurate. Mr. Curenton explained the latest site plan also shows access from the north on Begonia Street which is a public road owned and maintained by Franklin County. He reported Begonia Street has two ten foot wide travel lanes that run from Highway 98 to the Eastpoint Apartments. He stated there is a gap of approximately 200-250 feet from where the pavement ends to this property. Mr. Curenton reported a requirement for the developers would be to improve to county standards this road to use as an access point. He explained if the road is improved to the county's road standards then the county would then accept the road and be responsible for maintaining that portion. Mr. Curenton reported all the roads within the development have been proposed as private roads which will be the developer's responsibility to maintain. He stated the Board is being asked today to change the land use which is currently residential and commercial, to change the zoning to the PUD district, and approve the PUD district which is basically a zoning category that tells them exactly what they can and cannot do on the property. Mr. Curenton offered to answer any questions. Attorney Shuler asked if the Franklin County Planning & Zoning Commission has reviewed the proposed PUD. Mr. Curenton responded yes. Attorney Shuler inquired what their recommendation was. Mr. Curenton explained they did not reach a recommendation and said they had a tie vote on a motion to recommend and a tie vote on a motion to deny. Attorney Shuler questioned if Mr. Curenton has reached a recommendation for this project as it is proposed on the site plan that was handed out today and also on the proposed ordinance he has handed out today. Mr. Curenton recommended the county approve these items. Attorney Shuler asked if Mr. Curenton has reviewed the PUD for consistency with the Comprehensive Plan. Mr. Curenton replied yes. Attorney Shuler asked if it is in compliance with all the goals, objectives and policies of the county's Comprehensive Plan. Mr. Curenton answered yes. Attorney Shuler explained subsequent to the first public hearing

the County Commission asked that he meet with the developers about a voluntary contribution for affordable housing, the elimination of the gate on South Bayshore Drive identified as an emergency access only and improvements to Begonia Street and asked if he met with the developer. Mr. Curenton answered yes. Attorney Shuler questioned if they agreed to make a contribution for affordable housing. Mr. Curenton stated they agreed to contribute \$1,500 per residential lot. Attorney Shuler inquired how many residential lots there are. Mr. Curenton responded 46 lots. Attorney Shuler inquired if the developer agreed to eliminate the access gate on South Bayshore Drive. Mr. Curenton answered yes. Attorney Shuler questioned if the developer has agreed to make improvements to part of Begonia Drive. Mr. Curenton answered yes. Attorney Shuler inquired if they are going to pave 250-300 feet of the Begonia Street right of way that is existing but unimproved. Mr. Curenton answered yes and said it is about 250 feet from where the current pavement ends to their property line. Attorney Shuler asked if Mr. Curenton is referring to the county's paved road standards. Mr. Curenton stated he is referring to the paved road standards that are in the Subdivision Ordinance. Attorney Shuler asked Mr. Curenton to provide his educational background and the current position he holds with the county. Mr. Curenton stated he has a Bachelor's Degree from the University of Florida and a Masters Degree in Urban Regional Planning from the University of Florida and he has been employed by Franklin County in the Planning Office since December 1, 1988 first as the Assistant County Planner and in the last couple of years as the County Planner. Attorney Shuler asked if the Board has any questions. Chairman Lockley asked how there was a tie vote on the Planning & Zoning Commission. Mr. Curenton stated there were not an odd number of members present so the vote to deny was 3-3 and the vote to approve was 3-3 so he decided to bring the matter to the Board for a decision. Commissioner Boldt said as he looks over the ordinance he sees it as a checklist for the standards of practice this developer will maintain. He asked if the county has the ability to monitor and do site surveys to make sure over time the compliance is consistent. Mr. Curenton explained this is just one step in the process because the developer will have to come back for the Subdivision Plat, commercial site plan approval and they will have to get building permits. He reported as they come in for each item it will be reviewed to determine if they meet the requirements that are in the PUD Ordinance. He said this is not the final step and the Board will hear about this project in the future if they approve it. Commissioner Boldt questioned if they will go on site beyond the administrative process to make sure it is all exactly correct. Mr. Curenton stated the Building Inspector will be inspecting the project. He reported they still have the authority to oversee the project. Mr. Curenton explained if this is approved today there will still be many more trips back to the Board. Commissioner Boldt stated they just need to verify. Attorney Shuler asked if the developer has any questions for Mr. Curenton. Mrs. Lindlee Dermody, LCD Investments, replied no. Attorney Shuler asked if the South Bayshore Property Appraiser's Association has any questions for Mr. Curenton. Mrs. Laverne Holman, representing the South Bayshore property owners, answered no. Attorney Shuler stated the developer Serenity Seaside Resort has 20 minutes for a presentation excluding questions from the County Commission. Mrs. Dermody thanked the Board for the time they have taken on this project and said they have worked hard to make this a great asset for Eastpoint. She said Mr. Dan Garlick, Garlick Environmental Associates, had a previous commitment and so did her husband but she can answer any questions. She

explained she will not go through the entire project but simply address the concerns. Mrs. Dermody conducted a slide presentation and said they are asking for a PUD which consists of a 100 room hotel, 44 single family homes which are approximately 2.4 units per acre and approximately 40 acres set aside for green space, recreation, wetland conservation and stormwater management. She said a copy of the enlarged site plan was included in the packet that was distributed in addition to some photographs of Begonia Drive. She stated there is also a copy of her presentation and the Comprehensive Plan for Franklin County regarding Eastpoint. She explained the 44 single family homes will be placed on lots that are approximately the same size as the lots in the City of Apalachicola which is about 6,000 square feet. Mrs. Dermody stated their development is in compliance with Franklin County's Comprehensive Plan for Eastpoint. She reported according to the Comprehensive Plan they are below the density limits permitted and they are in compliance with the Opportunity Zone. She explained the Opportunity Zone requires them to produce revenue for the county and that will be done through increased tourism. Mrs. Dermody reported they are offering Franklin County jobs during construction for at least 2 years, work for the Conservation Corp., and at least 30 full time employee positions once the resort is up and running. She said they will also offer 44 moderately priced homes for \$200,000-\$250,000. She stated they are also speaking with a medical doctor (MD) to have some different health options at the resort which will also be beneficial to the community. Mrs. Dermody reported the homes also qualify for the Federal Guarantee Program. She discussed the community resources at the resort which consists of a community meeting space, coffee shop, and grill which will be available to the public. She said they will be donating \$1,500 per house to the Franklin County affordable housing efforts. Mrs. Dermody reported they will be paying over \$500,000 for a tap fee to the Eastpoint Water & Sewer District plus their monthly usage fees. She stated they will pay ad valorem taxes, bed taxes, property taxes once the resort is complete, and sales tax from tourism dollars. She referenced the site plan and explained the size of each wetland area. She stated they have added an additional 50 ft. of buffer space on the wetlands to protect it. Mrs. Dermody reported the wetlands and green space will be undisturbed forest land. She pointed out the stormwater management area and the lake which is approximately 6 acres. She stated the main hotel will be 40 rooms and the bungalows are on both sides of the lake. She identified the community center, pool, coffee shop, and meeting center on the site plan. Mrs. Dermody reported they will have an Innovative design for stormwater management which will be approved by the Northwest Florida Water Management District. She explained the collection will be by curb and gutter which will be transported to a series of swells and retention areas which allows them to use the natural vegetation and buffers to keep the streets dry. She described how the land is divided as 38 acres of common area, 19 acres of green space, almost 8 acres of wetlands, 6 acres of lake, 6 acres of upland critical habitat zone, and 5 acres of commercial (impervious) space. Mrs. Dermody reported the residential area sits on 18.14 acres but they chose to put the houses closer together so they could leave more green space and open space for stormwater management and it provides less upkeep for the residents. She stated the infrastructure (roads, stormwater management system, underground utilities) will take up 9 acres. Mrs. Dermody pointed out their stormwater management is part of infrastructure and not green space. She said since the last meeting they have agreed to the

financial contributions for the affordable housing efforts, eliminated the exit/entrance on South Bayshore Drive, and agreed to the construction, extension and resurfacing of a portion of Begonia Street. She stated pictures were provided of Begonia Street and she had it surveyed. Mrs. Dermody reported Begonia Street is in fairly good condition. She listed the other businesses that also use this street. She reported they will do the surfacing and also some beautification on Begonia Street. She addressed density and why they did not reduce their density again. Mrs. Dermody explained their proposed density is already substantially below the maximum permitted for Franklin County's Comprehensive Plan. She reported the Comprehensive Plan for Eastpoint states they are on city water and sewer and in a PUD their density could be as high as 9 units per acre and they are asking for 2.4 units per acre. She went on to say their proposed density is less than the maximum permitted on this property without a PUD. Mrs. Dermody stated they cannot reduce the density any further and make the project work. She explained getting the PUD approval is just the first step but there will be other steps. She reported a PUD is actually a strong advocate for the community because the developer is stuck with what is agreed to in the PUD. She explained the only way to change it is to come back before the Board and ask for changes. Mrs. Dermody said they tried to create a project which would be good for Eastpoint and something the county could be proud of and she asked for the Board's support. Attorney Shuler stated the county has no questions for the developer. Attorney Shuler asked if Mrs. Holman has any questions. Mrs. Holman answered yes. She asked what the anticipated date of completion is for the entire project. Mrs. Dermody explained they must get a lot of approvals before they can break ground but in the Opportunity Zone they have a limited amount of time to start construction so they want to start as soon as possible. Mrs. Holman asked what the length of time will be after they start. Mrs. Dermody responded after they break ground about a year because the infrastructure takes time. Mrs. Holman questioned how many years they will be in construction. Mrs. Dermody said the hotel will be done within 2 years. She went on to say they will build the model homes right away and then build the homes as they are sold. Mrs. Holman asked if Mrs. Dermody has developed other projects, the location of the other projects and if they were successful. Mrs. Dermody stated they were all successful and they were investors in the projects. She commented there was one project in 2005 that was not successful. Mrs. Dermody said she cannot make a promise on what the economic market will do. She felt the hotel would be successful when constructed but said they are still phasing the hotel. She said they will build 2 nice model homes so people can choose their options. Mrs. Dermody reported the first thing they will put in is the community center and pool because it is a big factor in selling the homes and drawing people to the resort. Mrs. Holman stated they appreciate that the developers have agreed to some of their points. Mrs. Holman asked if they are sure they cannot remove the bungalows along South Bayshore Drive to lower the density. Mrs. Dermody answered they need 100 rooms to make the hotel work. She said they will not know the bungalows are there. Mrs. Holman commented they will unless there is 100 ft. of buffer. Mrs. Dermody stated there is more than 100 ft. of buffer on South Bayshore Drive. Mrs. Holman asked if it is natural forest. Mrs. Dermody answered yes, and said they will not touch this area because it is less expensive for them and provides better drainage if it is not landscaped. Mrs. Holman asked if there are any other points they suggested that Mrs. Dermody can agree with to place into the ordinance

to create the PUD. Mrs. Dermody answered no. Mrs. Holman asked about the signage. Mrs. Dermody answered no. Attorney Shuler said Mrs. Holman can now make her presentation. Mrs. Holman said she represents people from all over the county and said this is not just a South Bayshore Drive issue. She reported she and Mrs. Susan Antikeer, a resident of South Bayshore Drive, have heard from people in all these areas of the county. She stated they were there first and it should matter. Mrs. Holman reported they bought property in a residential neighborhood not a commercial neighborhood which is what the developers want to make it. She explained they have paid taxes for decades, improved properties and have been law abiding citizens which is important too. Mrs. Holman said they have been speaking for 1 1/2 years about concerns related to this project and very few have listened. She reported after the last hearing she and a neighbor went to the Courthouse and read all the emails sent to the Commissioners. She stated there were 95 emails opposed to the project due to high density, and/or zoning change and only 11 were in favor of the project. Mrs. Holman said she knows this is important to the Commissioners as the emails were from all the districts in the county. She stated they sent a list of their issues to Mr. Curenton on June 6, 2019 before the new ordinance to create the PUD was written but none of their issues were entered into the ordinance to create the PUD. Mrs. Holman said this is an oversight and was wrong. She explained after reading the ordinance to create the PUD they narrowed their critical points down to 7. She reported they cannot accept that their concerns are completely ignored in the new ordinance and that the Board would allow this to happen. Mrs. Holman stated what is done here will set a precedent for the future forever. She pointed out unpredicted and unplanned problems occur with projects especially developments so this ordinance to create a PUD is for the security for all parties in the future as the county must be protected as well as the citizens. She asked the Board to place their 7 points into the new ordinance to create a PUD. She addressed each of their 7 points. Mrs. Holman thanked county staff for their help throughout this process. She asked the Commissioners to consider seriously all she has said today and not to rush to pass this new ordinance to create a PUD. She stated the public has not been involved with this until today. Mrs. Holman said they appreciate the Board's consideration in solving these problems. She reported this will set a precedent for the county forever. Attorney Shuler asked if the Board has any questions. There were no questions. Attorney Shuler reported the county has no questions for Mrs. Holman. Attorney Shuler questioned if Mrs. Dermody has any questions for Mrs. Holman. Mrs. Dermody asked if she looked at the site plan and saw the density of the undisturbed forest from South Bayshore Drive. She said it is extreme and they will not see the bungalows when traveling on South Bayshore Drive. Mrs. Holman stated they need it to be in the ordinance. Mrs. Dermody explained it is on the site plan and she is not allowed to change the site plan. She reported the site plan is part of the ordinance. Attorney Shuler asked for public comment. He explained individuals are allowed 3 minutes and anyone speaking on behalf of a group or organization is allowed 5 minutes. He said the testimony is unsworn and not subject to cross examination. Mrs. Diane Brewer, Historic Apalachicola Foundation, said the Board has been asked to rezone a tract of property in Eastpoint from residential and commercial to a PUD to allow developers to build a high density mixed use resort project. She stated the developers need a zoning change because the county's existing zoning regulations do not permit such as project. Mrs.

Brewer said once approved the county has no power to regulate what the PUD does. She reported Eastpoint needs jobs and housing but does not need a resort catering to tourists. Mrs. Brewer suggested the developers choose another site that respects the county's natural beauty and not challenge existing residents with unwanted zoning changes, traffic, high density and safety issues. She reported a PUD will prevent stable neighborhoods from thriving here. She stated these requests should not be granted hastily. Mrs. Brewer pointed out requests in the City of Apalachicola that have been pending for some time. She stated the developers want the county to change the zoning to suit their needs when they should build what they can to meet the codes. She reported this action will create a dangerous precedent. Mrs. Denise Butler, a resident of Eastpoint, stated change is coming. She reported this developer has done more than any other developer. Mrs. Butler stated she is glad the developer has had the opportunity to present their project and have it vetted as it shows the community is concerned and that will make them even better developers. She said she has no doubt that any misstep will be addressed by neighbors, the public or the county. Mrs. Butler reported the attitude of not a place they want change is not a good attitude to have going forward because change will happen and they want it to be good change. Mrs. Butler said this project will be good for the community and she urges them to pass this for their future. Mrs. Joyce Estes, Eastpoint Water & Sewer District and Eastpoint resident, stated they check every joint of their system and are serious about the system working correctly. She reported the developers have done more than any other developers. She stated they contacted Airvac to determine how the system works and agreed to add pumps if the system is placed in duress. She said they have agreed to impact fees and to a bond that would be set to the date of completion. Mrs. Estes explained all these agreements are in place for them to know the Eastpoint Water & Sewer District system will be correct. Mrs. Estes reported tourism is the only clean industry right now the county can have. She explained the needs of the people on Wilderness Road and Ridge Road and said they are hungry for jobs and these are jobs that they can fill. She stated Eastpoint needs this and she would appreciate their vote. Mr. George Pruett, a resident of Eastpoint and Chief of the Eastpoint Volunteer Fire Department (EVFD), said this project will have a positive impact on the EVFD because it will help fund the day to day operations. He thanked the Eastpoint Water & Sewer and said their pumping capacity now allows them to save on property insurance. He did not think there would be any negative effects caused by this project. Mr. Pruett said Eastpoint can stand alone and does not need to be the gateway to anywhere. He encouraged the Board to do this for their kids so they do not have to go somewhere else for opportunities. He stated the developers are willing to invest here and give them something they can all be proud of. Mr. Pruett said this area has always been a commercial district for as long as he has been here. He reported the Board should give the developers a chance because Franklin County's business is tourism. He stated Eastpoint was the oyster capital but that is gone and they need to approve this change and give Eastpoint a chance to thrive again. He thanked the Board for the job they are doing. Mrs. Julie Kronz, St. George Island Business Association, read a prepared statement supporting the Serenity Seaside Resort. Mrs. Debbie Stamatinos, a resident of South Bayshore Drive, stated the proposed development will back up to her property on the southern side. She explained when the process started she talked with Mrs. Dermody and was not happy about the RV's and suggested she get input from the residents and businesses. She said Mrs.

Dermody has gone out and talked to everyone and made as many changes as possible to make everyone happy and still be able to create a development that is viable. She reported as a business person she likes to see people interested in making this a better place, providing jobs for local people and loving the property. She stated she appreciates the consideration and all the work that has gone into this. She asked for the benefit of the community and the preservation of the property because she believes this development is as responsible as they will ever get on this property. Mrs. Liz Sisung, a resident of Eastpoint, referenced subdivisions in Eastpoint that did not work out. She said there are some developments that are doing well that are not at full capacity. She asked for safeguards to insure what the developers want truly happens. She stated the developers have invested before but investing and developing is not the same thing. She discussed the condition of Begonia Street and said it will be used during construction and they know what will happen to the road and questioned if county taxpayers will have to pay for the repairs. She stated the Board has a difficult job and are being very responsible about it. Mr. Tom Tiffin, a resident of St. George Island, said tourism started when things changed and they were allowed to rent beach houses on St. George Island. He stated tourism has been great for the community. He reported this project may get people to come over the bridge and that will be a big prize. Mr. Tiffin stated he has fought poverty in Eastpoint for 30 years and his main interest is jobs which are needed. He said if the developers are willing to invest then he wishes they would give them a try. Attorney Shuler asked for public comment. There was no more public comment. Attorney Shuler stated this is the opportunity for the developer and Mrs. Holman to provide rebuttal. Mrs. Dermody declined to provide rebuttal. Mrs. Holman referenced their 7 points and said the developer agreed to some of them but she wants to know why they cannot agree to the other points. Attorney Shuler explained rebuttal is to provide additional information to the Board. Mrs. Holman agreed but said she wants to know why and wants to know when the questions will be answered. Attorney Shuler said this public hearing is the place but there will also be other steps and other opportunities in the process to ask these questions one more time. Attorney Shuler reported the county has no rebuttal. He stated the Board is in a procedural position now to make a decision and he has listed the options on the agenda. Commissioner Massey said he has been here 60 years and his family came here in 1886. He reported when he was a child there was not 25 houses on St. George Island and they did not want people coming to the Island because that is where they oystered. He explained the houses being built pushed the oystermen off the Island. He stated he started shrimping in Carrabelle but then they could not shrimp there so changes are coming. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve this request.**

Chairman Lockley asked if they can discuss a different subject. Attorney Shuler said to avoid confusion he thinks this meeting should be adjourned.

Adjourn

There being no further business to come before the Board, the meeting was adjourned at 3:12 p.m.

Noah Lockley - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts