



**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM**

**MARCH 02, 2021**

**9:00 AM**

**AGENDA**

*The Board of County Commissioners asks that all cell phones are turned off or placed on silent (vibrate) mode. Any handouts (information) for distribution to the Commission must be submitted to the Board Secretary (Clerk's Office) or to the County Coordinator on or before the Thursday prior to that Tuesday's meeting. Failure to do so will result in your removal from the agenda or a delay of any action relating to your request until a future meeting.*

**Meeting Information**

*To comply with CDC and Government social distancing requirements, the general public will not be allowed in the commission meeting room for this meeting; therefore, this Board of County Commission regular meeting will be accessible via livestream and Zoom. Those wanting to view the meeting can use the livestream link (<https://facebook.com/forgottencoasttv/>) or go to Forgotten Coast TV's Facebook Page. The livestream feed will promptly start 5 minutes before the meeting commences. You do not need a Facebook account to view Facebook live. Those wanting to participate during the meeting should use the Zoom log-in/call-in information provided below. There is a link to a list of videos and Getting Started Resources on the main "Agenda and Minutes" webpage for those unfamiliar with Zoom. If you are experiencing any issues with the livestream or Zoom, call (850) 653-9783 extension 373 for assistance.*

*To join Zoom via computer, use the link (<https://zoom.us/j/94961474698>) on the meeting date and time. If you do not have speakers or a microphone on your computer or prefer to call, you can dial in for audio. Call (301) 715-8592 or (312) 626- 6799 or (929) 205-6099 and enter ID number (949 6147 4698). All attendees are muted by default.*

*If you would like to speak during the meeting, you have the following options:*

*First complete the virtual speaker card (<https://www.franklincountyflorida.com/virtual-speaker-card/>). This card must be submitted to the County Commission Administrative Office prior to the start of the meeting in order for you to speak during the meeting. During "Public Comments" you may comment on a non-agenda item or a non-action item for up to 3-minutes when recognized by the Chairman. You may also address the Commission on an agenda action item for one minute (which may change based on the number of speakers waiting to comment) during the meeting after a motion has been seconded and you are recognized by the Chairman.*

*Once recognized by the Chairman, if you are on Zoom with a computer or smart device select the 'raise hand' icon. If you have dialed in to the meeting by phone press \*9 to raise your hand, then \*6 to unmute.*

*Public engagement is important to us, and use of Zoom for public participation is still a new process. We appreciate your understanding.*

**Call to Order**

**Prayer and Pledge**

**Approval of Minutes**

A. February 16, 2021 Regular Meeting

**Payment of County Bills**

**Public Comments**

*This is an opportunity for the public to comment on a non-agenda or non-action agenda item. When you are recognized to be heard by the Chairman, please adhere to the 3-minute time limit.*

**Property Appraiser -- Rhonda Skipper -- Request**

**Department Directors Report**

**Superintendent of Public Works – Howard Nabors**

A. **Informational Item**

1. Detail of Work Performed and Material Hauled by District (packet)

**Solid Waste Director – Fonda Davis**

A. **Action Items**

1. Exploring Universal Collection Countywide: Please see the attached letter from Nancy Paul outlining the scope of services for the purpose of exploring universal collection of solid waste and recycling in Franklin County.

*Action Requested: Board Approval: Motion to accept compensation for tasks on hourly basis plus travel and reimbursement for expenses directly to this project including office supplies, meeting refreshments, or in event of virtual meetings the support of county employees to conduct virtual meetings.*

2. Fleet Surplus Sale: Currently, we have a Chevrolet Blazer 2004, GMC 2004, and GMC 2001 these vehicles have been replaced with more reliable vehicles in our department.

*Action Requested: Motion to sell surplus vehicles.*

B. **Informational Items**

1. Right-of-Way Debris Pickup/Recycle Material Hauled Report (packet)

**Emergency Management Director – Pam Brownell**

A. **Information Items**

1. EOC Staff and CERT Volunteers assisted the Florida Department of Health Franklin at the COVID 19 Vaccine POD at Carrabelle Christian Center on 02/25/2021.
2. EOC Staff and CERT Volunteers will assist the Florida Department of Health Franklin at the COVID 19 Vaccine POD at Living Waters Assembly of God Church in Apalachicola on 03/05/21.
3. EOC Staff will be virtually attending the MGT462 class on 03/11/21.
4. EOC Staff handed out COVID Care Cags at the Carrabelle Branch of the Franklin County Library on 02/24/2021.



5. EOC Staff have also assembled and distributed approximately 3400 COVID Care Bags to members of the vulnerable population throughout Franklin County. We will continue to assemble and distribute to vulnerable population as long as supply last.
6. EOC Staff have submitted our EMPA, EMPG & EMPG-S grants for reimbursement.
7. EOC Staff continues to work Hurricane Sally from 09/12/20 and continues to work with FDEM and FEMA. Franklin County has two projects for Hurricane Sally. We have submitted the Project for CAT B Reimbursement. North Bayshore is now being worked.
8. IPAW/WEA/EAS System test was completed on 02/23/21.
9. EOC Staff along with Stakeholders will participate in the Regional Exercise on 03/04/21.
10. EOC Staff along with our CERT Volunteers continue to distribute washable & reusable cloth mask throughout our community. We have partnered with the City of Carrabelle and City of Apalachicola Chamber of Commerce along with the St. George Island & Eastpoint Visitor Centers to assist with distribution to local businesses and residents. We will continue this effort as long as supplies are available.
11. EOC Staff are working diligently with DOH Staff regarding the COVID-19 virus. This includes hosting meetings with representatives from DOH, Sheriff's Dept. Weems, EMS, as needed. We also are assisting with Conference Calls, information distribution from DOH via Alert Franklin, Facebook and our EOC Website.
12. EOC Staff continue to participate in conference calls with State DEM, Region 2, DOH, FEMA, etc. regarding COVID 19. We also continue to update WebEOC with Local State of Emergency and SitReps.
13. EOC Staff continue to work on FEMA reimbursement claims from Hurricane Michael. This includes working with FEMA staff regarding mitigation of damaged parks, roads, etc. Mitigation takes some time but EOC Staff continue to work diligently with FEMA Staff on the most beneficial repairs for Franklin County. We are in contact with our PDMG regularly regarding these projects and will update the Board as soon as the State Review is completed. EOC Staff has also began the FEMA reimbursement claim process for COVID-19 and Hurricane Sally.

## **Extension Office Director – Erik Lovestrand**

### **A. Informational Items**

#### **General Extension Activities:**

1. During this period, the Extension office assisted citizens on the topics of organic gardening, household pests, paddling trails, and more.
2. A fourth batch of Tamarixia (bio-control for citrus psyllids) was released to combat citrus greening disease. This is part of a coordinated effort with Bay and Gulf County to slow the spread of this fatal citrus disease in the Panhandle region.

#### **Sea Grant Extension:**

3. Extension Director participated in a webinar regarding potential health risks of birds perching on floating aquaculture gear. Actual data is pretty slim on this topic but regulators are looking at the potential for new rules as the amount of floating aquaculture gear in use continues to rise with increasing numbers of full-water-column leases around the country.
4. Preparation continues for this summer's kickoff of the Scallop-Sitter project in Franklin County. Volunteers are being recruited now to care for and monitor cages of bay scallops in St. George Sound (between Carrabelle and Turkey Point), as part of a restoration project by

FWC and UF/IFAS Extension. Scallops are protected from predators until they are mature and able to spawn.

4-H Youth Development:

5. Funding for archery equipment has been coming in from citizen donations and a grant from the Florida 4H Club Foundation.

Family and Consumer Sciences:

6. Family Nutrition Program assistant continues to conduct in-person lessons in local schools, with required safety measures in place.

Agriculture/Home Horticulture:

7. Recruitment is underway for the next Master Gardener class in Franklin County, which will begin in April and run for 13 weeks.

## **Library Director – Whitney Roundtree**

### **A. Informational Items**

1. Meetings attended:

2/8- WILD Board Meeting – Virtual

2/10- FOL Board Meeting at the Carrabelle Library

2/17- WILD Library Directors' Meeting- Virtual

2/25- Met with WILD Administrator, Courtney Whitaker, and Kevin Ward with Eagletree Technologies to discuss IT and equipment improvements at both FCPL branches.

2. 2/24 – Submitted Association for Rural & Small Libraries Outstanding in Their Field Leadership Application.

3. Coordinated with Rebuild Florida regarding use of the meeting space at the Carrabelle branch to assist residents with hurricane relief.

4. Coordinated with Franklin EOC to distribute COVID-19 care packages at the Carrabelle branch.

Program attendance

Eastpoint:

Diabetes Awareness- 3

Book Chat-5

Anime Club- 4

Writer's Forum-8

Service Animal Presentation- 10

Carrabelle:

Book Chat- 4

Anime Club -4

Makerspace-4

Service Animal Presentation -0

## **John Solomon -- National Volunteer Week Proclamation**

### **A. Action Item**

1. Request Board action to support and authorize the Chairman's signature on the National Volunteer Week (April 18th - 24th) Proclamation (packet)

### **TDC Administrator -- John Solomon -- Report**

#### **A. Action Items**

##### **1. Maritime History Museum:**

- a. We received a quote for \$9,675.00 from Premise Network Solutions for the camera system to be installed at the Museum this quote also includes a web camera to be shared on the TDC website of the Bay. 10 additional cameras inside and out of the museum.
- b. We received a quote from Cates Electric for replacing and repairing the outdoor lighting around the Building for \$2,004.00
- c. We Received a Quote from Eagletree Technologies in the amount of \$7,803 for the outfitting and purchase of the digital displays, computers, operating system and viewing displays.

#### **B. Informational Item**

##### **1. Collections:**

The December 2020 Collections were \$67,724.30 compared to December 2019 collections of \$52,526.91. it was a \$15,197.39 increase which is a 28.93% increase. This is the highest collections for the month of December in the history of the TDC by \$15,197.39

### **Dewberry -- Clay Kennedy -- Project Update**

- A.** Mr. Clay Kennedy (Dewberry) will update the Board on current projects

### **RFP / RFQ / Bids Opening**

- A.** ALLIGATOR DRIVE HURRICANE DAMAGE REPAIRS PROJECT # 50082808

NOTICE TO RECEIVE SEALED BIDS: The Franklin County Board of County Commissioners will receive sealed bids from any qualified person, company or corporation interested in constructing: ALLIGATOR DRIVE HURRICANE DAMAGE REPAIRS Project is located on Alligator Point in Franklin County, Florida and consists of approximately 1,250 LF of new roadway construction, sheetpile walls with concrete cap, concrete shoulder, water line replacement, striping, stormwater, debris removal, and grassing along Alligator Drive (CR 370) beginning around Tom Roberts Road and ending around George Vause Road.

### **Public Workshop 10:30 a.m. (ET)**

- A.** Discuss Possible Amendments to Floodplain Management Ordinance 10:30 a.m. (ET)

Notice is given that on the 2nd day of March, 2021 at 10:30 a.m. (ET), or as soon thereafter as is possible, in the courtroom at the Courthouse Annex, located at 34 Forbes Street, Apalachicola, Florida, the Franklin County Board of County Commissioners shall conduct a workshop to consider amendments to the Franklin County Flood Plain Management Ordinance.

### **Public Hearings 10:45 a.m. (ET)**

*\* If you plan to comment on any of the Public Hearing items before the Board this morning, you are encouraged to complete a speaker card (<https://www.franklincountyflorida.com/virtual-speaker-card/>) and submit that speaker card to the County's Administrative Office prior to the start of the meeting.*

- A.** Limiting Time for Tie-Up After Launch at Public Boat Ramps 10:45 a.m. (ET)

AN ORDINANCE REGULATING PUBLIC BOAT RAMPS WITHIN THE UNINCORPORATED AREA OF FRANKLIN COUNTY, FLORIDA; LIMITING TIME FOR TIE-UP AFTER LAUNCH;

AUTHORIZING REMOVAL OF AUTO-MOBILES, BOATS AND TRAILERS IN VIOLATION OF THIS ORDINANCE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

- B. Amend Ordinance by Deleting the 100 Foot Separation Between a Water Well and Septic Tank 10:50 a.m. (ET)

AMENDMENT DELETING THE 100 FOOT SEPARATION BETWEEN A WATER WELL AND SEPTIC TANK FROM ORDINANCE 79-8 ESTABLISHING STANDARDS FOR SEPTIC TANK INSTALLATION SERVING AS SEWAGE/WASTE-WATER DISPOSAL FOR INDIVIDUAL HOMES IN FRANKLIN COUNTY, FLORIDA, AND PERMITTING ALTERNATE SYSTEMS; RE- AFFIRMING REMINDER OF ORDINANCE 79-8; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

- C. Amendments to Ordinance Regulating Animals in Franklin County 11:00 a.m. (ET)

AN ORDINANCE REGULATING ANIMALS IN FRANKLIN COUNTY, FLORIDA AND REPEALING ALL OTHER ORDINANCES OF FRANKLIN COUNTY REGULATING ANIMALS, PROVIDING FOR AREA REGULATED, PROVIDING DEFINITIONS, PROVIDING FOR ENFORCEMENT, PROVIDING FOR PENALTIES, PROVIDING FOR APPEALS AND PROVIDING FOR AN EFFECTIVE DATE.

- D. CDBG-CV 11:15 a.m. (ET)

The Franklin County Board of County Commissioners is considering applying to the Florida Department of Economic Opportunity (DEO) for a Community Development Block Grants - COVID (CDBG-CV). The application is limited to one project of \$200,000 - \$5,000,000, which may contain public services, public facilities, or special economic development activities, to address documented needs to prepare for, respond to, or recover from the COVID-19 pandemic. The program priority is assisting low/moderate income persons. The pre-application deadline is March 15, 2021.

1. Conduct a public hearing on applying for CDBG-CV funds. The County can apply for a minimum of \$200,000 and a maximum of \$5,000,000 in CDBG funds for COVID related activities. At least 70% of the HUD award to the State of Florida must be used for activities that primarily benefit low-to-moderate individuals (LMI), and the Department of Economic Opportunity's administrative and technical assistance, and the local government administration costs, are part of the remaining 30%. This means few projects will be funded without having a minimum of 51% LMI beneficiaries. Pre-applications are due to DEO by March 15, 2021. DEO has still not announced when they will accept final applications.

#### **CDBG Administrator – Deborah Belcher -- Report**

##### **A. Informational Item**

The last Eastpoint Wildfire CDBG mobile home replacements are now underway, with the final 1 being scheduled for delivery the week of March 1. By the April 30, 2021 grant expiration, 23 homes will have been replaced.

#### **Clerk of Courts – Michele Maxwell – Report**

#### **Fiscal Manager/Grants Coordinator – Erin Griffith – Report**

##### **A. Action Items**

1. FEMA funded recovery task order for CEI services for the repair of Alligator Drive:

Franklin County has been working to repair the damage to Alligator Drive from Hurricane Michael. Just earlier in the meeting, the BOCC opened bids for the construction of this project. The total eligible obligated project cost from FEMA is \$5,583,530. The 75% Federal Share for this project is obligated at \$4,187,648, the 12.5% State and County match for this project will both be \$697,941. The funding for the County's match will be provided by a Florida Department of Economic Opportunity Hurricane Michael Assistance Grant.

Dewberry Engineers has submitted a Task Order in the amount of \$139,575 to perform the necessary construction engineering and inspection services to see the project to completion. This proposal is consistent with the FEMA cost curve specification for this type of project and fees cannot exceed 3% of the construction cost.

*I recommend the Board authorize the acceptance of Dewberry's Task Order #8 for the CEI Services relative to the Alligator Drive Hurricane Repairs.*

## 2. Approval of the ADA Transition Plan for Accessibility of Pedestrian Facilities:

Attached is the updated ADA Transition Plan for Accessibility of Pedestrian Facilities within the Public Right-of-ways as prepared by Planner Mark Curenton. This document is required by the Americans with Disabilities Act to be updated every couple of years and inventories the pedestrian facilities of Franklin County and notes any deficiencies for correction.

*It is recommended that the Board approves the attached ADA Transition Plan.*

## 3. Employee Job Classification and Pay Plan Study:

At the second meeting in February, Dr. Jeff Ling of Evergreen Solutions, LLC, presented a \$14,000 cost proposal to perform a pay and classification plan study for the employees of the County Commission. Upon conclusion of the presentation, the Board requested an updated proposal from Evergreen which would include 123 additional employees of the constitutional officers. Evergreen's new proposal has \$14,000 as the base rate for the commission employees and an additional expense of \$13,500 to include the employees of constitutional officers. Evergreen has performed over 600 of these type of studies for numerous governmental agencies in 46 states including the job classification and pay plan for Gulf County and is currently working on projects with Wakulla and Leon counties. In the contract documents, the pay plan will be due back to the BOCC on or before June 30th which does fit within the timeline for the budget process. Evergreen will outline in the plan different solutions and phased implementation options to fit within budgetary constraints.

If the Board would like to proceed with the proposal which would be funded out of professional services, *the Board will need to authorize the chairman to sign the attached contract subject to review by County Attorney Michael Shuler.*

## 4. Approval of five resolutions authorizing transportation grants

Requesting adoption of the attached five resolutions authorizing the Chairman to sign the applications for five different transportation grants the County is applying for this year: the SCOP program applications to repair three arch culverts on CR67 at Womack Creek and the paving of the remaining 1.156 miles of Mill Road that was excluded in the 2016 project, the CIGP program application to widen and resurface Patton Drive in Eastpoint, and the SCRAP program applications for the widening and resurfacing of the final narrow portion of CR67 (State Forest Road 172 to the Liberty County line), and the widening and resurfacing of Power Drive from Norvell Street to Old Ferry Dock.

*It is recommended that the Board adopt the attached five resolutions authorizing the grant applications and the chairman's signature.*

## **County Coordinator – Michael Morón – Report**

### **A. Action Items**

1. 579 Ridge Road Repairs: Ms. Angela Webster of Community Action Agency informed me that repairs to the house at 579 Ridge Road was originally approved for a \$4,860.00 project. After starting the project additional damage was found, and there was an issue with the contractor, so Ms. Webster had the home reassessed and requested bids from three other contractors. Those bids were submitted to Mr. Steve Paterson, County Inspector, for his

review and recommendation. Mr. Paterson recommended a \$21,014.50 bid from Coastline Construction Services LLC for this amended project. Community Action Agency will pay for \$6,886.50 of this project from their disaster relief funds, therefore \$14,218.00 will be paid from the donated fire relief funds. Since this project was already approved by the Board and the contractor was ready to proceed, I authorized Ms. Webster to start the project. *Board action to ratify my approval to spend the additional \$9,358.00 (\$14,218 - \$4860 original approval) on the 579 Ridge Road repair project.*

2. District 2 P&Z/BOA seats: Mr. Ben Houston District 2 Board of Adjustment Member contacted Mrs. Cortni Bankston, Zoning Administrator, and stated that he was interested in serving on the Planning and Zoning Commission when there was an opening. Coincidentally, District 2 Board of Adjustment Member, Ms. Kay McCord stated she no longer wanted to serve as a P&Z member. Mrs. Bankston talked to both Mr. Houston and Ms. McCord and they are willing to switch boards if approved by this Board. *Board action to approve switching Mr. Houston to Planning & Zoning and Ms. McCord to Board of Adjustment for District 2.*

3. Medical Examiner Reappointment: The gubernatorial appointment term of the district medical examiner in District 2, which includes Franklin County, will expire on July 1, 2021. The Medical Examiners Commission will consider recommending to the Governor the incumbent, David T Stewart, M.D., or other qualified candidates for this appointment and is asking for the Board's input, so an informed decision is made. There is a Reappointment Ballot Form that I will submit this afternoon. Does the Board have a favorable, unfavorable, or no opinion on the quality of medical examiner services provided to the County? *Board discussion and direction.*

4. SGI Ribbon Cutting Ceremony: Storm Construction is estimating that the St. George Island bathroom project should be substantially completed by the end March 2021. Would your schedule be open to a 2:00 p.m. ribbon cutting ceremony after the April 20<sup>th</sup> regular meeting? *Board discussion and direction.*

## **B. Informational Items**

1. ARPC Code Enforcement Meeting: On Wednesday, Chairman Jones and I met with Apalachee Regional Planning Council (ARPC) staff to discuss a proposal for facilitating five (5) workshops throughout the County to receive input from citizens on code enforcement. ARPC is aware that their role, at this time, is only to gather information from workshop attendees and summarize this information as a report and presentation to the Board. They should have a proposal to the Board within thirty (30) days that will include a timeline to complete the workshops and make a presentation to the Board.

2. Armory Status: In anticipation of the Board's consideration to open the Armory for events within the upcoming months, Mrs. Cortni Bankston and I will sit with the Department of Health staff to create protocols and regulations that will be part of the rental agreement for the Armory. If Board members have any specific concerns that you would like included or addressed as part of the protocols and regulations, do not hesitate to let me know.

3. SGI Brewfest: The SGI Brewfest Board decided to officially postpone the SGI Brewfest until October 16, 2021. This event was originally scheduled for April 18, 2020 and is the Humane Society's largest fundraiser. As authorized by the Board last year, the October 2021 event will utilize the public parking lot adjacent to the lighthouse. I will inform the Board if there are any further changes to this event.

4. COVID-19 LSE: As authorized by the Board, Chairman Jones signed COVID-19 Local State of Emergency Declarations for the weeks starting February 1<sup>st</sup>, 8<sup>th</sup>, 15<sup>th</sup>, & 22<sup>nd</sup>.

## **County Attorney – Michael Shuler – Report**

### **A. Action Items**

1. The Board asked me to review the Work Force Board's request for a "Subsequent Designation" renewing the contract for two more years. Before the board approves this, I wanted you to be aware that the Work Force Board and the Subsequent Designation requested are structured such that if the executive director and the multi-county workforce board do not meet standards as determined by the State, then Franklin County is subject to a financial claw-back provision.

2. During Howard's presentation, I will ask him to inform the board about the maintenance of Pruett Road. Apparently, it has been continuously maintained by the county for decades before the board adopted its 1996 list of roads owned by the county due to maintenance, but for some reason was left off the 1996 list. Since it was not on the road list approved by the Board in 1996, I told Buster not to put equipment on Pruett Road.

### **Commissioners' Comments**

### **Adjournment**

*Any person who wishes to appeal a decision made by the Franklin County Board of County Commissioners, with respect to any matter considered at the meeting, must have a record of the proceedings. He or she may need to ensure that a verbatim record of the proceedings is made*

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM**

**FEBRUARY 16, 2021**

**9:00 AM**

**MINUTES**

**Commissioners Present:** Ricky Jones-Chairman, Bert Boldt, II-Vice Chairman, Joseph Parrish, and Jessica V. Ward

**Commissioners Absent:** Noah Lockley

**Others Present:** Michael Shuler-County Attorney, Michael Moron-County Coordinator, and Jessica Gay-Deputy Clerk to the Board

**Call to Order**

Chairman Jones called the meeting to order.

**Prayer and Pledge**

Commissioner Boldt said a prayer followed by the Pledge of Allegiance.

**Approval of Minutes**

A. February 2, 2021 Regular Meeting

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve the minutes from the meeting held on February 2, 2021. Motion carried 4-0.**

**Payment of County Bills**

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve payment of the County Bills. Motion carried 4-0.**

**Awards and Recognitions**

Recognition of Mrs. Amy Ham-Kelly's years of services as the County's Zoning Administrator and Floodplain Manager.

Chairman Jones, Commissioner Ward, Commissioner Parrish, Commissioner Boldt, Mr. Moron, and Mr. Pierce voiced their appreciation for Mrs. Amy Ham-Kelly's dedication and service to the County for twenty years. A personalized clock was presented to Mrs. Ham-Kelly as a token of their appreciation.

Due to the absence of Commissioner Lockley, Mr. Moron informed the Board that the Sapp's would like to postpone the public hearing until March 16<sup>th</sup> @ 10:30 a.m.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to postpone the public hearings on the Sapp's Land Use Change to March 16<sup>th</sup> at 10:30 a.m. (ET). Motion carried 4-0.**

**Public Comments**

Mr. Joshua Gabel from Senator Marc Rubio's office joined the meeting via Zoom to reiterate the continued support from the Senator's office. Mr. Gabel noted their office was continuing engagement on items affecting Franklin County recovery, for instance, the Apalachicola bay issues, Alligator Point, etc. Mr. Gabel said if anyone had any questions or concerns to please reach out to him by cell phone.



Chairman Jones thanked him for attending and for the email he sent out regarding the fire department grants, noting the County sent out letters to fire departments in Franklin County making them aware of the opportunity. Mr. Gabel said his office will provide a letter of support when the time comes.

Mr. Ted Mosteller said he filled out a speaker card, however, he did not have any specific item to speak on at this time.

Mr. Steve Kirshenbaum spoke to the Board via Zoom to thank them for taking runway 624 out of the Master Plan for closure and for exploring the idea to create an airport advisory board. Mr. Kirshenbaum spoke to the Board about land clearing that needed to be done to bring the entire airport in compliance.

### **Department Directors Report**

#### **Superintendent of Public Works – Howard Nabors**

##### **A. Informational Item**

###### **1. Detail of Work Performed and Material Hauled by District (attached)**

Mr. Nabors gave a brief description of work performed to the Board noting his department's work clearing ditches and culverts. Mr. Nabors said the issues with Alligator Point were resolved on Thursday. However, with all of the rain, it has washed out again.

Chairman Jones asked Mr. Nabors to check on Shuler Street in Eastpoint noting the ditches do not seem to be clear.

Commissioner Boldt would like to check in to the resurfacing and widening of Alligator Drive as it comes in off of Hwy 98. Commissioner Boldt said the striping is worn and faded, and very dim at night and when it is raining. Commissioner Boldt would like guidance from Mr. Nabors on obtaining bids from Roberts and Roberts. Mr. Nabors said he will coordinate with Commissioner Boldt.

Mr. Moron presented the following item from his report.

2. Bridges at Syrup Branch & Trout Creek: At your November 17, 2020 the Board was informed of extensive repairs, based on FDOT inspections that are needed to the bridges at Syrup Branch and Trout Creek, both located in Tate's Hell Forest. These bridges are used mostly by the State, loggers, campers, and hunters as there are no private property owners in that area. The Board directed staff to research how and why the County became owners of the roads leading up to both bridges, Mr. Howard Nabors and Mr. Alan Pierce should be able to shed light on that matter this morning. With that information, I recommend that the Board start the abandonment process for the roads leading to both bridges. If the Board proceeds with that action, the maintenance of the bridges will then revert to the State, keeping in mind that the State benefits from the fees paid by loggers, hunters, and campers. If the Board does not proceed with abandonment of the roads, our only funding option is applying for a FDOT SCOP Bridge grant which is very competitive and will only help with one bridge. The County has applied for this grant in the past but has never scored high enough to be successful.

Mr. Moron, Mr. Pierce, and Mr. Nabors discussed the conditions of the bridge and the logging back and forth which will continue to disintegrate the bridge. Commissioner Ward stated she rode out to the bridge and there are no private homes or residences in the area that would be affected by the bridge closure.

**Commissioner Ward made a motion to abandon the bridges at Syrup Branch and Trout Creek.**

Commissioner Parrish inquired as to whether the road itself was a County road. Commissioner Parrish said if the County is going to abandon the bridges, we need to abandon the road also.

Mr. Moron recommended that the Board approve the closure of the road leading up to the bridges. Mr. Nabors said the State will shut down the roads if the bridges are not open. Attorney Shuler asked if these bridges required being shut down now. Mr. Nabors said he would not close down now but would wait for the State's report.

Mr. Moron recommended the Board allow Mr. Nabors and Mr. Curenton to work together and determine how much of the road needs to be abandon. Attorney Shuler asked if there are alternate routes to get around the bridges if the 6.6 mile road is abandon. Mr. Nabors said there are alternative routes and the public would not be closed off from the forest. Commissioner Parrish said he thinks the County should abandon the entire road and let the State take ownership and maintain it.

**Commissioner Ward amended her motion to allow Mr. Curenton and Mr. Nabors to work together and determine how much of the road needs to be abandoned, seconded by Commissioner Boldt, and by unanimous vote of the Board present.**

Commissioner Boldt said he is glad we are having this conversation and thanked the County for maintaining the road at Alligator Point. Commissioner Parrish said if they are continuing to log on this bridge, he would like to move quickly in setting a public hearing. Attorney Shuler said a hearing can be scheduled once a legal description is determined and a notice published in the paper for abandonment, possibly by the March 16<sup>th</sup> meeting.

**Motion carried 4-0.**

#### **Solid Waste Director – Fonda Davis**

##### **A. Informational Item**

1. Right-of-Way Debris Pickup/Recycle Material Hauled Report (attached)

Commissioner Boldt informed the Board the City of Carrabelle is holding a public meeting regarding trash pickup.

#### **Emergency Management Director – Pam Brownell**

##### **A. Informational Items**

1. EOC Staff and CERT Volunteers assisted the Florida Department of Health Franklin at the COVID 19 Vaccine POD on 02/05/20.
2. EOC Staff has placed 6 of the 7 COVID Cares Kiosk throughout Franklin County. They are at the following locations: Apalachicola Post Office and Chamber, City of Carrabelle Chamber and Courthouse Annex, Eastpoint Napa, St. George Island Visitors Center, and the final Kiosk will be placed at Chillas Hall in Lanark Village. These Kiosk will allow the EOC to Display COVID information pertaining to vaccines, testing, protections, etc.
3. EOC Staff have also placed Sanitation Stations with the Kiosk and also at the Library in Carrabelle and Eastpoint.
4. EOC Staff have also assembled and distributed approximately 3000 COVID Care Bags to members of the vulnerable population throughout Franklin County. We will continue to assemble and distribute to vulnerable population as long as supply last.
5. EOC Staff have submitted our EMPG & EMPG-S grants for reimbursement. We will be submitting EMPA this week.

6. EOC Staff continues to work Hurricane Sally from 09/12/20 and continues to work with FDEM and FEMA. Franklin County has two projects for Hurricane Sally.
7. Amanda Anthony and Jennifer Daniels passed the All Hazards Events class online with Texas A&M University on 01/28/21. Pamela Brownell is scheduled for the February Class.
8. EOC Staff along with our CERT Volunteers continue to distribute washable & reusable cloth mask throughout our community. We have partnered with the City of Carrabelle and City of Apalachicola Chamber of Commerce along with the St. George Island & Eastpoint Visitor Centers to assist with distribution to local businesses and residents. We will continue this effort as long as supplies are available.
9. EOC Staff are working diligently with DOH Staff regarding the COVID-19 virus. This includes hosting meetings with representatives from DOH, Sheriff's Dept. Weems, EMS, as needed. We also are assisting with Conference Calls, information distribution from DOH via Alert Franklin, Facebook and our EOC Website.
10. EOC Staff continue to participate in conference calls with State DEM, Region 2, DOH, FEMA, etc. regarding COVID 19. We also continue to update WebEOC with Local State of Emergency and SitReps.
11. EOC Staff continue to work on FEMA reimbursement claims from Hurricane Michael. This includes working with FEMA staff regarding mitigation of damaged parks, roads, etc. Mitigation takes some time but EOC Staff continue to work diligently with FEMA Staff on the most beneficial repairs for Franklin County. We are in contact with our PDMG regularly regarding these projects and will update the Board as soon as the State Review is completed. EOC Staff has also began the FEMA reimbursement claim process for COVID-19 and Hurricane Sally.

Mr. Moron informed the Board that Weems will start administering Covid vaccinations. All constitutional officers are asked to compile a list of employees who are under 65 with underlying health issues who would like to receive the vaccine.

Mr. Pierce commended Mrs. Brownell and her staff for a very organized event.

#### **Extension Office Director – Erik Lovestrand**

##### **A. Informational Items**

General Extension Activities:

1. During this period, the Extension office assisted citizens on the topics of soil sample results, local area paddling trails, vegetable garden seed distribution to local libraries, and more.

Sea Grant Extension:

2. Extension Director met with UF's molluscan shellfish specialist and other UF molluscan shellfish scientists regarding a grant proposal to study the Ecosystem Services (i.e. nitrogen removal) provided by the shellfish aquaculture industry. If funded, some of the study sites would be in Franklin County, Alligator Harbor.
3. Extension Director participated in an online workshop hosted by the Gulf Shellfish Institute on the subject of hard clam biology and their role in the ecosystem.

4-H Youth Development:

4. Our 4H youth District Council met to discuss potential youth activities in the coming months and plan accordingly.

5. County Extension staff coordinated the annual 4H Public Speaking Competition to determine County-level winners, who will move on to the District competition in April.

Family and Consumer Sciences:

6. Family Nutrition Program assistant continues to conduct in-person lessons in local schools, with required safety measures in place.

Agriculture/Home Horticulture:

7. Provided advice to City of Apalachicola regarding recently planted cedar tree.

Commissioner Boldt inquired as to whether Mr. Lovestrand could obtain a report on an update of the bay. Mr. Lovestrand said he would try to find out how often they are taking the survey and see if he can get access to this information.

#### **TDC Administrator -- John Solomon -- Report**

##### **A. Informational Item**

1. The November 2020 collections were \$86,469.54 compared to 2019 collections which were \$57,067.01. This is an increase of \$29,402.53 a 51.5% increase over the 2019.

Chairman Jones called for short recess at 9:58 a.m. and resumed the meeting at 10:08 a.m.

#### **Evergreen Solutions LLC -- Dr. Jeff Ling (President) -- Presentation**

A. Evergreen Solutions LLC. President, Dr. Jeff Ling, will discuss, with a presentation, the development of a job classification and pay plan for County employees.

Dr. Ling presented a PowerPoint presentation to the Board.

Commissioner Ward inquired as to how long the study would take. Dr. Ling said it should be complete in about 90 days. Mr. Moron noted that this would only cover county employees, and not constitutional officers and their employees. Mr. Moron asked Dr. Ling what would be his recommendation. Dr. Ling said it has been done both ways but noted cost savings would be passed on to the County if they included the constitutional officers. Commissioner Parrish said the constitutionals did not figure this into their budgets. Commissioner Parrish recommends including the constitutional officers. Commissioner Ward agrees the constitutional officers should be included and would like to get this going as soon as possible to have budget discussions in July. Dr. Ling said he should be able to meet the 90-day timeline if all employees are included. Commissioner Boldt concurred that we should do this consistently. Mr. Moron informed the Board that Evergreen Solutions, LLC was part of the state contract. Attorney Shuler said state law does not require the Board to bid out these services.

Dr. Ling will speak with Mrs. Griffith this week to provide a proposal. Mr. Moron will bring a true proposal at the next meeting for the board to approve at that time.

#### **Planning and Zoning – Cortni Bankston – Report**

##### **Critical Shoreline Applications**

A. Consideration of a request to construct a Single Family Private Dock located at 261 River Road, Carrabelle, Franklin County, Florida. Applicant will be contingent upon Federal Permits. The Dock walkway will be 27x8 Foot with a 8x40 Hinged Floating Terminus. Request submitted by Garlick Environmental Associates, agent for William Phelan, applicant. (Proposed House) **Planning & Zoning Board recommended approval contingent upon Federal Permits.**

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve the construction of a Single Family Private Dock located at 261 River Road, Carrabelle, Franklin County, Florida contingent upon Federal Permits. Motion carried 4-0.**

- B. Consideration of a request to construct a Single Family Dock and Boat Ramp located at 315 Gander Street, Lot 4 Block 51 Unit 5, St. George Island, Franklin County, Florida. Applicant will be contingent upon State and Federal Permits. The Dock walkway will be 34x4 with a 8x20 Terminus and a 12x38 Boat Ramp. Request submitted by Garlick Environmental Associates, agent for Terry Mick, applicant. (Proposed House) **Planning & Zoning Board Recommended approval contingent upon State and Federal Permits.**

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to approve the construction of a Single Family Private Dock and Boat Ramp located at 315 Gander Street, Lot 4 Block 51 Unit 5, St. George Island, Franklin County, Florida contingent upon State and Federal Permits. Motion carried 4-0.**

- C. Consideration of a request to construct a Single Family Residential Pier located at 1721 East Gulf Beach Drive, Lot 11 Shell Harbour, St. George Island, Franklin County, Florida. State and Federal Permits attached. The Pier will be 168x4 over Marsh & 30x4 over open waters with a 6x20 Terminus with a 6x20 step down. Request submitted by Garlick Environmental Associates, agent for Bruce Schneider, applicant. (Proposed House) **Planning & Zoning Board Recommended to approve.**

**On a motion by Commissioner Boldt, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve the construction of a Single Family Residential Pier located at 1721 East Gulf Beach Drive, Lot 11 Shell Harbour, St. George Island, Franklin County, Florida. Motion carried 4-0.**

#### **Final Plat Approval**

- A. Consideration of a request for Final Plat Approval of a 5.66 acre parcel of land lying in Section 36, Township 8 South, Range 7 West, Eastpoint, Franklin County, Florida. The subdivision will be named "The Bluffs of North Bayshore" and will consist of 5 lots over 1 acre each. Request submitted by Andy Durham, agent for LMKS, LLC. **Planning & Zoning Board Recommended approval.**

**On a motion by Commissioner Parrish, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to approve a Final Plat of a 5.66 acre parcel of land lying in Section 36, Township 8 South, Range 7 West, Eastpoint, Franklin County, Florida. Motion carried 4-0.**

#### **Commercial Site Plan Application**

- A. Consideration of a request for Commercial Site Plan Review of a 7,636 square feet Retail Commercial Building over 6 Lots described as Lots 3, Lot 5, Lot 6, Lot 7, Lot 28, and Lot 25 Block 6E Unit 1, St. George Island, Franklin County Florida. Request submitted by Lance Watson, Southeastern Consulting Engineers, Agent for Yaish Alon. **Planning & Zoning Board recommend approval contingent upon Septic and Storm Water review approvals.**

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve a Commercial Site Plan Review of a 7,636 square feet Retail Commercial Building over 6 Lots described as Lots 3, Lot 5, Lot 6, Lot 7, Lot 28, and Lot 25 Block 6E Unit 1, St. George Island, Franklin County Florida. Motion carried 4-0.**

## **Lot Re-Configuration**

- A. Consideration of a request for amendment of the St. James Bay PUD to allow for the construction of 16 more golf villas and a 72 room Inn in St. James Bay, Franklin County Florida. Request submitted by Robert A. Williams, Agent for St. James Bay PUD. **Planning & Zoning Board recommend approval to go before Public Hearing.**

Attorney Shuler informed the Board that Commissioner Boldt entered into a lease agreement with the parties several years ago. Therefore, Commissioner Boldt has a conflict and is unable to vote on this matter. Attorney Shuler also noted he was a property owner in Lanark Village. However, he did not feel that this caused a conflict for him.

**On a motion by Commissioner Ward, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve an amendment of the St. James Bay PUD to allow for construction of 16 more golf villas and a 72 room inn in St. James Bay, Franklin County, Florida.**

**Motion carried 3-0. Commissioner Boldt recused.**

### **Public Hearings 10:30am (ET)**

- A. 10:30 a.m. (ET): Consideration of a request for Land Use Change of a 6.08 acre parcel lying in Section 22, Township 6 South, Range 4 West, 2514 Highway 67, Carrabelle, Franklin County, Florida from Residential to Commercial. Request submitted by Jamey and Beverly Sapp, applicants.
- B. 10:35 a.m. (ET): Consideration of a request to Re-Zone a 6.08 acre parcel lying in Section 22, Township 6 South, Range 4 West, 2514 Highway 67, Carrabelle, Franklin County, Florida from R-2 Single Family Mobile Home to C-3 Commercial Recreation. Request submitted by Jamey and Beverly Sapp, applicants.
- C. 10:40 a.m. (ET): Consideration of a request for Land Use Change of a 10 acre parcel lying in Section 22, Township 6 South, Range 4 West, 2536 Highway 67, Carrabelle, Franklin County, Florida from Agriculture and Residential to Commercial. Request submitted by Jamey and Beverly Sapp, applicants.
- D. 10:45 a.m. (ET): Consideration of a request for a Re-Zoning of a 10 acre parcel lying in Section 22, Township 6 South, Range 4 West, 2536 Highway 67, Carrabelle, Franklin County, Florida from A-2 Forestry Agriculture and R-2 Residential to C-3 Commercial Recreation. Request submitted by Jamey and Beverly Sapp, applicants.

***Mr. Moron announced the applicant and County mutually agreed to continue the Sapp's Land Use Change Requests and Re-Zoning Requests Public Hearings to Tuesday, March 2, 2021 at 10:30 a.m. (ET). The County anticipates that all Commissioners will be in attendance at this meeting.***

### **Clerk of Courts – Michele Maxwell – Report**

Madam Clerk did not have a report for the Board and was absent due to attending a Clerk's Conference.

### **Fiscal Manager/Grants Coordinator – Erin Griffith – Report**

#### **A. Action Items**

1. Authorization for Chairman to sign the Title VI / Nondiscrimination Assurance Form and renew the Title VI and Nondiscrimination Policy and Plan: The county abides by nondiscriminatory policies and procedures and State and Federal Grants require the acknowledgement and documentation of these practices every three years. The previous acknowledgement and policy were last signed in February of 2018. The updated documents are attached to this report.

**On a motion by Commissioner Parrish, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to authorize the chairman to sign the Title VI / Nondiscrimination Assurance Form and renew the Title VI and Nondiscrimination Policy and Plan. Motion carried 4-0.**

2. Approval of three resolutions and ranking Transportation Alternatives: Requesting adoption of the attached three resolutions from the Board authorizing the Chairman to sign the grant applications for the three Transportation Alternatives projects the County is applying for this year: a sidewalk along Otter Slide Road and Avenue A in Eastpoint, a multi-use path along River Road in Carrabelle, and the widening/resurfacing of the multi-use path on St. George Island between 6th Street East and 7th Street West. The Board also needs to rank these applications. Based upon funding viability, Mark Curenton recommends ranking the Otter Slide and Avenue A project first, the River Road project second and the St. George Island project third.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize the adoption of the three resolutions and confirm the suggested ranking of the projects as recommended. Motion carried 4-0.**

Commissioner Ward thanked Chairman Jones and the Board for prioritizing the project in her district.

3. Approval to advertise for CEI services Alligator Point Multi-Use Path: The Planning Office is requesting approval from the Board to proceed with advertising for a consultant to provide CEI services for the construction of the Alligator Point Multi-Use Path at Alligator Point from George Vause Street to Gulf Shore Boulevard. FDOT has recommended proceeding with selecting a CEI consultant for this phase of the project. This consultant will be paid out of the FDOT grant for this phase of the project.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to authorize the adoption of the advertisement for CEI services for the Alligator Point Multi-Use Path. Motion carried 4-0.**

Chairman Jones inquired as to whether past problems have been addressed. Commissioner Boldt confirmed.

4. Approval of Amendment Two / DEO Grant Time Extension: In October of 2019, Franklin County received a \$750,000 Hurricane Michael Assistance Grant from the Florida Department of Economic Opportunity. This grant will fund the 12.5% FEMA match for the repair/replacement of Alligator Drive and the 12.5% match for the C30 East and West shoulder repairs. The total obligated FEMA cost estimate for Alligator Drive is \$5,583,530 and the C30 East and West Repairs is \$387,336. Franklin County will be opening bids for the construction of Alligator Drive at the next meeting and the design work for the C30 repairs is underway. This extension will extend the grant agreement end date from June 30, 2021 to June 30, 2022 for these two projects.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize the chairman to sign the extension agreement for the DEO Hurricane Michael Assistance Grant DL012. Motion carried 4-0.**

5. Approval of Amendment One / Airport Master Plan Update Grant: In March of 2019, Franklin received a grant from the Florida Department of Transportation for the Airport Master Plan Update. This project had been delayed due to COVID-19 with the public meeting for input having to be rescheduled until just this past November – approximately nine months were lost in the overall schedule of this project due to the Pandemic. This project will be complete no later than December 31, 2021 and this amendment will move the original end date of the contract from March 1, 2021 to December 31, 2021.

Mr. Pierce noted the Runway 6-24 Lighting Rehabilitation Grant G1795 required an extension agreement also and asked the Board to approve.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize the chairman to sign the extension agreement and Resolution of Authorization for the Airport Master Plan Update Grant G1695 and Resolution of Authorization for the Runway 6-24 Lighting Rehabilitation Grant G1795. Motion carried 4-0.**

## **B. Informational Items**

1. RESTORE Update: After the January 29th Conference Call with the US Treasury regarding RESTORE Franklin County was awaiting answers from Treasury in regards to RESTORE grant procedures:

a. Franklin County had asked permission to begin advertising for design consultants on the dune restoration project and the St. George Island Stormwater project while Treasury finished the review of various documents submitted by Langton. Treasury responded that Franklin County can begin advertising for design consultants while the review is ongoing, however, the contract should not be awarded until the review is finalized and the grant is formally approved.

b. Franklin County asked for permission to submit an amendment to the MYIP (Multi-Year Implementation Plan) for construction funds while the Planning grant is being utilized. Treasury responded with clarification of when an amendment would actually be needed. An amendment to the MYIP would be required if there was a material change in direct component funds resulting from "the addition of a new activity or change to the scope or size of an existing activity". "Minor changes to a budget activity" is a non-material change that would not require an amendment. Treasury is encouraging Franklin County to include both planning and implementation phases simultaneously in the MYIP so the public can comment at the same time and expedite the process. Langton Consulting will assist with preparation and submittal of the MYIP for construction funds.

c. Franklin County asked for permission to make Budget amendments between the two construction grants at a staff level without having to get a full MYIP amendment. Treasury responded that an amendment would not be required unless amounts varied significantly from the amount budgeted or if there was a material modification, if the differences were to be material, then a full MYIP review would be required.

Once the County receives the go ahead and the planning grants are formally approved by Treasury, with authorization granted at the last meeting, the Chairman will accept the planning grants and the county will advertise for design consultants.

After the staff call on January 29th, Mr. Pierce advised me that Langton Consulting had made progress with Treasury on several issues such that Langton felt comfortable in having Mr. Moron sign Task Orders for both the Dune Restoration and the St. George Island Storm Water projects. The Task Orders are consistent with the contract Langton signed with the Board in 2019. There are actually 2 Task Orders for each project for a total of 4 Task Orders:

a. A pre-award Task Order for each project to reimburse Langton for all the work done in getting the project through Treasury. The Pre-award cost for each project is the same, at \$3,000 for each contract. These funds are reimbursable out of RESTORE projects. Each project has the same budget of \$100,000, so this fee represents 3% of the project. These two pre-award task orders would represent the first payment Langton will receive even though they have been assisting the county on RESTORE for over 2 years.



b. A post-award Task Order for each project for the work to be done once Treasury awards the projects (expecting award in March). The post award work is also reimbursable out of RESTORE funds for each project and will be \$7,000 for each, or 7% of the project budget. Since each design project had a total budget of \$100,000, once the Langton pre-award and post-award fees are deducted (the only fees generated by two years spent working to get to this point), the remaining \$90,000 will be available to the consulting firm awarded the design work.

The four signed Task Orders are attached to this report as part of the Board record.

2. Funding Opportunity Notification Volunteer Fire Departments: At the last commission meeting, Commissioner Ward mentioned a funding announcement that she had received by email in regards to the 2020 Fire Prevention and Safety Grant Program. Letters have been sent forwarding this information on to all seven volunteer fire departments within the county and copies of those letters are attached to this report.

### **County Coordinator – Michael Morón – Report**

#### **Deputy Secretary from AHCA going to send additional 200 vaccines to hospital**

##### **A. Action Items**

1. Code Enforcement Public Workshops: At your last meeting there was a lengthy discussion about Code Enforcement in the County. After the meeting, Attorney Shuler suggested that I look for a third party to conduct and facilitate workshops throughout the County to get a feel of what residents would expect of a Code Enforcement department. I asked Chairman Jones to contact the Apalachee Regional Planning Council (ARPC), as he is the County's ARPC representative and sits on their Executive Board, to find out if they would be interested in facilitating those workshops and then presenting a summary report to the Board. They are very much interested in this project, as they have planners on staff that can do that. In order for them to prepare a quote, they will need to know how many workshops the Board would like conducted in the County. *Board discussion and direction.*

Commissioner Parrish recommended holding a workshop in Lanark Village/Alligator Point, Eastpoint, St George Island, and Apalachicola. Commissioner Ward concurs with Commissioner Parrish's recommendation but would like to hold one in Carrabelle also.

**The Board requested Mr. Moron obtain a quote from the ARPC to hold five meetings, one in Lanark Village/Alligator Point, Eastpoint, St George Island, Apalachicola, and Carrabelle. Mr. Moron will bring the quote back to the Board at the next meeting.**

2. Bridges at Syrup Branch & Trout Creek: At your November 17, 2020 the Board was informed of extensive repairs, based on FDOT inspections that are needed to the bridges at Syrup Branch and Trout Creek, both located in Tate's Hell Forest. These bridges are used mostly by the State, loggers, campers, and hunters as there are no private property owners in that area. The Board directed staff to research how and why the County became owners of the roads leading up to both bridges, Mr. Howard Nabors and Mr. Alan Pierce should be able to shed light on that matter this morning. With that information, I recommend that the Board start the abandonment process for the roads leading to both bridges. If the Board proceeds with that action, the maintenance of the bridges will then revert to the State, keeping in mind that the State benefits from the fees paid by loggers, hunters, and campers. If the Board does not proceed with abandonment of the roads, our only funding option is applying for a FDOT SCOP Bridge grant which is very competitive and will only help with one bridge. The County has applied for this grant in the past but has never scored high enough to be successful.

***Item previously addressed under Superintendent of Public Works – Howard Nabors.***

3. FAC Conference: The Florida Association of Counties 2021 Legislative Day is scheduled for Wednesday, March 17, 2021 in Tallahassee. "This is a great opportunity to show legislators the impact you are having at home and remind them of the importance of preserving and strengthening home rule. Governor DeSantis, his Cabinet, legislators and agency heads have been invited!" If you are planning on attending, please contact Mrs. Cortni Bankston as soon as possible.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to authorize travel and expenses for Commissioners attending FAC 2021 Legislative Day in Tallahassee. Commissioner Boldt asked that the representatives be contacted ahead of time and appointments made. Chairman Jones and Mr. Moron said they are already working on scheduling the appointments. Motion carried 4-0.**

4. Road Paving change Order: Attached is change order #5 which wraps up the county road paving project with Roberts and Roberts – this change order is the final adjustment to quantities for reconciliation of over and under-runs of materials. The Net amount of the change order is a decrease in overall contract price of \$26,532.95. The new final contract sum for Roberts and Roberts will be \$510,294.04. Board Action: Approve final change order #5 for Roberts and Roberts for a decrease of \$26,532.95.

Commissioner Parrish asked Mr. Moron why his district's projects were not included in the change order. Commissioner Parrish does not feel comfortable approving this change order as the final adjustment without his jobs being completed. Mr. Moron mentioned there was a job missing for Commissioner Lockley's district also. Mr. Moron suggested the Board take no action and let him speak to Roberts and Roberts to clarify the change order. Chairman Jones and Commissioner Parrish voiced concern about holding up the change order for the work already completed. Mr. Moron will speak to Roberts and Roberts to clear up any confusion on the remaining jobs to be completed. The Board will approve the change order but not as the final.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve Roberts and Roberts Change Order # 5 but not as a final change order. Motion carried 4-0.**

5. Building Inspector Status: At your last meeting the Board authorized a salary increase for the County's Building Inspector. I included language in my narrative that this change should have been done effective January 1, 2021 but did not include that language in the request for Board action. *Board action to authorize retroactive pay for Mr. Steve Paterson, the County's Certified Building Inspector, salary increase to January 1, 2021.*

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to authorize retroactive pay for Mr. Steve Paterson, the County's Certified Building Inspector, and salary increase to January 1, 2021. Motion carried 4-0.**

6. CDBG-CV Public Hearing: This item is from Mrs. Deborah Belcher, the County's CDBG Administrator. "The Board directed me to pursue applying for CDBG-CV funding for expanding Broadband service. I requested technical assistance from DEO regarding whether the improvements would have to serve only LMI neighborhoods, and what expectations they would have about residents subscribing to a service they might not be able or willing to afford, especially with children going back to school and not having to work from home. No answer has been given. I also spoke with the Director of the DEO Office of Broadband and learned that they don't have information about where broadband service exists in Franklin County and where it is lacking. I also twice contacted the Florida Internet and Television, the association representing internet providers, in an attempt to find out what is needed and where, and which companies might be interested in serving LMI neighborhoods, but still don't have any information. At this time, I still don't have information to develop a viable grant application.

We can schedule the CDBG-CV mandatory grant application public hearing for the March 2, 2021 BOCC meeting. That which would allow us to continue pursuing the grant and submit something by the March 15, 2021 deadline if feasible.” A planning component should be part of the application.

The Board discussed the challenges with obtaining information on where broadband service is provided in Franklin County and where service is needed. Commissioner Ward suggested asking constituents to download a speed test app to test internet speed in their area.

Commissioner Boldt mentioned possibly partnering with the school board. Commissioner Jones said he thought it would be difficult for them because of knowing locations of students. Commissioner Parrish said he thought their main concern was acquiring high speed internet at the school.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to authorize a CDBG-CV public hearing for the March 2, 2021, BOCC Regular Meeting at 11:15 a.m. (ET). Motion carried 4-0.**

#### **B. Informational Items**

1. Camp Gordon Johnston Parade: The 26<sup>th</sup> Annual Camp Gordon Johnston Parade is scheduled for Saturday, March 13, 2021 at 10:45 a.m. (ET). Camp Gordon Johnston Association has decided to limit CGJ Days to the Parade only due to potential COVID risk. Let Mrs. Cortni Bankston know if you are planning to participate in the parade so she can make adequate arrangements for ATV/UTVs.

2. FWC Commission Meeting: “The Florida Fish and Wildlife Conservation Commission (FWC) will meet virtually on February 25<sup>th</sup> & 26<sup>th</sup> beginning at 9 a.m. (ET) each day. This meeting is being held by communications media technology (CMT), specifically using Adobe Connect with a telephone conference line for accepting public comments during the meeting. The Adobe Connect link for this meeting will be provided on MyFWC.com closer to the meeting date. Stakeholders may also choose to watch The Florida Channel broadcast at TheFloridaChannel.org.”

3. CDBG Eastpoint Wildfire: Per Mrs. Deborah Belcher, the last Eastpoint Wildfire CDBG mobile home replacements are now underway, with the final 2 being scheduled for delivery. By the April 30, 2021 grant expiration, 23 homes will have been replaced.

#### **County Attorney – Michael Shuler – Report**

##### **A. Action Items:**

1. 329 Hwy. 98 Eastpoint: Board authority to enforce apparent building code and zoning code violation for the construction of a two-story structure without a permit and without compliance with the Flood Plain Management Ordinance. If structure and use cannot be made to comply with the code, the county will seek a court order for it to be dismantled and removed in its entirety.

2. 331 Hwy. 98 Eastpoint: Board authority to enforce apparent building code and zoning code violation for the construction of multiple finished structures permitted as two unheated sheds which are apparently being rented and/or owner occupied while the main house is rented out. These uses appear to violate the county’s building code, zoning code and the Flood Plain Management Ordinance. If structure and use cannot be made to comply with the code, the county will seek a court order for it to be dismantled and removed in its entirety.

3. 2036 Hwy 98, Carrabelle Beach area: Dwelling and sewer septic more than 50% destroyed and appears to constitute a public nuisance and public safety hazard. Since the

structure cannot be rebuilt as a nonconforming use, the county will seek a court order for it to be dismantled and removed in its entirety.

4. 2626 Hwy 98, Carrabelle Beach area: Dwelling and sewer septic more than 50% destroyed and appears to constitute a public nuisance and public safety hazard.

Since the structure cannot be rebuilt as a nonconforming use, the county will seek a court order for it to be dismantled and removed in its entirety.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to authorize Attorney Shuler to enforce apparent building code and zoning code violations at 329 Hwy 98, Eastpoint, 331 Hwy 98, Eastpoint, 2036 Hwy 98, Carrabelle Beach area, 2626 Hwy 98, Carrabelle Beach area. Motion carried 4-0.**

**Commissioners' Comments**

Commissioner Boldt noted the Weems board meeting was well attended and commended the quality of the management company. Commissioner Boldt recognized the Alligator Point fire department noting (5) five of their firefighters will be certified soon.

**Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 11:41 a.m.

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Ricky Jones – Chairman

Attest:

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Michele Maxwell – Clerk of Courts

March 2, 2021  
Franklin County Road Department  
Detail of Work Performed and Material Hauled by District  
Detail from 2/11/2021 - 2/24/2021

A.

**District 1**

**Work Performed:**

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/11/2021	Patton Drive
Flagged	2/11/2021	Smith Street
Flagged	2/11/2021	N Bay Shore Drive
Flagged	2/11/2021	Carroll Street
Flagged	2/11/2021	Smith Street
Cut grass in ditches	2/11/2021	Smith Street
Cut grass in ditches	2/11/2021	N Bay Shore Drive
Trim Trees, Cut bushes back	2/11/2021	US HWY 98 (Eastpoint, Jones)
Litter Pickup	2/11/2021	Gilbert Street
Trim Trees, Cut bushes back	2/11/2021	US HWY 98 (Eastpoint, Jones)
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/11/2021	Patton Drive
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/11/2021	Gilbert Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/11/2021	Apple Way Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/11/2021	Smith Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/11/2021	N Bay Shore Drive
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/11/2021	Palm Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/11/2021	Gilbert Street
Pot hole Repair (Fill)	2/15/2021	David Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/16/2021	Gilbert Street
Litter Pickup	2/16/2021	Begonia Street
Litter Pickup	2/16/2021	Begonia Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/16/2021	Gilbert Street
Cut grass in ditches	2/16/2021	Gilbert Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/16/2021	Gilbert Street
Pot hole Repair (Fill)	2/17/2021	Hickory Dip Road
Pot hole Repair (Fill)	2/17/2021	Daisy Drive
Pot hole Repair (Fill)	2/17/2021	Power Drive
Pot hole Repair (Fill)	2/17/2021	E 6th Street
Pot hole Repair (Fill)	2/17/2021	E 1st Street
Pot hole Repair (Fill)	2/17/2021	W 5th Street
Pot hole Repair (Fill)	2/17/2021	W 7th Street
Pot hole Repair (Fill)	2/17/2021	W 11th Street
Pot hole Repair (Fill)	2/17/2021	W 12th Street
Pot hole Repair (Fill)	2/17/2021	W Pine Avenue
Pot hole Repair (Fill)	2/17/2021	W Bay Shore Drive
Graded Road(s), Road Repair	2/17/2021	W Sawyer Street
Pot hole Repair (Fill)	2/17/2021	Daisy Drive
Pot hole Repair (Fill)	2/17/2021	Power Drive
Pot hole Repair (Fill)	2/17/2021	E 6th Street
Pot hole Repair (Fill)	2/17/2021	E 2nd Street

**District 1****Work Performed:****Date****Road**

A.

Pot hole Repair (Fill)	2/17/2021	W 5th Street
Pot hole Repair (Fill)	2/17/2021	W 7th Street
Pot hole Repair (Fill)	2/17/2021	W 11th Street
Pot hole Repair (Fill)	2/17/2021	Hickory Dip Road
Pot hole Repair (Fill)	2/17/2021	W 1st Street
Pot hole Repair (Fill)	2/17/2021	Daisey Drive
Graded Road(s), Road Repair	2/17/2021	Land Street
Graded Road(s), Road Repair	2/17/2021	W Bay Shore Drive
Graded Road(s), Road Repair	2/17/2021	Cook Street
Graded Road(s), Road Repair	2/17/2021	Porter Street
Graded Road(s), Road Repair	2/17/2021	Bradford Street
Graded Road(s), Road Repair	2/17/2021	Brown Street
Graded Road(s), Road Repair	2/17/2021	Nedley Street
Pot hole Repair (Fill)	2/17/2021	W 6th Street
Pot hole Repair (Fill)	2/17/2021	Hickory Dip Road
Pot hole Repair (Fill)	2/17/2021	W 12th Street
Pot hole Repair (Fill)	2/17/2021	W Bay Shore Drive
Pot hole Repair (Fill)	2/17/2021	Power Drive
Pot hole Repair (Fill)	2/17/2021	E 6th Street
Pot hole Repair (Fill)	2/17/2021	E 2nd Street
Pot hole Repair (Fill)	2/17/2021	W 5th Street
Pot hole Repair (Fill)	2/17/2021	W 7th Street
Pot hole Repair (Fill)	2/17/2021	W 11th Street
Pot hole Repair (Fill)	2/17/2021	W 12th Street
Pot hole Repair (Fill)	2/17/2021	W Pine Avenue
Pot hole Repair (Fill)	2/17/2021	W 1st Street
Graded Road(s), Road Repair	2/17/2021	E Sawyer Street
Pot hole Repair (Fill)	2/17/2021	E 7th Street
Pot hole Repair (Fill)	2/17/2021	W 1st Street
Pot hole Repair (Fill)	2/17/2021	Gander Street
Pot hole Repair (Fill)	2/17/2021	W 1st Street
Pot hole Repair (Fill)	2/17/2021	W 3rd Street
Pot hole Repair (Fill)	2/17/2021	W 6th Street
Pot hole Repair (Fill)	2/17/2021	W 10th Street
Pot hole Repair (Fill)	2/17/2021	W 9th Street
Pot hole Repair (Fill)	2/17/2021	W 8th Street
Pot hole Repair (Fill)	2/17/2021	E 3rd Street
Pot hole Repair (Fill)	2/17/2021	E 9th Street
Pot hole Repair (Fill)	2/17/2021	E 4th Street
Pot hole Repair (Fill)	2/17/2021	E 5th Street
Pot hole Repair (Fill)	2/17/2021	E 4th Street
Pot hole Repair (Fill)	2/17/2021	E 3rd Street
Pot hole Repair (Fill)	2/17/2021	W 7th Street
Pot hole Repair (Fill)	2/17/2021	W 1st Street
Pot hole Repair (Fill)	2/17/2021	W 6th Street
Pot hole Repair (Fill)	2/17/2021	W 10th Street
Pot hole Repair (Fill)	2/17/2021	W 9th Street
Pot hole Repair (Fill)	2/17/2021	W 8th Street
Pot hole Repair (Fill)	2/17/2021	E 8th Street

**District 1****Work Performed:**

<b><u>Work Performed:</u></b>	<b><u>Date</u></b>	<b><u>Road</u></b>
Graded Road(s), Road Repair	2/17/2021	Buck Street, St. George Island
Pot hole Repair (Fill)	2/17/2021	W 1st Street
Pot hole Repair (Fill)	2/17/2021	W Bay Shore Drive
Pot hole Repair (Fill)	2/17/2021	E 8th Street
Pot hole Repair (Fill)	2/17/2021	E 9th Street
Pot hole Repair (Fill)	2/17/2021	E 7th Street
Pot hole Repair (Fill)	2/17/2021	E 5th Street
Pot hole Repair (Fill)	2/17/2021	E 4th Street
Pot hole Repair (Fill)	2/17/2021	E 3rd Street
Pot hole Repair (Fill)	2/17/2021	W 7th Street
Pot hole Repair (Fill)	2/17/2021	Gander Street
Pot hole Repair (Fill)	2/17/2021	W Pine Avenue
Pot hole Repair (Fill)	2/17/2021	W 3rd Street
Pot hole Repair (Fill)	2/17/2021	Gander Street
Pot hole Repair (Fill)	2/17/2021	W 10th Street
Pot hole Repair (Fill)	2/17/2021	W 9th Street
Pot hole Repair (Fill)	2/17/2021	W 8th Street
Pot hole Repair (Fill)	2/17/2021	E 8th Street
Pot hole Repair (Fill)	2/17/2021	E 9th Street
Pot hole Repair (Fill)	2/17/2021	E 7th Street
Pot hole Repair (Fill)	2/17/2021	E 8th Street
Pot hole Repair (Fill)	2/17/2021	W 7th Street
Graded Road(s), Road Repair	2/17/2021	E Pine Avenue
Hauled Fuel to Equipment	2/17/2021	Stock Pile, W 3rd Street
Pot hole Repair (Fill)	2/17/2021	W 3rd Street
Graded Road(s), Road Repair	2/17/2021	W Pine Avenue
Road Repair, Graded Road(s)	2/22/2021	Brown Street
Road Repair, Graded Road(s)	2/22/2021	Bruce Street
Road Repair, Graded Road(s)	2/22/2021	Patton Street
Road Repair, Graded Road(s)	2/22/2021	W Bay Shore Drive
Road Repair, Graded Road(s)	2/22/2021	W 8th Street
Flagged	2/23/2021	Shuler Avenue
Flagged	2/23/2021	Creamer Street
Flagged	2/23/2021	Patton Drive
Pot hole Repair (Fill)	2/23/2021	2nd Street
Flagged	2/23/2021	Shuler Avenue
Dig out ditches	2/23/2021	Shuler Avenue
Dig out ditches	2/23/2021	Patton Drive
Dig out ditches	2/23/2021	Creamer Street
Dig out ditches	2/23/2021	Moore Street
Driveway repair	2/23/2021	Varnes Street
Flagged	2/23/2021	Moore Street
Driveway repair	2/23/2021	3rd Street
Flagged	2/23/2021	Moore Street
Removed debris and toss, Blowed off road/parking lot/intersection	2/23/2021	Shuler Avenue
Litter Pickup	2/23/2021	Twin Lakes Road
Flagged	2/23/2021	Creamer Street
Driveway repair	2/23/2021	Varnes Street
Cut bushes back	2/24/2021	Patton Drive

**District 1****Work Performed:**

Dig out ditches

**Date**

2/24/2021

**Road**

Eastpoint Library

A.

0

**Material HAUL From:****Date****Road****Cubic Yards****Tons**

Debris

2/23/2021

Shuler Avenue

18

0

**Debris****TOTAL****18****0**

Ditch Dirt

2/23/2021

Moore Street

72

0

Ditch Dirt

2/23/2021

Creamer Street

108

0

**Ditch Dirt****TOTAL****180****0**

Litter

2/11/2021

N Bay Shore Drive

0.200000003

0

Litter

2/11/2021

Smith Street

0.200000003

0

Litter

2/11/2021

Apple Way Street

0.200000003

0

Litter

2/11/2021

Palm Street

0.200000003

0

Litter

2/11/2021

Gilbert Street

3

0

Litter

2/23/2021

Twin Lakes Road

2

0

**Litter****TOTAL****5.800000012****0**

Trees

2/11/2021

US HWY 98 (Eastpoint, Jones)

18

0

Trees

2/24/2021

Patton Drive

18

0

**Trees****TOTAL****36****0****Material HAUL To:****Date****Road****Cubic Yards****Tons**

50# Bagged Asphalt

2/15/2021

David Street

2

0

50# Bagged Asphalt

2/23/2021

2nd Street

4

0

**50# Bagged Asphalt****TOTAL****6****0**

Dirty 89 Lime Rock

2/17/2021

W Pine Avenue

18

0

Dirty 89 Lime Rock

2/22/2021

W Bay Shore Drive

18

0

Dirty 89 Lime Rock

2/22/2021

W 8th Street

18

0

Dirty 89 Lime Rock

2/22/2021

Brown Street

18

0

Dirty 89 Lime Rock

2/23/2021

Varnes Street

9

0

**Dirty 89 Lime Rock****TOTAL****81****0**

Milled Asphalt

2/17/2021

Hickory Dip Road

2

0

Milled Asphalt

2/17/2021

E 5th Street

1

0

Milled Asphalt

2/17/2021

W 8th Street

1

0

Milled Asphalt

2/17/2021

W 9th Street

1

0

Milled Asphalt

2/17/2021

W 10th Street

1

0

Milled Asphalt

2/17/2021

W 6th Street

1

0

Milled Asphalt

2/17/2021

W 3rd Street

1

0

Milled Asphalt

2/17/2021

W 1st Street

1

0

Milled Asphalt

2/17/2021

Gander Street

1

0

Milled Asphalt

2/17/2021

W 7th Street

1

0

Milled Asphalt

2/17/2021

Daisey Drive

2

0

Milled Asphalt

2/17/2021

E 4th Street

1

0

Milled Asphalt

2/17/2021

Power Drive

2

0

Milled Asphalt

2/17/2021

W Pine Avenue

2

0

Milled Asphalt

2/17/2021

E 6th Street

2

0

Milled Asphalt

2/17/2021

E 1st Street

2

0

Milled Asphalt

2/17/2021

W 5th Street

2

0



District 1

Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Milled Asphalt	2/17/2021	W 7th Street	2	0
Milled Asphalt	2/17/2021	W 11th Street	2	0
Milled Asphalt	2/17/2021	E 3rd Street	1	0
Milled Asphalt	2/17/2021	W 12th Street	2	0
Milled Asphalt	2/17/2021	E 7th Street	1	0
Milled Asphalt	2/17/2021	W 1st Street	2	0
Milled Asphalt	2/17/2021	W Bay Shore Drive	2	0
Milled Asphalt	2/17/2021	E 8th Street	1	0
Milled Asphalt	2/17/2021	E 9th Street	1	0
Milled Asphalt	2/23/2021	3rd Street	2	0
Milled Asphalt	TOTAL		40	0

A.

District 2

Work Performed:

	<u>Date</u>	<u>Road</u>		
Road Repair, Graded Road(s)	2/11/2021	Alligator Drive (Temporary Road)		
Cut Trees down and removed	2/16/2021	McIntyre Road		
Pot hole Repair (Fill)	2/16/2021	Duvall Road		
Cut Trees down and removed, Pot hole Repair (Fill)	2/16/2021	McIntyre Road		
Pot hole Repair (Fill), Cut Trees down and removed	2/16/2021	McIntyre Road		
Litter Pickup	2/16/2021	Rio Vista Drive		
Litter Pickup	2/16/2021	Rio Vista Drive		
Litter Pickup	2/16/2021	Rio Vista Drive		
Box drag	2/17/2021	Alligator Drive (Temporary Road)		
Box drag	2/17/2021	Jeff Sanders Road		
Litter Pickup	2/18/2021	CR67		
Litter Pickup	2/18/2021	CR67		
Litter Pickup	2/18/2021	CR67		
Box drag	2/22/2021	11th Street E (City of Carrabelle)		
Box drag	2/22/2021	Avenue D NE (City of Carrabelle)		
Box drag	2/22/2021	9th Street E (City of Carrabelle)		
Box drag	2/22/2021	Howard Street (City of Carrabelle)		
Box drag	2/22/2021	Ave I NE (City of Carrabelle)		
Pot hole Repair (Fill)	2/23/2021	Baywood Drive (City of Carrabelle)		
Pot hole Repair (Fill)	2/23/2021	West Drive		
Pot hole Repair (Fill)	2/23/2021	Lake Morality Road		
Litter Pickup	2/23/2021	Lake Morality Road		
Litter Pickup	2/23/2021	Lake Morality Road		
Box drag	2/24/2021	Jeff Sanders Road		
Litter Pickup	2/24/2021	CR67		
Litter Pickup	2/24/2021	CR67		
			0	

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Litter	2/18/2021	CR67	2	0
Litter	2/23/2021	Lake Morality Road	4	0
Litter	2/24/2021	CR67	5	0
Litter	TOTAL		11	0

Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Dirty 89 Lime Rock	2/11/2021	Alligator Drive (Temporary Road)	0	18.479999

**District 2****Material HAUL To:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Dirty 89 Lime Rock	2/11/2021	Alligator Drive (Temporary Road)	18	0
Dirty 89 Lime Rock	2/17/2021	Alligator Drive (Temporary Road)	18	0
Dirty 89 Lime Rock	2/24/2021	Jeff Sanders Road	54	0

**Dirty 89 Lime Rock****TOTAL****90****18.4799995422**

Milled Asphalt	2/23/2021	Baywood Drive (City of Carrabelle)	1	0
Milled Asphalt	2/23/2021	Lake Morality Road	1	0
Milled Asphalt	2/23/2021	West Drive	1	0

**Milled Asphalt****TOTAL****3****0****District 3****Work Performed:**

	<u>Date</u>	<u>Road</u>		
Directed water to go into drain, Install fencing around sink hole	2/24/2021	Weems Memorial Hospital		
Directed water to go into drain, Install fencing around sink hole	2/24/2021	Health Department (Apalachicola)		
Install fencing around sink hole, Directed water to go into drain	2/24/2021	Health Department (Apalachicola)		
Install fencing around sink hole, Directed water to go into drain	2/24/2021	Weems Memorial Hospital		

**0****Material HAUL To:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Milled Asphalt	2/23/2021	12th Street (City of Apalachicola)	9	0

**Milled Asphalt****TOTAL****9****0****District 4****Work Performed:**

	<u>Date</u>	<u>Road</u>		
Litter Pickup	2/11/2021	Pine Drive		
Litter Pickup	2/11/2021	Bayview Drive		
Litter Pickup	2/11/2021	Brownsville Road		
Litter Pickup	2/11/2021	Oyster Road		
Litter Pickup	2/11/2021	Pine Drive		
Litter Pickup	2/11/2021	Jackie Whitehurst Street		
Litter Pickup	2/11/2021	Jackie Whitehurst Street		
Cleaned out culverts	2/11/2021	Jackie Whitehurst Street		
Cleaned out culverts	2/11/2021	Jackie Whitehurst Street		
Litter Pickup	2/11/2021	Bayview Drive		
Litter Pickup	2/11/2021	Brownsville Road		
Litter Pickup	2/11/2021	Oyster Road		
Cleaned out culverts	2/15/2021	Bay City Road		
Cleaned out culverts	2/15/2021	Marks Street		
Cleaned out culverts	2/15/2021	Oak Drive		
Cleaned out culverts	2/15/2021	Pine Drive		
Cleaned out culverts	2/15/2021	Gibson Road		
Cleaned out culverts, Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	2/15/2021	Bluff Road		
Pot hole Repair (Fill)	2/15/2021	Gibson Road		
Cleaned out culverts, Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	2/15/2021	Gibson Road		
Pot hole Repair (Fill)	2/15/2021	Hathcock Road		
Cleaned out culverts, Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	2/15/2021	Highland Park Road		
Cleaned out culverts, Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	2/15/2021	Bay City Road		
Cleaned out culverts	2/15/2021	Bluff Road		

A.

**District 4****Work Performed:**

<b><u>Date</u></b>	<b><u>Road</u></b>
Cleaned out culverts	2/15/2021 Gibson Road
Trim Trees	2/15/2021 Brownsville Road
Trim Trees	2/15/2021 US HWY 98 (Apalachicola, Smokey)
Cleaned out culverts, Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	2/15/2021 Hathcock Road
Cleaned out culverts	2/15/2021 Highland Park Road
Litter Pickup	2/18/2021 Teat Road
Litter Pickup	2/18/2021 Highland Park Road
Litter Pickup	2/18/2021 Teat Road
Litter Pickup	2/18/2021 Tilton Road
Litter Pickup	2/18/2021 Highland Park Road
Litter Pickup	2/18/2021 Tilton Road
Litter Pickup	2/18/2021 Squire Road
Litter Pickup	2/18/2021 Highland Park Road
Litter Pickup	2/18/2021 Moses Road
Litter Pickup	2/18/2021 Teat Road
Litter Pickup	2/18/2021 Moses Road
Litter Pickup	2/18/2021 Moses Road
Litter Pickup	2/18/2021 Squire Road
Litter Pickup	2/18/2021 Tilton Road
Litter Pickup	2/18/2021 Squire Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/22/2021 Pine Drive
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/22/2021 Oyster Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/22/2021 Oyster Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/22/2021 Jackie Whitehurst Street
Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	2/22/2021 Oyster Road
Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	2/22/2021 Pine Drive
Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	2/22/2021 Jackie Whitehurst Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/22/2021 Jackie Whitehurst Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/22/2021 Pine Drive
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	2/22/2021 Oyster Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/22/2021 Jackie Whitehurst Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/22/2021 Pine Drive
Driveway repair	2/23/2021 Bluff Road
Pot hole Repair (Fill)	2/23/2021 Linden Road
Pot hole Repair (Fill)	2/23/2021 Hathcock Road
Pot hole Repair (Fill)	2/23/2021 Hathcock Road
Driveway repair	2/23/2021 Hathcock Road
Driveway repair	2/23/2021 Bluff Road
Pot hole Repair (Fill)	2/23/2021 Peachtree Road
Pot hole Repair (Fill)	2/23/2021 Linden Road
Driveway repair	2/23/2021 Hathcock Road
Pot hole Repair (Fill)	2/23/2021 Peachtree Road
Cleaned out cross drains	2/24/2021 Oak Street
Cleaned out cross drains	2/24/2021 Bayview Drive
Cleaned out cross drains	2/24/2021 Oak Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	2/24/2021 Oyster Road

**District 4****Work Performed:**

Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches

Cleaned out cross drains

Cleaned out cross drains

**Date**

2/24/2021

2/24/2021

2/24/2021

**Road**

Bayview Drive

Oak Street

Bayview Drive

A.

0

**Material HAUL From:**

Litter

Litter

Litter

Litter

Litter

Litter

Litter

Litter

Litter

Litter

Litter

**Date**

2/11/2021

2/11/2021

2/11/2021

2/11/2021

2/11/2021

2/22/2021

2/22/2021

2/22/2021

2/24/2021

2/24/2021

**Road**

Oyster Road

Brownsville Road

Jackie Whitehurst Street

Pine Drive

Bayview Drive

Pine Drive

Jackie Whitehurst Street

Oyster Road

Oyster Road

Bayview Drive

**Cubic Yards**

2

3

3

2

3

1

1

2

0.5

0.5

**Tons**

0

0

0

0

0

0

0

0

0

**Litter****TOTAL**

18

0

**Material HAUL To:**

50# Bagged Asphalt

50# Bagged Asphalt

**Date**

2/15/2021

2/15/2021

**Road**

Gibson Road

Hathcock Road

**Cubic Yards**

2

1.5

**Tons**

0

0

**50# Bagged Asphalt****TOTAL**

3.5

0

Dirty 89 Lime Rock

2/22/2021

Bus Garage (City of Apalachicola)

18

0

**Dirty 89 Lime Rock****TOTAL**

18

0

Milled Asphalt

Milled Asphalt

Milled Asphalt

Milled Asphalt

Milled Asphalt

2/23/2021

2/23/2021

2/23/2021

2/23/2021

2/23/2021

Bluff Road

Linden Road

Hathcock Road

Hathcock Road

Peachtree Road

1

1

1

1

1

0

0

0

0

0

**Milled Asphalt****TOTAL**

5

0

Sand

2/22/2021

Bus Garage (City of Apalachicola)

18

0

**Sand****TOTAL**

18

0

**District 5****Work Performed:**

Flagged

Cleaned out culverts, Litter Pickup

Cleaned out culverts, Litter Pickup

Flagged

Cleaned out culverts

Cleaned out culverts

Cleaned out culverts

Cleaned out culverts

Cleaned out culverts

Cleaned out culverts

Flagged

Flagged

Flagged

Flagged

**Date**

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

2/15/2021

**Road**

CC Land

Wilderness Road

Ridge Road

Teresa Avenue

Longwood Court

CC Land

Tricia's Way

Wylonda Avenue

Michael Way

Teresa Avenue

Michael Way

Michael Way

Longwood Court

CC Land

**District 5****Work Performed:**

	<b><u>Date</u></b>	<b><u>Road</u></b>		
Flagged	2/15/2021	Tricia's Way		
Flagged	2/15/2021	Wylonda Avenue		
Dig out ditches	2/15/2021	Wylonda Avenue		
Dig out ditches	2/15/2021	Tricia's Way		
Dig out ditches	2/15/2021	Michael Way		
Flagged	2/15/2021	Teresa Avenue		
Dig out ditches	2/15/2021	Teresa Avenue		
Flagged	2/15/2021	Lagoon Street		
Flagged	2/15/2021	Whispering Pines Drive		
Flagged	2/15/2021	Tricia's Way		
Flagged	2/15/2021	Wylonda Avenue		
Flagged	2/16/2021	Ridge Road		
Flagged	2/16/2021	Ridge Road		
Flagged	2/16/2021	Otterslide Road		
Flagged	2/16/2021	Tricia's Way		
Dig out ditches, Cleaned out culverts	2/16/2021	Tricia's Way		
Dig out ditches, Cleaned out culverts	2/16/2021	Ridge Road		
Cleaned out culverts	2/16/2021	Ridge Road		
Cleaned out culverts, Cut grass in ditches, Cleaned ditches	2/16/2021	Ridge Road		
Box drag	2/17/2021	Mill Road		
Checked county roads for safety of traveling for public, Remove Trees	2/18/2021	Brick Yard Road (Forestry Road #129)		
Checked county roads for safety of traveling for public, Remove Trees	2/18/2021	Gardners Landing Road		
Checked county roads for safety of traveling for public, Remove Trees	2/18/2021	Sand Beach Road		
Checked county roads for safety of traveling for public, Remove Trees	2/18/2021	Gardners Landing Road		
Checked county roads for safety of traveling for public, Remove Trees	2/18/2021	Wright Lake Road (Forestry Road #101)		
Checked county roads for safety of traveling for public, Remove Trees	2/18/2021	Bloody Bluff Road		
Box drag	2/22/2021	Avenue G NW (City of Carrabelle)		
Box drag	2/22/2021	4th Street W (City of Carrabelle)		
Pot hole Repair (Fill)	2/23/2021	Beacon Street		
Litter Pickup	2/23/2021	Otterslide Road		
Cross Walks (Thermoplastic) Build / Repair, Sign Maintenance	2/23/2021	Ryan Drive (City of Carrabelle)		
Pot hole Repair (Fill)	2/23/2021	US HWY 98 (Carrabelle Ward)		
Cross Walks (Thermoplastic) Build / Repair, Sign Maintenance	2/23/2021	Ryan Drive (City of Carrabelle)		
Driveway repair	2/24/2021	Ridge Road		
Sign Maintenance	2/24/2021	Timber Island Road (City of Carrabelle)		
Sign Maintenance	2/24/2021	Timber Island Road (City of Carrabelle)		
Box drag	2/24/2021	Brick Yard Road (Forestry Road #129)		
			<b>0</b>	

**Material HAUL From:**

	<b><u>Date</u></b>	<b><u>Road</u></b>	<b><u>Cubic Yards</u></b>	<b><u>Tons</u></b>
Ditch Dirt	2/15/2021	Whispering Pines Drive	18	0
Ditch Dirt	2/15/2021	Wylonda Avenue	9	0
Ditch Dirt	2/15/2021	Tricia's Way	18	0
Ditch Dirt	2/15/2021	Teresa Avenue	9	0
Ditch Dirt	2/15/2021	Longwood Court	18	0
Ditch Dirt	2/16/2021	Ridge Road	72	0

District 5

Material HAUL From:	Date	Road	Cubic Yards	Tons
Ditch Dirt	TOTAL		144	0
Litter	2/15/2021	Ridge Road	0.5	0
Litter	2/15/2021	Wilderness Road	0.5	0
Litter	2/23/2021	Otterslide Road	2	0
Litter	TOTAL		3	0
Material HAUL To:	Date	Road	Cubic Yards	Tons
Black Dirt	2/17/2021	Mill Road	36	0
Black Dirt	TOTAL		36	0
Dirty 89 Lime Rock	2/17/2021	Mill Road	36	0
Dirty 89 Lime Rock	2/24/2021	Brick Yard Road (Forestry Road #129)	36	0
Dirty 89 Lime Rock	2/24/2021	Ridge Road	2	0
Dirty 89 Lime Rock	2/24/2021	Ridge Road	2	0
Dirty 89 Lime Rock	2/24/2021	Ridge Road	2	0
Dirty 89 Lime Rock	2/24/2021	Ridge Road	2	0
Dirty 89 Lime Rock	TOTAL		80	0
Milled Asphalt	2/23/2021	US HWY 98 (Carrabelle Ward)	1	0
Milled Asphalt	2/23/2021	Beacon Street	1	0
Milled Asphalt	TOTAL		2	0

A.

Nancy Paul  
 630 Persimmon Road  
 Sopchoppy, FL 32358  
[nancyhpaul@outlook.com](mailto:nancyhpaul@outlook.com)

February 17, 2021

Mr. Fonda Davis,  
 Franklin County Solid Waste and Recycling Manager  
 VIA email [fcswd@fairpoint.net](mailto:fcswd@fairpoint.net)

Dear Mr. Davis:

It is exciting times in Franklin County. I understand that the County is exploring opportunities to incorporate universal collection of solid waste and recycling countywide. I want to offer my services to assist the county as I have done similar work in Leon and Wakulla counties and have over thirty years experience in recycling and solid waste management.

I propose to the County Commission the following outline in order to:

- Benchmark existing services,
- Gather information and data on litter and illegal dumping,
- Assess impacts on commercial solid waste operations (illegal use of commercial solid waste services),
- Report resident preferences and seek consensus on the future of solid waste collection and disposal as well as recycling collection within the county,
- Interview neighboring counties to access the pros and cons of their solid waste and recycling services.

Here are the steps I propose:

1. Form a Citizens Advisory Committee made up of an appointment from each Commissioner and any organization that represents interests of residents in Franklin County.
2. I will host a series of neighborhood meetings with the purpose of educating residents on the various options that may become available through a future Request for Proposals or other bid form to be determined by the County.
3. At a minimum, meetings should take place in each municipality within the county and within each Commissioner's voting district. Additional meetings may be added such as the Alligator Point community and the St. George Island community.
4. Upon completion of the neighborhood meetings, I will prepare a summary report with recommendations for consideration by the Commission.
5. I will also assist in the preparation of any bid documents necessary to implement the wishes of the residents of Franklin County.

Further, I propose that compensation for these tasks on an hourly basis plus travel and reimbursement for expenses related directly to this project to include office supplies, meeting refreshments or in the event of virtual meetings, the cooperation and support of County employees to conduct virtual meetings. Compensation will be at \$90.00 per hour (not to exceed \$3,500.00) with reports submitted bi-weekly to the SWMRD Director that will include details on targeted tasks. The duration of this project needs to be compact, therefore I recommend completion by July 1, 2021.

Respectfully submitted,

***Nancy Paul***

Nancy Paul

Nancy Paul  
630 Persimmon Road  
Sopchoppy, FL 32358  
[nancyhpaul@outlook.com](mailto:nancyhpaul@outlook.com)

February 24, 2021

Mr. Fonda Davis,  
Franklin County Solid Waste and Recycling Manager  
VIA email [fcswd@fairpoint.net](mailto:fcswd@fairpoint.net)

Dear Mr. Davis:

Please find attached my Resume highlighting past experience in the solid waste and recycling industries. As you can see, I have worked in both public and private sectors and enjoyed my career in service to my community. I retired to South Carolina in 2012 and found I missed my north Florida roots so I came home in 2019. During my time with the City of Tallahassee and Leon County, we saw the closing of the landfill, construction of a transfer station, implementation of universal solid waste and recycling collection and reuse of the old Solid Waste Management Facility as a regional park.

It is time for Franklin County to join its surrounding neighbors with a study on countywide collection of solid waste and recycling. Franklin County has several unique characteristics that will be challenging and worthwhile in terms of economic waste reduction, recycling and waste disposal options. I look forward to assisting you and your team in assessing the options available. It is my understanding that the County wants to focus first on residential services.

If you find that my experience can serve Franklin County, please let me know. As we talked about, it is imperative to engage citizens, stakeholders, property owners and residents for the Commission to make the most informed, economically feasible decisions.

Respectfully,

***Nancy Paul***

Nancy Paul



Nancy H. Paul  
 630 Persimmon Road  
 Sopchoppy, FL 323358  
[nancyhpaul@outlook.com](mailto:nancyhpaul@outlook.com)  
 864-483-6862

### **EXPERIENCE**

1989 - 1996

RECYCLING COORDINATOR, City of Tallahassee

Implemented curbside collection of recyclables via contract

Rewrote the City of Tallahassee Solid Waste Ordinance through citizen meetings

Managed FDEP Recycling Grants in partnership with Leon County

Assisted with Public Education campaign to promote recycling

1997-2006

RECYCLING COORDINATOR AND SOLID WASTE MANAGEMENT DIVISION SUPERINTENDENT,  
 Leon County

Supervised Recycling Education staff

Supervised the development of the FDEP Annual Reports for Leon County and the City of Tallahassee for solid waste and recycling services

Managed the daily operations of the Solid Waste Management Facility and the Transfer Station

Assisted the Solid Waste Director and Public Works Director in the development and implementation of the annual budget

2007 – 2012

GENERAL MANAGER, MARPAN RECYCLING, LLC

Managed daily operations of a Construction and Demolition (C&D) Debris Recycling plant.

Served as Safety Officer

Ensured compliance with FDEP regulations

Supervised scale house and sorting staff (20 personnel)

Implemented of 2010 Marpan Single Stream Recycling plant operations

Developed and secured markets for recovered materials

### **PAST PROFESSIONAL ACTIVITIES**

Board of Directors of RecycleFlorida Today

Advisor, Board Member and Vice-President of Keep Tallahassee-Leon County Beautiful

Board Member of Keep Wakulla County Beautiful

Staffed Citizens Advisory Committee on the siting of Leon County's Transfer Station

Conducted public meetings for implementation of county-wide universal collection of solid waste and recycling for Leon County

Member of Wakulla County Advisory Committee on the implementation of county-wide universal collection of solid waste and recycling

### **EDUCATION**

B.S. Florida State University, 1974

FDEP Recycling Coordinator Training

TREEO Manager of Landfill Operations (MOLO) Training

TREEO Transfer Station and Recovered Materials Facility Training



**MEETING DATE:** March 2, 2021  
**NAME/DEPARTMENT/AGENCY:** Fonda D. Davis  
 Solid Waste & Recycling, Animal Control, Parks & Recreation

**TOTAL ATTACHMENTS:** 0

=====

**SUBJECT(S):**

**Exploring Universal Collection Countywide**

Please see the attached letter from Nancy Paul outlining the scope of services for the purpose of exploring universal collection of solid waste and recycling in Franklin County.

**ACTION REQUESTED: Board Approval**

Motion to accept compensation for tasks on hourly basis plus travel and reimbursement for expenses directly to this project including office supplies, meeting refreshments, or in event of virtual meetings the support of county employees to conduct virtual meetings.

**Fleet Surplus Sale**

Currently, we have a Chevrolet Blazer 2004, GMC 2004, and GMC 2001 these vehicles have been replaced with more reliable vehicles in our department.

**ACTION REQUESTED:**

Motion to sell surplus vehicles.

**FOR BOARD INFORMATION:**

**Right-of-Way Debris Pickup/Recycle Material Hauled**  
**February 10, 2021-February 23, 2021**

**RIGHT-OF-WAY DEBRIS PICKUP**

Apalachicola	Eastpoint	St George Island	Carrabelle	Lanark	Alligator Point
8.44 TONS	55.53 TONS	21.24 TONS	29.16 TONS	3.81 TONS	-0- TONS

**RECYCLE MATERIAL HAULED**

	Apalachicola	Eastpoint	St. George Island	Carrabelle	Lanark	Alligator Point	St. James
Cardboard	5.99 TONS	4.30 TONS	3.53 TONS	2.17 TONS	-0- TONS	-0- TONS	.11 TONS
Plastic,Paper,Glass, Aluminum	-0- TONS	-0- TONS	-0- TONS	-0- TONS	-0- TONS	-0- TONS	-0- TONS
<b>Landfill .59 Tons</b>							

**REQUESTED ACTION: None**



**National Volunteer Week April 18<sup>th</sup> – 24<sup>th</sup> 2021**

A.

WHEREAS, the entire community can inspire, equip and mobilize people to take action that changes the world; and

WHEREAS, individuals and communities are at the center of social change, discovering their power to make a difference; and

WHEREAS, during the week of April 18<sup>th</sup> – 24<sup>th</sup> 2021 all over the nation volunteers will be recognized for their commitment to service; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, our Country's volunteer force of 63 million is a great treasure; and

WHEREAS, Volunteers are vital to our future as a caring and productive community; and

WHEREAS, A volunteer saves on a national average \$27.20 an hour for the organization it volunteers for.

WHEREAS, In Florida a volunteer saves the organization it volunteers for an average of \$24.93

WHEREAS, During the past year many volunteers were faced with same challenges as the rest of the country, but still gave of themselves to make our community better.

NOW, THEREFORE, We, Franklin County Commissioners do hereby proclaim April 18<sup>th</sup> – 24<sup>th</sup> 2021 National Volunteer Week in Franklin County and also urge our fellow citizens to volunteer in Franklin County. Also we urge others to recognize those who serve, by tirelessly sharing their time and talent with those in need.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2021

\_\_\_\_\_

BY: \_\_\_\_\_

Chairman

ATTEST:

\_\_\_\_\_

Michele Maxwell, Clerk

“Volunteers do not necessarily have the time; they just have the heart.” – Elizabeth Andrew



electric@fairpoint.net

## ADDRESS

Tourist Development Council /  
Franklin County

ESTIMATE #	DATE	
2020-1594	02/24/2021	

## P.O. NUMBER

Lombardi's Seafood Park

ACTIVITY	QTY	RATE	AMOUNT
<b>Electrical</b> Estimate for new lighting for building at Lombardi Seafood Park 15 each marine weather proof cage lights wall mount LED 3 each marine weather proof cage lights ceiling mount LED  Labor \$960 Material \$1044	1	2,004.00	2,004.00
TOTAL			<b>\$2,004.00</b>

Accepted By

Accepted Date



## EagleTree Technologies Buddy Ward Park Quote

A.

TVs:	QTY	Cost	Subtotal
Insignia NS-24DF310NA21 24-inch Smart HD 720p TV	4	99.99	399.96
Insignia NS-32DF310NA19 32-inch Smart HD TV	4	129.99	519.96
Insignia NS-65DF710NA21 65-inch Smart 4K UHD	1	449.99	449.99
VIZIO 75-Inch V-Series 4K UHD LED HDR Smart TV	1	778	778
Full Motion Articulating TV Wall Mount for 32-inch to 80-inch LED,	6	55.49	332.94
Computers:			
XPS Tower	1	1279	1279
HP 24mh FHD Monitor -	1	109.99	109.99
AOC C32V1Q 31.5" Full HD 1920x1080 Monitor, Curved VA Panel	2	199.99	399.98
Build Computer List:			
VisionTek Radeon 7800M Digital Signage GPU	2	299.99	599.98
GIGABYTE B550 AORUS ELITE AM4 AMD B550 ATX Motherboard	1	159.99	159.99
AMD RYZEN 5 3600 6-Core 3.6 GHz (4.2 GHz Max Boost) Socket	1	199.99	199.99
Arctic Silver 5 High-Density Polysynthetic Silver Thermal	1	7.49	7.49
DeepCool CL500 Mid-Tower ATX Case High Airflow Mesh Front	1	79.99	79.99
CORSAIR Vengeance LPX 32GB (4 x 8GB) 288-Pin DDR4 SDRAM	1	151.99	151.99
CORSAIR ML120, 120mm Premium Magnetic Levitation Fan	5	19.99	99.95
EVGA SuperNOVA 750 G5, 80 Plus Gold 750W	1	109.25	109.25
Western Digital WD BLACK SN750	1	79.99	79.99
Misc Componets:			
NETGEAR 16-Port Gigabit Ethernet Unmanaged Switch	1	59.99	59.99
trueCABLE Cat5e Riser (CMR), 1000ft	1	94.99	94.99
Klein Tools VDV826-702 Pass-Thru Modular Data Plug	1	24.64	24.64
Cable Matters Active Mini DisplayPort to HDMI Adapter	12	15.95	191.4
HDMI Extender Over Cat5e / Cat6 / Cat7 Ethernet Cable	11	45.98	505.78
Amazon Basics High-Speed 4K HDMI Cable - 6 Feet	12	7.99	95.88
		Tax:	472
		Labor	600
		Total:	7,803

**FCTDC Collections Report for  
2020-21 Year-to-Date Report  
Through November 2020**

B.

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Month	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
2	October	\$ 35,408.91	\$ 32,809.57	\$ 39,697.19	\$ 38,597.69	\$ 39,568.32	\$ 36,996.34	\$ 48,383.10	\$ 53,543.22	\$ 57,651.88	\$ 58,875.87	\$ 75,084.59	\$ 95,107.96
3	November	\$ 24,824.38	\$ 24,717.35	\$ 27,182.76	\$ 25,888.92	\$ 25,863.47	\$ 26,438.49	\$ 34,441.98	\$ 40,334.08	\$ 34,740.65	\$ 40,065.78	\$ 44,449.24	\$ 46,043.65
4	December	\$ 20,421.74	\$ 16,055.89	\$ 22,986.95	\$ 23,167.33	\$ 16,530.96	\$ 19,936.19	\$ 21,597.00	\$ 21,510.93	\$ 29,747.90	\$ 30,978.80	\$ 24,692.82	\$ 41,580.49
5	January	\$ 19,681.48	\$ 26,489.68	\$ 22,911.37	\$ 22,960.20	\$ 26,170.57	\$ 23,359.12	\$ 30,392.62	\$ 33,657.09	\$ 34,707.03	\$ 38,805.36	\$ 47,001.63	\$ 41,668.57
6	February	\$ 29,294.47	\$ 44,900.59	\$ 40,835.29	\$ 39,452.32	\$ 33,678.97	\$ 34,980.88	\$ 52,045.79	\$ 49,365.87	\$ 52,883.10	\$ 42,754.53	\$ 64,493.95	\$ 60,422.61
7	March	\$ 51,243.40	\$ 45,643.22	\$ 61,090.70	\$ 49,778.57	\$ 53,116.79	\$ 61,989.52	\$ 66,597.90	\$ 80,880.36	\$ 78,180.12	\$ 83,626.43	\$ 80,017.67	\$ 84,583.19
8	April	\$ 69,608.73	\$ 70,430.06	\$ 66,135.24	\$ 73,880.65	\$ 53,934.68	\$ 70,610.82	\$ 81,641.55	\$ 90,242.68	\$ 81,115.14	\$ 101,310.37	\$ 103,120.37	\$ 89,949.68
9	May	\$ 100,486.16	\$ 114,100.71	\$ 123,221.80	\$ 104,769.28	\$ 120,470.95	\$ 90,634.75	\$ 140,203.97	\$ 115,589.54	\$ 135,897.45	\$ 143,700.44	\$ 131,348.44	\$ 110,484.59
10	June	\$ 107,484.39	\$ 166,403.90	\$ 138,839.79	\$ 143,507.76	\$ 151,640.61	\$ 172,029.99	\$ 143,805.29	\$ 195,838.11	\$ 210,505.76	\$ 195,093.30	\$ 213,948.96	\$ 226,795.48
11	July	\$ 149,857.23	\$ 95,128.02	\$ 128,027.35	\$ 131,276.62	\$ 114,121.18	\$ 147,874.24	\$ 140,000.40	\$ 153,197.77	\$ 164,199.99	\$ 182,235.52	\$ 253,603.30	\$ 242,036.51
12	August	\$ 51,353.14	\$ 69,863.99	\$ 57,497.82	\$ 56,312.21	\$ 71,377.70	\$ 60,698.01	\$ 93,912.12	\$ 86,742.96	\$ 107,783.56	\$ 129,879.50	\$ 82,664.07	\$ 121,808.90
13	September	\$ 38,597.72	\$ 46,282.27	\$ 45,739.57	\$ 41,298.87	\$ 47,760.09	\$ 57,592.93	\$ 63,037.18	\$ 57,170.58	\$ 64,199.48	\$ 75,778.00	\$ 81,869.35	\$ 90,214.19
14	Totals	\$ 698,261.75	\$ 752,825.25	\$ 774,165.83	\$ 750,890.42	\$ 754,234.29	\$ 803,141.28	\$ 916,058.90	\$ 978,073.19	\$ 1,051,612.06	\$ 1,123,103.90	\$ 1,202,294.39	\$ 1,250,695.82
15													
16	YOY %		\$ 54,563.50	\$ 21,340.58	\$ (23,275.41)	\$ 3,343.87	\$ 48,906.99	\$ 112,917.62	\$ 62,014.29	\$ 73,538.87	\$ 71,491.84	\$ 79,190.49	\$ 48,401.43
17			7.8%	2.8%	-3.0%	0.4%	6.5%	14.1%	6.8%	7.5%	6.8%	7.1%	4.0%
18													
19	Month	2017-18	2018-19	2019-20	2020-21	Increase / Decrease	% of Change	To Date % of Change					
20	October	\$ 85,823.35	\$ 38,416.89	\$ 89,660.28	\$ 147,542.08	\$ 57,881.80	64.56%	64.56%					
21	November	\$ 49,440.74	\$ 87,784.31	\$ 57,067.01	\$ 86,469.54	\$ 29,402.53	51.52%	116.08%					
22	December	\$ 37,182.43	\$ 46,715.00	\$ 52,526.91	\$ 67,724.30	\$ 15,197.39	28.93%	80.46%					
23	January	\$ 51,388.51	\$ 52,063.46	\$ 54,422.25									
24	February	\$ 58,337.94	\$ 66,632.44	\$ 95,017.02									
25	March	\$ 111,947.32	\$ 127,975.20	\$ 71,946.84									
26	April	\$ 103,422.44	\$ 82,258.08	\$ 20,066.60									
27	May	\$ 140,130.14	\$ 166,129.65	\$ 123,839.27									
28	June	\$ 269,049.32	\$ 300,092.38	\$ 283,734.76									
29	July	\$ 215,933.34	\$ 209,374.07	\$ 253,488.28									
30	August	\$ 111,322.92	\$ 134,238.67	\$ 190,136.02									
31	September	\$ 70,419.47	\$ 90,051.57	\$ 140,186.24									
32	Totals	\$ 1,304,397.92	\$ 1,401,731.72	\$ 1,432,091.48	\$ 301,735.92	\$ 102,481.72	58.04%						
33													
34	YOY %	\$ 53,702.10	\$ 97,333.80	\$ 30,359.76									
35		4.29%	7.46%	2.17%									
36													
37	* October and November 2018 due to Hurricane Michael statistically are outliers.												
38	October and November 2019 compared with 2017-18 amounts are more representative,												
39	thus, these months show increases of 10% and 9% respectively, or YTD increase of 31%.												
40	* Coronavirus-19 March 1 - May 18 2020												
41													
42													



## Franklin County Project Updates

### **Alligator Drive Multi-Use Path Ph I & II (007.108) FDOT:**

- Phase I redesign is complete
- Being sent to FDOT for review
- Phase II redesign is almost complete
- Will be sent to FDOT for review

### **Alligator Drive Hurricane Damage Repairs (50082808):**

- Bids due 2 March 2021

### **Old Ferry Dock Boat Ramp Design (50082815):**

- Design is at 90% awaiting permits to complete
- FDEP permit RAI's have been answered and permit is expected by 12 March 2021
- ACOE permit RAI's have been answered, but we need the FDEP permit to give to ACOE

### **CR 67 (50082816) FDOT SCOP & CR 30A (50112837) FDOT SCRAP:**

- Both under construction

### **St. George Island Restroom (50112840):**

- Under construction (Contract time ends 17 April 2021)

### **Timber Island Road (50112842) FDOT SCOP:**

- Design is complete

### **CR 67 Sidewalk CEI (50112845):**

- Construction is complete, closing out job with FDOT

### **Franklin County EOC (50112846):**

- Finalized approved layout and location
- Working with subcontractors to finalize contracts

### **CR 30A East & West Washouts (50112847) FEMA:**

- Design is complete
- Working on Bid Documents
- Working on Permits
- Should be asking to go out to bids at the 16 March Meeting

### **Eastpoint Restroom Washout (50112848) FEMA:**

- Design is complete
- Working on Bid Documents
- Working on Permits
- Should be asking to go out to bids at the 16 March Meeting

### **SGI Fishing Pier Road Washouts (50112849) FEMA:**

- Design is being worked on
- Working on Bid Documents
- Could be asking to go out to bids at the 16 March Meeting

### **Island View Park (50112854) FEMA:**

- Park & Rec's has removed some material to prepare for surveying
- Scheduling survey for design

## **Franklin County Project Updates**

### **Other Items**

- Transportation Grant (sidewalks and multi-use paths)
- SCRAP, SCOP, CIGP Applications due 12 March 2021
- Ryan Drive estimates
- Gulf Ave east of Carrabelle (C30) FEMA Damage will work with Erin to create a task order
- Florida Boating Improvement Grants due in early April

**ALLIGATOR DRIVE HURRICANE DAMAGE REPAIRS****PROJECT # 50082808****NOTICE TO RECEIVE SEALED BIDS**

The Franklin County Board of County Commissioners will receive sealed bids from any qualified person, company or corporation interested in constructing:

**ALLIGATOR DRIVE HURRICANE DAMAGE REPAIRS**

Project is located on Alligator Point in Franklin County, Florida and consists of approximately 1,250 LF of new roadway construction, sheetpile walls with concrete cap, concrete shoulder, water line replacement, striping, stormwater, debris removal, and grassing along Alligator Drive (CR 370) beginning around Tom Roberts Road and ending around George Vause Road.

Plans and specifications can be obtained at Dewberry, 324 Marina Drive, Port St. Joe, Florida 32456, (850) 227-7200. Cost for Plans and Specifications will be \$50.00 per set and is non-refundable. Checks should be made payable to DEWBERRY. The bid must conform to Section 287.133(3) Florida Statutes, on public entity crimes.

The Prime Contractor and Subcontractor performing work on road or drainage construction, reconstruction, or repair shall be qualified in, under Rule Chapter 14-22, Florida Administrative Code, the following major classes of work: 1) Flexible Paving, 2) Hot Plant-Mixed Bituminous Courses, 3) Drainage, and 4) Grading.

Completion date for this project will be 150 days from the date of the Notice to Proceed presented to the successful bidder. Liquidated damages for failure to complete the project on the specified date will be set at \$750.00 per day.

Please indicate on the envelope that this is a sealed bid, for “**Alligator Drive Hurricane Damage Repairs**”.

Bids will be received until 4:30 p.m. eastern time, on March 1st, 2021, at the Franklin County Clerk's Office, Franklin County Courthouse, 33 Market Street, Suite 203, Apalachicola, Florida 32320-2317, and will be opened and read aloud on March 2nd, 2021 at the County Commission meeting at 34 Forbes Street, Apalachicola, FL.

The Board of County Commissioners reserves the right to waive informalities in any bid, to accept and/or reject any or all bids, and to accept the bid that in their judgment will be in the best interest of Franklin County. All bids shall remain firm for a period of sixty days after the opening.

All bidders shall comply with all applicable State and local laws concerning licensing registration and regulation of contractors doing business to the State of Florida.

If you have any questions, please call Alan Pierce at (850) 653-5727.

ADVERTISEMENT FOR BIDS-00010

## NOTICE OF INTENT TO CONSIDER ADOPTION OF A COUNTY ORDINANCE

Notice is given that on the 2<sup>nd</sup> day of March, 202, at 10:45 a.m. (ET), or as soon thereafter as is possible, in the courtroom at the Courthouse Annex, located at 34 Forbes Street, Apalachicola, Florida, the Franklin County Board of County Commissioners shall conduct a public hearing to consider adopting a county ordinance entitled:

AN ORDINANCE REGULATING PUBLIC BOAT RAMPS WITHIN THE UNINCORPORATED AREA OF FRANKLIN COUNTY, FLORIDA; LIMITING TIME FOR TIE-UP AFTER LAUNCH; AUTHORIZING REMOVAL OF AUTOMOBILES, BOATS AND TRAILERS IN VIOLATION OF THIS ORDINANCE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

The public is invited to attend the public hearing. Those persons who desire to speak regarding the adoption of the ordinance may appear at the hearing and shall be heard.

The proposed ordinance is on file with, and may be viewed at, the office of the Clerk of Court at the Franklin County Courthouse, which is located at 33 Market Street, Apalachicola, Florida.

The meeting room is handicap accessible; however, those persons who may require special assistance to attend the public meeting must make arrangements in advance by calling deputy clerk Jessica Gay at 850-653-8861, x100 at least two business days in advance of the meeting.

Any person who may desire to challenge the outcome of the meeting is responsible for recording a verbatim transcript of the meeting.

Instructions to publisher:

Publish as a **display ad** on February 18, 2020 in the Apalachicola Times

Invoice this ad to:

Franklin County  
c/o Linda Phillips  
33 Market Street, Suite 203  
Apalachicola, Florida 32320

ORDINANCE 21\_\_\_\_\_

AN ORDINANCE REGULATING PUBLIC BOAT RAMPS  
WITHIN THE UNINCORPORATED AREA OF FRANKLIN  
COUNTY, FLORIDA; LIMITING TIME TO TIE-UP  
FOLLOWING LAUNCH; AUTHORIZING REMOVAL OF  
AUTOMOBILES, BOATS AND TRAILERS IN VIOLATION OF  
THIS ORDINANCE; PROVIDING FOR PENALTIES;  
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Whereas, the Franklin County Board of County Commissioners, a political subdivision of the State of Florida, ("Franklin County") has determined that public boat ramps and public docks in unincorporated Franklin County serve an important public purpose by providing water access to the waters of Franklin County for commercial and recreational purposes for the residents, citizens, tourists and visitors of Franklin County ("the public"); and,

Whereas, Franklin County has expended substantial public funds planning, constructing and maintaining public boat ramps and public docks within unincorporated Franklin County to serve this important public purpose; and,

Whereas, Franklin County has in public meetings discussed the need to regulate the use of public boat ramps and docks in the unincorporated areas of Franklin County, including the need to limit the time to tie-up following boat launch; and,

Whereas, Franklin County finds that it is in the best interests of the public to regulate the use of public boat ramps and docks in the unincorporated areas of Franklin County,

NOW THEREFORE BE IT ORDAINED BY FRANKLIN COUNTY THAT:

**1. Definitions:**

- a. **Anchor:** An object that is used to attach a boat to the bottom of a body of water.
  - b. **Automobile:** A vehicle powered by a motor.
  - c. **Boat:** Any craft designed to float or move across and provide passage across water powered by motor, sail, unmotorized or human powered.
  - d. **Dock:** A raised platform or walkway over water, supported by widely spread piles where boats may be tied temporarily, but not overnight.
  - e. **Launching:** To put a boat into the water in readiness for use; to also include taking the boat out of the water after use.
  - f. **Overnight:** The period beginning with sundown and ending with sunrise.
  - g. **Public:** All natural and corporate persons, including, but not limited to, residents, citizens, visitors and tourists of Franklin County (hereinafter "person")
  - h. **Ramp:** A facility owned and maintained by Franklin County where boats on trailers are launched into the water.
  - i. **Tie-up:** To secure a boat with a line to a dock following launch, such as a bow-line or stern-line.
  - j. **Trailer:** A vehicle designed to carry, launch and store a boat.
2. **Launching.** After any person launches and loads their boat, such person shall immediately remove their automobile and trailer out of the boat ramp area to the designated parking area so that other persons may launch.
3. **Docking.** Boats shall not be tied to the dock for more than 15 minutes immediately following the launch of the Boat. Boats which are tied to the dock for more than 15 minute immediately following the launch of the Board shall be subject to Penalties and Removal as provided for herein. Boats shall not anchor within fifty feet of the dock overnight. This fifty-foot buffer shall not apply to two of the leased slips for commercial fishermen mandated by the 2007 Indian Creek Management Plan, at page 15. which are located within fifty feet of the existing ramp.
4. **Penalties.**
- |                        |                           |
|------------------------|---------------------------|
| First Violation        | \$25.00 civil penalty     |
| Second violation:      | \$50.00 civil penalty     |
| Third violation:       | \$75.00 civil penalty     |
| Additional violations: | First-degree misdemeanor. |

5. **Removal.** In addition to any other Penalty, Franklin County may remove all automobiles, boats and/or trailers in violation of this ordinance from the public property of Franklin County, including, but not necessarily limited to, the boat ramp, dock, designated parking areas and the water below mean high tide fronting such public property and which is between it and the navigable channel. Such removal shall be at the reasonable expense of the owner(s). If the Automobile, Boat and/or Trailer is easily removable. Franklin County may remove it and thereafter notify the owner(s) thereof within a reasonable time as to the location and cost to retrieve such property. Except in emergency conditions, if the Automobile, Boat and/or Trailer is not easily removable, then Franklin County shall first contact the owner(s) in writing warning them to remove such property within five days of the date of the letter or the property identified in the letter shall be removed at the owner's expense. Easily removable shall be defined as costing. \$1,000.00 or less for such removal.
6. **Severability.** It is declared to be the intent of the Board that if any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portions hereof, which shall remain in full force and effect.
7. **Effective Date.** This ordinance shall take effect as provided by law.
- Ordained on the \_\_\_\_\_ day of March 2021.

Franklin County, a political subdivision of the  
State of Florida

By: \_\_\_\_\_  
Ricky Jones, Its Chairman

ATTEST:

By: \_\_\_\_\_  
Michele Maxwell, Clerk

Approved as to legal form and sufficiency

By: \_\_\_\_\_  
Thomas M. Shuler, County Attorney



ORDINANCE 09-18

AN ORDINANCE REGULATING PUBLIC BOAT RAMPS  
WITHIN THE UNINCORPORATED AREA OF FRANKLIN  
COUNTY, FLORIDA: AUTHORIZING REMOVAL OF  
AUTOMOBILES, BOATS AND TRAILERS IN VIOLATION OF  
THIS ORDINANCE; PROVIDING FOR PENALTIES;  
PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Whereas, the Franklin County Board of County Commissioners, a political subdivision of the State of Florida, ("Franklin County") has determined that public boat ramps serve an important public purpose in Franklin County by providing water access to the waters of Franklin County for commercial and recreational purposes for the residents, citizens, tourists and visitors of Franklin County ("the public"), and

Whereas, Franklin County has expended substantial public funds planning, constructing and maintaining boat ramps within Franklin County to serve this important public purpose, and

Whereas, Franklin County has in public meetings discussed the need to regulate the use of public boat ramps in the unincorporated areas of Franklin County, and

Whereas, Franklin County finds that it is in the best interests of the public to regulate the use of boat ramps in the unincorporated areas of Franklin County,

NOW THEREFORE BE IT ORDAINED BY FRANKLIN COUNTY THAT:

**1. Definitions:**

- a. **Anchor:** An object that is used to attach a boat to the bottom of a body of water.
- b. **Automobile:** A vehicle powered by a motor.
- c. **Boat:** Any craft designed to float or move across and provide passage across water powered by motor, sail, unmotorized or human powered.
- d. **Dock:** A raised platform or walkway over water, supported by widely spread piles where boats may be loaded and unloaded, and to which boats may be tied temporarily, but not overnight.

- e. **Launching:** To put a boat into the water in readiness for use; to also include taking the boat out of the water after use.
- f. **Overnight:** The period beginning with sundown and ending with sunrise.
- g. **Public:** All natural and corporate persons, including, but not limited to, residents, citizens, visitors and tourists of Franklin County (hereinafter "person")
- h. **Ramp:** A facility owned and maintained by Franklin County where boats on trailers are launched into the water.
- i. **Trailer:** A vehicle designed to carry, launch and store a boat.

2. **Launching.** After any person launches and loads their boat, such person shall immediately remove their automobile and trailer out of the boat ramp area to the designated parking area so that other persons may launch.

3. **Docking.** Boats shall not be tied to the dock overnight. Boats shall not anchor within fifty feet of the dock overnight. This fifty-foot buffer shall not apply to two of the leased slips for commercial fishermen mandated by the 2007 Indian Creek Management Plan, at page 15, which are located within fifty feet of the existing ramp.

4. **Penalties.**

First violation:	\$25.00 civil penalty.
Second violation:	\$50.00 civil penalty
Third violation:	\$75.00 civil penalty
Additional violations:	First-degree misdemeanor.

5. **Removal.** Franklin County may remove all automobiles, boats and/or trailers in violation of this ordinance from the public property of Franklin County, including, but not necessarily limited to, the boat ramp, designated parking areas and the water below mean high tide fronting such public property and which is between it and the navigable channel. Such removal shall be at the reasonable expense of the owner(s). If the automobile, boat and/or trailer is easily removable, Franklin County may remove it and thereafter notify the

owner(s) thereof within a reasonable time as to the location and cost to retrieve such property. Except in emergency conditions, if the automobile, boat and/or trailer is not easily removable, then Franklin County shall first contact the owner(s) in writing warning them to remove such property within five days of the date of the letter or the property identified in the letter shall be removed at the owners expense. Easily removable shall be defined as costing \$1,000.00 or less for such removal.

6. **Severability.** It is declared to be the intent of the Board that if any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portions hereof, which shall remain in full force and effect.

7. **Effective Date.** This ordinance shall take effect as provided by law.

Ordained on this the 15<sup>th</sup> day of DECEMBER, 2009.

FRANKLIN COUNTY BOARD OF  
COUNTY COMMISSIONERS

By: Joseph A. Parrish  
Joseph A. Parrish, Chairman

Attest:

Marcia M. Johnson  
Marcia Johnson, Clerk

Approved as to legal form

Thomas M. Shuler  
Thomas M. Shuler, County Attorney



NOTICE OF INTENT TO CONSIDER ADOPTION OF A COUNTY ORDINANCE  
AMENDING ORDINANCE 79-8 BY DELETING THE 100 FOOT SEPARATION  
BETWEEN A WATER WELL AND SEPTIC TANK

Notice is given that on the 2<sup>nd</sup> day of March, 2021, at 10:50 a.m. (ET), or as soon thereafter as is possible, in the courtroom at the Courthouse Annex, located at 34 Forbes Street, Apalachicola, Florida, the Franklin County Board of County Commissioners shall conduct a public hearing to consider adopting a county ordinance entitled:

AMENDMENT DELETING THE 100 FOOT SEPARATION BETWEEN A WATER  
WELL AND SEPTIC TANK FROM ORDINANCE 79-8 ESTABLISHING  
STANDARDS FOR SEPTIC TANK INSTALLATION SERVING AS  
SEWAGE/WASTE-WATER DISPOSAL FOR INDIVIDUAL HOMES IN FRANKLIN  
COUNTY, FLORIDA, AND PERMITTING ALTERNATE SYSTEMS; RE-  
AFFIRMING REMINDER OF ORDINANCE 79-8; PROVIDING FOR  
SEVERABILITY AND AN EFFECTIVE DATE

The public is invited to attend the public hearing. Those persons who desire to speak regarding the adoption of the ordinance may appear at the hearing and shall be heard.

The proposed ordinance is on file with, and may be viewed at, the office of the Clerk of Court at the Franklin County Courthouse, which is located at 33 Market Street, Apalachicola, Florida.

The meeting room is handicap accessible; however, those persons who may require special assistance to attend the public meeting must make arrangements in advance by calling deputy clerk Jessica Gay at 850-653-8861, x100 at least two business days in advance of the meeting.

Any person who may desire to challenge the outcome of the meeting is responsible for recording a verbatim transcript of the meeting.

*Instructions to publisher:*

Publish as a **display ad** on February 18, 2020 in the Apalachicola Times

Invoice this ad to:

Franklin County

c/o Linda Phillips

33 Market Street, Suite 203

Apalachicola, Florida 32320

**ORDINANCE 2021-  
FRANKLIN COUNTY, FLORIDA**

**AMENDMENT DELETING THE 100 FOOT SEPARATION BETWEEN A  
WATER WELL AND SEPTIC TANK FROM ORDINANCE 79-8  
ESTABLISHING STANDARDS FOR SEPTIC TANK INSTALLATION  
SERVING AS SEWAGE/WASTE-WATER DISPOSAL FOR  
INDIVIDUAL HOMES IN FRANKLIN COUNTY, FLORIDA, AND  
PERMITTING ALTERNATE SYSTEMS; RE-AFFIRMING REMINDER  
OF ORDINANCE 79-8; PROVIDING FOR SEVERABILITY AND AN  
EFFECTIVE DATE**

WHEREAS, the Board of County Commissioners has found that population density in residential development greater than one residential unit per acre throughout the County will result in excessive population density and would be unhealthy, result in lowering ground water quality, damage and lower land quality and values, and damage marine environment, and the seafood industry, and,

WHEREAS, it is necessary to prevent too dense, substandard or inefficient septic tank placement in Franklin County for the same reasons, and in order to prevent pollution,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, FLORIDA in order to protect the health, safety and welfare of the people of Franklin County, Florida:

1. Installation of septic tanks is prohibited on parcels or lots of less than one acre. Variances may be granted for installations on lots of record, if deed or plat is recorded prior to August 17, 1978. Such variances may be granted only by the Board of County Commissioners upon favorable recommendation of the Franklin County Health Department.
2. Installation of septic tanks is prohibited in salt marsh and transitional areas, and in areas subject to flooding. Installation is prohibited in areas with high water table if drain field function is impaired by such high water table.
3. Installation of septic tanks is prohibited where any portion of such installation is closer to any stream, creek, river pond, canal, bay or gulf waters than 100 feet. The mean high water tide line-or water line shall be the reference point if the body of water is subject to tidal or other fluctuation

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FRANKLIN COUNTY, FLORIDA

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FRANKLIN COUNTY, FLORIDA

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4. Installation of septic tanks shall be accomplished only following permitting in writing by the Franklin County Health Department on a form provided by that department; and installation shall be accomplished in a manner prescribed by that department

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5. Every septic tank shall have an adequate drain field, and when mentioned in this ordinance, "septic tank" includes drain fields.

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6. Installation of Organic waste, Aerobic, or chemical systems for individual home sewerage-waste water disposal may be made after prior written approval of the Franklin County Health Department. Working drawings and specifications of each shall be submitted to the Franklin County Health Department.

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7. Individual home sewerage-water systems which fail to perform in a sanitary and non-polluting manner shall be corrected within 30 days following "Notice to Correct a Sanitary Nuisance" by the Health Department.

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8. The provisions of this Ordinance are in addition to and do not exempt applicant from compliance with Chapter 10D-6, Supplement 78 of F.S. 381.272, and all other State and Federal laws, rules, and regulations.

9. Except as modified herein, Ordinance 79-8 is reaffirmed and shall remain in full force and effect.

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10. Severability. It is declared to be the intent of the Board that if any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portions hereof, which shall remain in full force and effect.

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11. Effective Date. This ordinance shall take effect as provided by law

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Adopted this the \_\_\_\_\_ day of March, 2021.

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THE BOARD OF COUNTY  
COMMISSIONERS OF FRANKLIN  
COUNTY, FLORIDA.

Attest:

BY: \_\_\_\_\_

Ricky Jones, Its Chairman

Michele Maxwell  
Clerk of Court

Approved as to form and sufficiency:

Thomas M. Shuler, County Attorney

**Deleted:** This Ordinance adopted in open special meeting this → day of "Y", 1979, after notice of intent to consider the same has been made and kept in the Ordinance Book of the Clerk of the Board for at least 15 days exclusive of Sundays and legal holidays, and the title and substance hereof published according to law in the Apalachicola Times, a newspaper of general circulation within the County. This Ordinance shall take effect when notice of receipt of a certified copy of same is returned from the Secretary of State.

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AN ORDINANCE ESTABLISHING STANDARDS FOR SEPTIC TANK INSTALLATION  
SERVING AS SEWAGE/WASTE WATER DISPOSAL FOR INDIVIDUAL HOMES IN  
FRANKLIN COUNTY, FLORIDA, AND PERMITTING ALTERNATE SYSTEMS.

ORDINANCE # 79-8

FRANKLIN COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners has found that population density in residential development greater than one residential unit per acre throughout the County will result in excessive population density and would be unhealthy, result in lowering ground water quality, damage and lower land quality and values, and damage marine environment, and the seafood industry, and,

WHEREAS, it is necessary to prevent too dense, substandard or inefficient septic tank placement in Franklin County for the same reasons, and in order to prevent pollution,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, FLORIDA in order to protect the health, safety and welfare of the people of Franklin County, Florida:

(1) Installation of septic tanks is prohibited on parcels or lots of less than one acre. Variances may be granted for installations on lots of record, if deed or plat is recorded prior to August 17, 1978. Such variances may be granted only by the Board of County Commissioners upon favorable recommendation of the Franklin County Health Department.

(2) Installation of septic tanks is prohibited in salt marsh and transitional areas, and in areas subject to flooding. Installation is prohibited in areas with high water table if drain field function is impaired by such high water table.

(3) Installation of septic tanks is prohibited where any portion of such installation is closer to any stream, creek, river, pond, canal, water well, bay or gulf waters than 100 feet. The mean high water tide line or water line shall be the reference point if the body of water is subject to tidal or other fluctuation

(4) Installation of septic tanks shall be accomplished only following permitting in writing by the Franklin County Health Department on a form provided by that department; and installations shall be accomplished in a manner prescribed by that department and inspected and approved by that department.

(5) Every septic tank shall have an adequate drain field, and when mentioned in this ordinance, "septic tank" includes drain fields.

(6) Installation of Organic waste, Aerobic, or chemical systems for individual home sewerage-waste water disposal may be made after prior written approval of the Franklin County Health Department. Working drawings and specifications of each shall be submitted to the Franklin County Health Department.

(7) Individual home sewerage-water systems which fail to perform in a sanitary and non-polluting manner shall be corrected within 30 days following "Notice to Correct a Sanitary Nuisance" by the Health Department.

(8) The provisions of this Ordinance are in addition to and do not exempt applicant from compliance with Chapter 10D-6, Supplement 78 of F.S. 381.272, and all other State and Federal laws, rules, and regulations.

This Ordinance adopted in open special meeting this 22<sup>nd</sup> day of June, 1979, after notice of intent to consider the same has been made and kept in the Ordinance Book of the Clerk of the Board for at least 15 days exclusive of Sundays and legal holidays, and the title and substance hereof published according to law in the Apalachicola Times, a newspaper of general circulation within the County.

This Ordinance shall take effect when notice of receipt of a certified copy of same is returned from the Secretary of State.

THE BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, FLORIDA.

Attest:

Robert L. Howell  
Clerk

BY: Carl Varns  
Its Chairman

(SEAL)

To: Franklin County Board of County Commissioners

From: Thomas M. Shuler, County Attorney

Dated: January 4, 2021

Re: Proposed Amendments to Animal Control Ordinance

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EXECUTIVE SUMMARY FOR PROPOSED AMENDMENTS  
TO THE ANIMAL CONTROL ORDINANCE

Dear Commissioners:

The original animal control ordinance was enacted in 2001. In 2017, it was amended, in part, to include the cities of Apalachicola and Carrabelle within the service area.

The proposed 2021 amendment to the Animal Control Ordinance will do the following things, if adopted as drafted:

- It will amend the ordinance to exclude the cities of Apalachicola and Carrabelle from the service area of the Animal Control Ordinance, unless either, or both, cities enter into an interlocal agreement. The form of the interlocal agreement is attached to the draft ordinance.
- It provides a definition of “public beaches.” That definition includes the sand flats on the various rivers.
- It provides that dogs must be on six-foot leashes at public beaches, public parks, public boat ramps, and public parking areas.
- At all other locations, the leash may no more than 20 feet in length.
- Voice control is not allowed at any public beach, public boat ramp, public park or public parking area.
- Increases the fines for interference with an Animal Control Officer from 50/75/250 to 150/250/500.
- Increases the fines for Running at Large from 30/75/250 to 75/150/250.
- Increases the fines for Public Nuisance Prohibited from 30/75/250 to 75/150/250.

## NOTICE OF INTENT TO CONSIDER ADOPTION OF A COUNTY ORDINANCE

Notice is given that on the 2nd day of March, 2021 at 11:00 a.m. (ET), or as soon thereafter as is possible, in the courtroom at the Courthouse Annex, located at 34 Forbes Street, Apalachicola, Florida, the Franklin County Board of County Commissioners shall conduct a public hearing to consider adopting a county ordinance entitled:

### FRANKLIN COUNTY ORDINANCE 2021-\_\_

AN ORDINANCE REGULATING ANIMALS IN FRANKLIN COUNTY, FLORIDA AND REPEALING ALL OTHER ORDINANCES OF FRANKLIN COUNTY REGULATING ANIMALS, PROVIDING FOR AREA REGULATED, PROVIDING DEFINITIONS, PROVIDING FOR ENFORCEMENT, PROVIDING FOR PENALTIES, PROVIDING FOR APPEALS AND PROVIDING FOR AN EFFECTIVE DATE.

The public is invited to attend the public hearing. Those persons who desire to speak regarding the adoption of the ordinance may appear at the hearing and shall be heard.

The proposed ordinance is on file with, and may be viewed at, the office of the Clerk of Court at the Franklin County Courthouse, which is located at 33 Market Street, Apalachicola, Florida.

The meeting room is handicap accessible; however, those persons who may require special assistance to attend the public meeting must make arrangements in advance by calling deputy clerk Jessica Gay at 850-653-8861, x100 at least two business days in advance of the meeting.

Any person who may desire to challenge the outcome of the meeting is responsible for recording a verbatim transcript of the meeting.

#### Instructions to publisher:

Publish as a **display ad** on February 18, 2020 in the Apalachicola Times

Invoice this ad to:

Franklin County

c/o Linda Phillips

33 Market Street, Suite 203

Apalachicola, Florida 32320

## FRANKLIN COUNTY ORDINANCE 2021, \_\_\_\_\_

AN ORDINANCE REGULATING ANIMALS IN FRANKLIN COUNTY, FLORIDA AND REPEALING ALL OTHER ORDINANCES OF FRANKLIN COUNTY REGULATING ANIMALS, PROVIDING FOR AREA REGULATED, PROVIDING DEFINITIONS, PROVIDING FOR ENFORCEMENT, PROVIDING FOR PENALTIES, PROVIDING FOR APPEALS AND PROVIDING FOR AN EFFECTIVE DATE.

### Section 1 - Title.

This article shall be known as the "Animal Control Ordinance of Franklin County, Florida."

### Section 2 - Authority and Area Regulated.

This article is enacted in the interest of the public health and safety and general welfare of the citizens and inhabitants of the county, pursuant to F.S. §§ 125.01, 705.19, 828.13, 767.01 et seq., 828.01 et seq., and Laws of Fla. Ch. 90-180, as amended, and under the authority of the county to regulate animals located within unincorporated Franklin County, Florida. This Ordinance excludes the incorporated areas of the cities of Apalachicola, Florida and Carrabelle, Florida, unless an interlocal agreement for the provision of animal control services is entered into with either, or both, cities. In the event an interlocal agreement is entered into, then this ordinance shall regulate animals located within such municipal boundaries for such period of time as the interlocal agreement remains in force and effect. Such services shall be governed by this Ordinance. A copy of the form of the interlocal agreement is attached hereto and is made a part of this ordinance.

### Section 3. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandon means to forsake an animal entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its owner.

Animal means any domesticated animal or any captive wild animal, excluding alligators, crocodiles, panthers, bears, and mountain lions.

Animal control officer means any individual employed, contracted with, or appointed by the animal control authority for the purpose of aiding in the enforcement of this act or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals and includes any state or local law enforcement officer or other employee whose

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duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

Animal shelter means any facility, designated by the county, for the purpose of housing and caring for animals held by the authority of this article or state law.

Attack means the act by any animal of approaching a domestic animal or a person in such a manner that hostile contact with the other animal or person occurs.

Baiting means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with among other animals. In addition, the term "baiting" means the use of live animals in the training of racing greyhounds.

Beach means the area of loose particles of sand located between the toe of the dune line and all of the following bodies of water: the Gulf of Mexico, Alligator Harbor, St. George Sound, Apalachicola Bay and St. Vincent Sound. In the absence of a dune line, then Beach means the area of loose sand particles located between those bodies of water and the waterward edge of the vegetation line or wood line owned by the Federal or State government or Franklin County, Florida, a political subdivision of the State of Florida ("Public Beaches"). Public Beaches exclude privately owned beaches. For purposes of this ordinance, the area of loose sand particles piled up along the edge of any river in unincorporated Franklin County, Florida, which are commonly referred to as "sand flats" shall be deemed a Beach.

Board means the Board of County Commissioners of Franklin County, Florida.

Citation means a written notice issued to a person by an animal control officer or designee, stating that the officer has probable cause to believe that the person has committed a civil infraction in violation of a duly-enacted ordinance and that the county court will hear the charge.

Code enforcement officer means any designated employee or agent of a county or municipality whose duty it is to enforce codes and ordinances enacted by the county or municipality, according to F.S. 166.0415.

County health officer means the person designated by the Board pursuant to the definitions in F.S. Ch. 154 and F.A.C. Ch. 64D-3.

Current rabies vaccination means a rabies vaccination administered by a licensed veterinarian which is valid for not less than one year and not more than three years.

Dangerous animal means an animal that has, when unprovoked:

- (1) Bitten, attacked, or endangered or has inflicted severe injury on a human being on

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At large means any animal, other than a dog, that is off of the premises of the owner while not under the supervision of the owner, or, in the case of dogs, when any dog is off of the premises of the owner while not under the direct control of the owner.

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public or private property; or

- (2) Has more than once severely injured or killed a domestic animal while off the owner's property; provided that such actions as set forth and described in subsection (1) and (2) of this definition are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

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Dangerous dogs means any domestic dog, Canis familiars, and any genetic hybridization thereof, whether alone or in member of a pack, that according to the records of the appropriate authority has:

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- (1) Aggressively bitten, attacked or endangered, or has inflicted severe injury on a human being on public or private property;
- (2) Has more than once severely injured or killed a domestic animal while off the owner's property;
- (3) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion, or an apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

A dog shall not be declared dangerous if the threat, injury, or damage was sustained by a person who at the time, was unlawfully on the property or while lawfully on the property, was tormenting, abusing or assaulting the dog or its owner or a family member. No dog may be declared dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

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Direct control means immediate, continuous physical control of a dog at all times it is off the premises of the owner by means of a leash, cord, or chain of such strength to humanely restrain the dog and controlled by a person capable of restraining the dog, or humane safe and secure restraint within a vehicle. If the controlling person is at all times fully and clearly within unobstructed sight and hearing of the dog, voice control shall be considered direct control only when the dog is actually participating in training or in official showing, obedience, or field event. Direct control shall not be required of dogs actually participating in a legal sport in an authorized area or to government police dogs. Except at Beaches, public boat ramps, public parks and public parking areas, the leash, cord or chain may be of any length not exceeding 20 feet.

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Notwithstanding any other provision of this Ordinance, at all Beaches owned by the public, public boat ramps, public parks and public parking areas, Direct Control exclusively means immediate, continuous physical control of a dog at all times by means of a leash, cord or chain not exceeding six feet in length, of such strength to humanely restrain the dog and controlled by a person capable of restraining the dog while present at and upon the Beach, public boat ramp, public park or public



parking area. Voice control shall not be allowed at any Beach, public boat ramp, public park or public parking area.

Director of Animal Control means the person designated by the Board to enforce this Ordinance, as Director of Franklin County Animal Control.

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Division of Animal Control means the agency designated by the Board to enforce the ordinances and law pertaining to animal control and cruelty.

Domestic animal means any equine or bovine animal, goat, sheep, swine, domestic cat, dog, poultry, ostrich, emus, rhea, or other domesticated beast or bird.

Exotic Animals means any animal not identified in the definition of "animal" provided in this part that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad. This term specifically includes animals such as, but not limited to, lions, tigers, leopards, elephants, camels, antelope, anteaters, kangaroos, and water buffalo, and species of foreign domestic cattle, such as Ankole, Gayal, and Yak

Exposure to rabies means any person or domestic or captive wild animal which has been bitten by or otherwise exposed to the saliva, brain tissue, or body fluids of a rabid animal or of an animal suspected to be rabid due to its apparent ill health, or which is of a species commonly recognized to be a carrier of rabies, such as, but not limited to, raccoons, foxes, bats, skunks, and bobcats.

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Feral animal means any wild dog or cat, whether it was born in the wild or has reverted to a wild state due to abandonment or lack of domestication.

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Fighting means any fighting between roosters or other birds, or between dogs, bears, or other animals.

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Horse means any animal of any registered breed of the genus Equus, or any recognized hybrid thereof

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Humane or humanely means marked by compassion, sympathy, or consideration for animals.

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Impoundment means the taking up and confining of an animal by the division of animal control in a manner consistent with professionally recognized standards of humane treatment.

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Kennel means any site used for the owning, breeding or boarding of six or more dogs, cats, or combination thereof, of six months or older, for a commercial purpose.



Livestock means grazing animals, such as cattle, horse, sheep, swine, goats, other hoofed animals, ostriches, emus, and rheas which are raised for private use or commercial purposes.

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Neutered or spayed means rendered permanently incapable of reproduction or permanently incapable of reproduction because of physiological sterility, but only where the neutered or spayed condition has been certified by a veterinarian licensed in any state.

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Owner.

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- (1) The term "owner" means any person or corporation owning, harboring or keeping any animal, or in the case of a person under the age of 18 years of age, that person's parent or legal guardian. The term owner includes, but is not limited to, a custodian, or other person in charge of an animal
- (2) The term "owner" does not apply to any veterinary clinic or boarding kennel.

Person means any individual, firm, corporation, partnership, organization, or association.

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Potential rabies carriers means any species commonly recognized to be a carrier of rabies, such as but not limited to raccoons, foxes, bats, bobcats, and skunks.

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Proper enclosure of a dangerous dog means, while on the owner's property, a dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure and shall also provide protection from the elements

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Public nuisance means any animal which damages property, chases vehicles or molests passersby; or, any animal, which soils, defiles, or defecates on public or private property, other than the property of the owner unless the owner immediately removes and properly disposes it; or, any animal which causes unsanitary or dangerous conditions to exist; or any feral animal. The term "public nuisance" includes any dog causing aggravation or misery by continuously barking, howling or otherwise disturbing the peace.

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Running At large means any animal, other than a dog, that is off of the premises of the owner while not under the supervision of the owner, or, in the case of dogs, when any dog is off of the premises of the owner while not under Direct Control.

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Severe injury means any physical injury that results in broken bones, multiple bites or disfiguring lacerations requiring sutures or reconstructive surgery.

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Shelter means provision of access to a three-dimensional structure having a roof, walls and a floor, which is dry, sanitary, clean, weatherproof and made of durable material. At a minimum, the structure must be:

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- (1) Sufficient in size to allow each sheltered animal to stand up, turn around, lie down and stretch comfortably;
- (2) Designed to protect the animal from adverse effects of the weather and provides access to shade from direct sunlight and regress from exposure to inclement weather conditions;
- (3) Free of standing water and accumulated wastewater and debris. Structures with wire, grid or slat floors which permit the animal's feet to pass through the openings, sag under the animal's weight or which otherwise do not protect the animal's feet or toes from injury are prohibited except for birds where perches are provided.

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Tethering means a rope, leash, pulley run or other means of constraint which must be attached to the animal by a properly applied collar, halter or harness and configured where-as to protect the animal from injury and prevent entanglement with other objects and/or animals.

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Unprovoked means that the victim who has been conducting himself or herself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by a dog.

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Veterinarian means a person who is licensed to engage in the practice of veterinary medicine as provided for in F.S. Ch. 474.

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Veterinary hospital or clinic means any place or facility owned or operated by a licensed veterinarian and used for the practice of veterinary medicine in the diagnosis, treatment, and care of diseases of and injuries to animals, or used for the boarding of animals during such diagnosis, treatment, or care, or used for the temporary boarding of animals belonging to the veterinarian clients.

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#### Section 4 - Enforcement and penalties.

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- (a) In addition to or in lieu of impounding an animal which any animal control officer or any law enforcement officer has probable cause to believe is in violation of this article the officer shall either:
  - (1) Issue a warning notice of violation to the owner or keeper of the animal; or
  - (2) Issue a citation to the owner or keeper of the animal; provided, however, that upon a second conviction within the same household of a violation of sections 8 through 13, the animal shall be confined to the owner's premises by means of an enclosure approved by the division of animal control for restraining the animal and for preventing its escape.
- (b) Any person to whom a citation is issued shall pay the fine by the designated date or appear in county court at the time, date and location designated in the citation.

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- (c) Any person electing to appear or required so to appear waives the right to pay the minimum civil penalties.
- (d) Penalties shall be in addition to court costs as established by the county court.
- (e) The maximum civil penalty for each violation shall be \$500.00.
- (f) A mandatory court appearance to determine if the animal owner is able to provide adequately for, and have custody of, the animal shall be required for any of the following:
- (1) Third and subsequent violations of this ordinance.
  - (2) Third and subsequent violations which result in the destruction or loss of personal property.
  - (3) Violations which involve more than two animals owned or kept by the person to whom the citation is issued.
  - (4) Violations in which the owner or keeper of the animal in violation has previously evaded or attempted to evade the division of animal control in an effort to circumvent the provisions of this chapter or state law;
  - (5) Second and subsequent violations of section 10, humane care required;
  - (6) Second and subsequent violations which result in the unprovoked biting, wounding, or attacking of a domestic animal or person; and
  - (7) Second and subsequent violation of any provision pertaining to dangerous or vicious animals which does not result in injury to a person or domestic animal.
  - (8) Violation of any provision pertaining to dangerous or vicious animals which results in injury to a person or domestic animal.
- (g) Minimum civil penalties for violations of the article not otherwise listed in subsection (f) of this section are as follows:

CODE SECTION	DESCRIPTION OF VIOLATION	1 <sup>ST</sup> VIOLATION	2 <sup>ND</sup> VIOLATION	3 <sup>RD</sup> VIOLATION & THEREAFTER
15	INTERFERENCE ANIMAL WITH CONTROL	<del>\$150.00</del>	<del>\$250.00</del>	<del>\$500.00</del>
8	RUNNING AT LARGE	<del>\$75.00</del>	<del>\$150.00</del>	\$250.00
9	PUBLIC NUISANCE PROHIBITED	<del>\$75.00</del>	<del>150.00</del>	\$250.00
10	HUMANE CARE REQUIRED	\$100.00	MANDATORY COURT	

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			APPEARANCE	
II	ABANDONMENT OF AN ANIMAL	\$100.00	\$250.00	
	VIOLATIONS WHICH RESULT IN THE DESTRUCTION OR LOSS OF PERSONAL PROPERTY	\$100.00	\$250.00	MANDATORY COURT APPEARANCE
	VIOLATIONS WHICH RESULT IN THE UNPROVOKED, BITING, WOUNDING OR ATTACKING OF A DOMESTIC ANIMAL OR PERSON	\$450.00 (PERSON) \$250.00 (ANIMAL)	MANDATORY COURT APPEARANCE	
	VIOLATIONS OF ANY PROVISION PERTAINING TO A DANGEROUS OR VICIOUS ANIMAL WHICH DOES NOT RESULT IN INJURY TO PERSON OR DOMESTIC ANIMAL	\$250.00	MANDATORY COURT APPEARANCE	
	VIOLATIONS OF ANY PROVISION PERTAINING TO A DANGEROUS OR VICIOUS ANIMAL WHICH DOES NOT RESULT IN	\$250.00	MANDATORY COURT APPEARANCE	

	INJURY TO A PERSON OR DOMESTIC ANIMAL.			
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- (h) In addition to any penalties and/or court costs imposed by this article or the court, there shall be imposed and collected by the clerk of the court a \$5.00 surcharge upon each civil penalty imposed for all citations issued for violations of this article. All funds collected as a direct result of this surcharge shall be placed in a fund by the county to be utilized for funding training of the county animal control officers as required by F.S. § 828.27(4)(b).
- (i) Notwithstanding any provision to the contrary, violations of Section 10(c)(1) involving animal cruelty shall be punished as a first-degree misdemeanor as provided by s. 775.082, Florida Statutes.
- (j) Notwithstanding any provision to the contrary, violations of Section 10(c)(2) involving the tripping of horses shall be punished as a third-degree felony as provided by ss. 775.082, s. 775.083, or s. 775.084, Florida Statutes.
- (k) Notwithstanding any provision to the contrary, violations of Section 13 involving the fighting or baiting of animals shall be punished as a third-degree felony.

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#### Section 5 - Rabies vaccination required.

- (a) Every dog and cat, four months of age or older, shall be vaccinated by a licensed veterinarian against rabies with a U.S. Government approved vaccine. Each animal shall be required to be vaccinated no more frequently than the effective period of the approved vaccine used. Such vaccination is excused only if a licensed veterinarian certifies in writing that vaccination would be injurious to the dog or cat's health. In such case, the dog or cat shall be confined in an enclosed building or kennel until the dog or cat can be safely vaccinated.
- (b) Proof of vaccination shall consist of a rabies vaccination certificate, a rabies vaccination tag and identification tag which shall specify the name and telephone number of the owner of the animal. Said certificate and rabies tag shall be approved by the director of animal control. The rabies vaccination tag issued for one dog or cat shall not be valid for any other dog or cat. Said tags must be placed on the dog or cat.
- (c) It is unlawful for any person to remove the rabies vaccination tag or identification tag of any currently- vaccinated dog or cat unless:
- (1) The dog or cat is participating in any organized exhibition or field trial, or is training for these events, or is engaged in a legal sport under competent supervision; or
  - (2) A licensed veterinarian directs in writing that the rabies vaccination tag be removed for reasons

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of the dog's or cat's health. In such event, the dog or cat shall be confined until the veterinarian permits the tag again to be placed on the dog or cat; or

- (3) The animal is securely confined.
- (d) It is unlawful for the owner of a dog or cat to refuse to show proof of current vaccination of such dog or cat by the end of the next business day if such information is requested by the director of animal control or any animal control officer.
- (e) Compliance with state administrative code. When any animal bites or wounds a human or when a human or domestic or captive wild animal is bitten by or exposed to rabies by a suspected or known rabid animal, the owner shall comply fully with F.A.C. Ch. 10D-3, pertaining to communicable disease control.

#### Section 6 - Potential rabies carriers.

No person shall keep, own, possess, or harbor any rabies carriers as a personal pet within the county.

Owners of potential rabies carriers shall be allowed to keep, own, possess, or harbor said animal, provided that they are properly permitted through state or federal agencies. Adequate living quarters and confinement must be provided for the animal, which are consistent with the species' normal requirements for size, shelter, exercise area, heat, ventilation, light, and safety. All areas for the animal must be maintained in a sanitary manner. Carriers as defined in this chapter shall not apply to properly licensed or permitted museums, wildlife rehabilitators, zoological parks or research facilities. It shall be the responsibility of the owner of any potential rabies carrier animal to provide proof of the acquisition date and the animal's source if requested to do so by the division of animal control.

#### Section 7 - Rabies control.

It shall be the duty of any person having knowledge that an animal has bitten or otherwise exposed a person or domestic or captive wild animal to rabies, to report the incident immediately to the division of animal control for examination, or for supervised quarantine of the animal at the expense of the owner.

- (a) Any animal which has bitten or exposed a human to rabies shall be quarantined for a period of not less than ten days.
- (b) The procedures for the investigation of animal bites inflicted by animals other than dogs and cats shall be followed in accordance with the provisions set forth in the FAC. Ch. 10D-3.
- (c) The location and conditions of examination or quarantine of animals which have bitten or otherwise exposed a person to rabies shall be established by the county health officer (FAC. Ch. 10D-3).
- (d) It shall be unlawful for any person to hide, conceal, or refuse to surrender any animal for examination or quarantine upon lawful demand to do so by the county health officer or by the division of animal control.
- (e) Any person having knowledge that a domestic animal has been bitten by or otherwise

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exposed to rabies by a wild animal of a species commonly recognized to be a carrier of rabies such as, but not limited to, raccoons, foxes, skunks, bats, and bobcats, shall immediately report such bite or exposure to the county health officer or to the division of animal control for the investigation of such bite or exposure.

#### Section 8 - Running at large prohibited.

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- (a) It shall be unlawful for any animal to run or remain at large on any public street, road, park, parking lot, Beach, or other public place. In all such places, the dog shall be under Direct Control at all times.
- (b) It shall be unlawful for any animal to run or remain at large upon any private property, whether under direct control or not, and posing a threat to public safety, without the consent of the owner of such private property.
- (c) It shall be a violation of this article for the owner or keeper of any animal to tie, chain or otherwise tether such animal in such a manner that it has access to public property or the property of another without consent of that property owner.
- (d) Dogs and cats in estrus. The owner of any female dog or cat in estrus shall keep such dog or cat confined in a building or secure enclosure, veterinary hospital, or boarding kennel in such a manner that such female dog or cat cannot come in contact with a male dog or cat, except for intentional breeding purposes.
- (e) Responsibility. The owner or keeper of any animal found running or remaining at large shall be responsible for any violation of this article.
- (f) Exceptions. This section shall not apply to:
  - (1) Any dog or cat being officially shown or trained; or
  - (2) Any animal that is especially trained to assist or provide personal services for a disabled person, as defined under the American with Disabilities Act.
  - (3) Government police dogs.
  - (4) Any dog actually engaged in a legal sport, including supervised hunting within authorized areas.
- (g) All dogs and livestock shall be physically contained on the property of the owner by fence or other enclosure.

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#### Section 9 - Public nuisances prohibited.

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- (a) It shall be unlawful for any person to allow his animal to become a public nuisance, as defined in this chapter.
- (b) The owner of any domestic animal which is a public nuisance as defined in this chapter shall be subject to the procedures and penalties set forth in provided ordinances of the county.
- (c) Any animal which is feral as defined in this chapter shall be classified as a public nuisance, and shall be impounded and humanely euthanized. Feral animals shall not be required to be held for a



minimum period of time as required for other stray animals, as specified in ordinances of the county.

- (d) Any nuisance complaint shall be investigated by either animal control, law enforcement or code enforcement. The owner shall first be given written notification by the county that the animal's behavior constitutes a public nuisance, that the owner is required to make reasonable effort to abate the nuisance within seven calendar days of the written notice of violation, and that subsequent violations may result in the issuance of a citation to the owner for allowing his animal to become a nuisance.
- (e) Subsequent violations, after warning, shall be based on the animal control, law enforcement or code enforcement officer having personal knowledge of the nuisance or at least two affidavits from different parties residing in close proximity to the alleged nuisance must be received. Close proximity shall mean residing within a radius of 200 feet from the residence or location of the offending animal but shall not preclude the consideration of evidence and testimony of persons living more than 200 feet from the residence or location of the offending animal. One affidavit may be sufficient to warrant an investigation where there is only one party in close proximity to the alleged nuisance.

#### Section 10 - Humane care required.

- (a) No owner shall fail to provide his animal with sufficient and wholesome food and water. The owner is responsible for providing water, shelter and protection from the weather at all times, veterinary care when needed to prevent suffering or disease, and with humane care and treatment, including sufficient exercise space. The owner of an animal shall provide clean water for the animal in a sufficient quantity to maintain the animal in a healthy condition. Water shall be provided at all times in a stable container which is sized appropriately for the animal's species and breed.
- (b) No vehicle owner, passenger or operator shall place or confine an animal or allow it to be placed or confined or to remain in an unattended vehicle without sufficient ventilation or under conditions or for such a period of time as may reasonably be expected to endanger the health or well-being of such animal due to heat, lack of water, or such other circumstances as may be expected to cause suffering, disability or death.
  - (1) Officers finding an animal under the conditions reference above may rescue such animal from the vehicle following the policy established by animal control.
- (c) Pursuant to F.S. § 828.12, no person shall:
  - (1) Unnecessarily overload, overdrive, torment, deprive of necessary sustenance or shelter, unnecessarily mutilate, kill, or any animal or cause the same to be done, or carry upon any vehicle or otherwise, any animal in a cruel or inhumane manner, commits animal cruelty and shall be guilty of a first-degree misdemeanor.
- (d) Any person who, as the operator of a motor vehicle, strikes a domesticated animal should immediately report such incident to any law enforcement agency or to the division of animal control.

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- (e) No person shall under any circumstances tether or otherwise confine any animal in a manner that is injurious to the animal's health, safety and well-being. Proper and humane tethering includes, but is not limited to the following:

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- (1) Collars used to attach an animal should be comfortable and properly fitted. The uses of choke chains are prohibited, except when an owner is walking or exercising their animal, or when the animal is participating in any organized exhibition or field trial, or is training for these events, or is engaged in a legal sport under competent supervision.
- (2) The tether shall not extend over an object or edge in such a manner that could result in strangulation of or injury to the animal. The length of the tether must be a minimum of ten feet or at least three times the length of the animal measured from the animal's nose to the base of its tail, whichever is greater, unless the tether is being used to secure the animal to the bed of an open vehicle or pick-up truck. Restraints should allow the animal to move about and lie down comfortably.
- (3) Tethering of an animal is prohibited during natural disasters such as flood, fires, tornadoes or hurricanes.
- (4) No animal shall be confined to a vacant or abandoned structure.

#### Section 11- Abandonment of animals prohibited.

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- (a) It shall be a violation of this article for a person to abandon or dispose of an animal on the property of another person or on public property.
- (b) It is a violation of this article to abandon an animal in a former residence when relocating to a new residence.
- (c) After posting a 24-hour notice of intent to impound and no attempt by the owner has been made to contact animal control, the animal shall be impounded by animal control.

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#### Section 12 - Dangerous dogs prohibited; state statute adopted by reference.

- (a) F.S. § 767.12 (2015), which reads as follows, and any subsequent amendments made by the state legislature, are adopted and by reference made a part of this article:

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- (1) Dangerous dog determination procedure is as follows:

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- a. An animal control authority shall investigate reported incidents involving any dog that may be dangerous and shall, if possible, interview the owner and require a sworn affidavit from any person, including any animal control officer or enforcement officer, desiring to have a dog classified as dangerous. Any animal that is the subject of a dangerous dog investigation that is not impounded with the animal control authority shall be humanely and safely confined by the owner in a securely fenced or enclosed area pending the outcome of the investigation and resolution of any hearings related to the dangerous dog classification. The address of where the animal resides shall be provided to the animal control authority. No dog that is the subject of a dangerous dog investigation

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may be relocated or ownership transferred pending the outcome of an investigation or any hearings related to the determination of a dangerous dog classification. In the event that a dog is to be destroyed, the dog shall not be re-located or ownership transferred.

- b. A dog shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was unlawfully on the property or, while lawfully on the property, was tormenting, abusing, or assaulting the dog or its owner or a family member. No dog may be declared dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.
  - c. After the investigation, the animal control authority shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous and shall afford the owner an opportunity for a hearing prior to making a final determination. The animal control authority shall provide written notification of the sufficient cause finding, to the owner, by registered mail, certified hand delivery, or service in conformance with the provisions of F.S. Ch. 48, relating to service of process. The owner may file a written request for a hearing within seven calendar days from the date of receipt of the notification of the sufficient cause finding and, if requested, the hearing shall be held as soon as possible, but not more than 21 calendar days and no sooner than five days after receipt of the request from the owner. The board of county commissioners shall establish hearing procedures that conform to this subsection. If the owner fails to timely requests a hearing, the owner shall be deemed to have waived their rights to appeal the dangerous dog classification.
  - d. Once a dog is classified as a dangerous dog, the animal control authority shall provide written notification to the owner by registered mail, certified hand delivery, or service, and the owner may file a written request for a hearing in the county court to appeal the classification within 10 business days after receipt of a written determination of a dangerous dog classification and must confine the dog in a securely fenced or enclosed area pending a resolution of the appeal. The board of county commissioners shall establish hearing procedures that conform to this subsection. Deleted:
- (2) Within 14 days after a dog has been classified as dangerous by the animal control authority or a dangerous dog classification is upheld by the county court on appeal, the owner of the dog must obtain a certificate of registration for the dog from the animal control authority serving the area in which he resides, and the certificate shall be renewed annually. Animal control authorities are authorized to issue such certificates of registration, and renewals thereof, only to persons who are at least 18 years of age and who present to the animal control authority sufficient evidence of:
- a. A current certificate of rabies vaccination for the dog.
  - b. A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign at all entry points that informs both children and adults of the presence of a dangerous dog on the property. Deleted:

- c. Permanent and visible identification of the dog, such as a tattoo on the inside thigh or electronic implantation.
- d. Proof of spay or neutering.
- e. Provision to the animal control authority of a photo of the dog that is no older than 30 days old.
- f. Provision to the animal control authority of a photo of the owner that is no older than 30 days old.

The appropriate governmental unit may impose an annual fee for the issuance of certificates of registration required by this section.

- (3) The owner shall immediately notify the appropriate animal control authority when a dog that has been classified as dangerous:
  - a. Is loose or unconfined.
  - b. Has bitten a human being or attacked another animal.
  - c. Is sold, given away, or dies.
  - d. Is moved to another address.
  - e. Is stolen.

Prior to a dangerous dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control authority. The new owner must comply with all of the requirements of this act and implementing local ordinances, even if the animal is moved from one local jurisdiction to another within the state. The animal control authority must be notified by the owner of a dog classified as dangerous that the dog is in its jurisdiction.

- (4) It is unlawful for the owner of a dangerous dog to permit the dog to be outside of a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under control of a competent person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person or animal. The owner may exercise the dog in a securely fenced or enclosed area that does not have a top, without a muzzle or leash, if the dog remains within his sight and only members of the immediate household or persons 18 years of age or older are allowed in the enclosure when the dog is present. When being transported, such dogs must be safely and securely restrained within a vehicle.
- (5) Dogs engaged in training or exhibiting in legal sports such as obedience trials, conformation shows, field trials, hunting/retrieving trials, and herding trials are exempt from the provisions of this section when engaged in any legal procedures. However, such dogs at all other times in all other respects shall be subject to this and local laws. Dogs that have been classified as dangerous shall not be used for hunting purposes.
- (6) This section does not apply to dogs used by law enforcement officials for law enforcement work.



- (7) Any person who violates any provision of this section is guilty of a noncriminal infraction, punishable by a fine not exceeding \$500.00, plus court costs.
- (b) F.S. § 767.13 (2015), which reads as follows, and any subsequent amendments made by the Florida legislature, are adopted and by reference made a part of this article:
- (1) If a dog that has previously been declared dangerous attacks or bites a person or a domestic animal without provocation, the owner is guilty of a misdemeanor of the first degree, punishable as provided in F.S. §§ 775.082 or 775.083. In addition, the dangerous dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and held for 10 business days after the owner is given written notification under F.S. § 767.12, and thereafter destroyed in an expeditious and humane manner. This 10 day time period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.
  - (2) If a dog that has not been declared dangerous attacks and causes severe injury to or death of any human, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for 10 business days after the owner is given written notification under F.S. § 767.12, and thereafter destroyed in an expeditious and humane manner. This 10 day time period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs, fines imposed and other fees as may be required to humanely and safely keep the animal during any appeal procedure. In addition, if the owner of the dog had prior knowledge of the dog's dangerous propensities, yet demonstrated a reckless disregard for such propensities under the circumstances, the owner of the dog is guilty of a misdemeanor of the second degree, punishable as provided in F.S. §§ 775.082 or 775.083. Deleted:
  - (3) If a dog that has been previously declared dangerous, attacks and causes severe injury to or death of any human, the owner is guilty of a felony of the third degree, punishable at provided in Section 775.082, Section 775.083, or Section 775.084. In addition, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for 10 business days after the owner is given written notification under F.S. § 767.12, and thereafter destroyed in an expeditious and humane manner. This 10 day time period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs, fines imposed and other fees as may be required to humanely and safely keep the animal during any appeal procedure.
  - (4) If the owner files a written appeal under F.S. § 767.12 or this section, the dog must be held and may not be destroyed while the appeal is pending.
  - (5) If a dog attacks or bites a person who is engaged in or attempting to engage in a criminal

activity at the time of the attack, the owner is not guilty of any crime specified under this section.

(c) Insurance. In order to protect the public and to afford relief from the severe harm and injury that is likely to result from a dangerous dog attack, the owner of a dangerous dog shall obtain and maintain insurance in the minimum amount of \$100,000.00 for each individual dangerous dog owned to provide liability insurance for damage to persons and property caused by the dangerous dog(s). The insurance shall be provided by an insurance company authorized to do business in the State of Florida, and the owner shall provide the animal control division evidence of a certificate of insurance and a copy of the endorsement. Alternatively, the owner may post a \$100,000.00 surety bond with the Clerk of Bay County conditioned upon the payment of damages to persons and property caused by the dangerous dog during the period of registration, renewable annually. Annual registration shall be denied any owner not in compliance with this section. If, at any time, the liability insurance is cancelled or lapses, the animal control division shall have the authority to impound the dangerous dog. If the owner does not re-insure the animal within 14 days of the impoundment, ownership of the dog shall revert to the county and the dog shall be euthanized in an expeditious and humane manner

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### Section 13 - Fighting or baiting of animals is prohibited.

Pursuant to F. S. §828.122, Fighting or Baiting Animals:

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(1) As used in this section, the term:

(a) "Animal fighting" means fighting between roosters or other birds or between dogs, bears, or other animals.

(b) "Baiting" means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals. In addition, "baiting" means the use of live animals in the training of racing greyhounds.

(c) "Person" means every natural person, firm, co-partnership, association, or corporation.

(2) Any person who knowingly commits any of the following acts commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(a) Baiting, breeding, training, transporting, selling, owning, possessing, or using any wild or domestic animal for the purpose of animal fighting or baiting;

(b) Owning, possessing, or selling equipment for use in any activity described in paragraph (a);

(c) Owning, leasing, managing, operating, or having control of any property kept or used for any activity described in paragraph (a) or paragraph (b);

(d) Promoting, staging, advertising, or charging any admission fee to a fight or baiting between two or more animals;

(e) Performing any service or act to facilitate animal fighting or baiting, including, but not limited to, providing security, refereeing, or handling or transporting animals or being a stakeholder of any money wagered on animal fighting or baiting;

(f) Removing or facilitating the removal of any animal impounded under this section from an agency where the animal is impounded or from a location designated by the court under subsection (4), subsection (5), or subsection (7), without the prior authorization of the court;

(g) Betting or wagering any money or other valuable consideration on the fighting or baiting of animals; or

(h) Attending the fighting or baiting of animals.

Notwithstanding any provision of this subsection to the contrary, possession of the animal alone does not constitute a violation of this section.

(3) If a court finds probable cause to believe that a violation of this section or s. 828.12 has occurred, the court shall order the seizure of any animals and equipment used in committing the violation and shall provide for appropriate and humane care or disposition of the animals. This subsection is not a limitation on the power to seize animals as evidence at the time of arrest.

(4) If an animal shelter or other location is unavailable, a court may order the animal to be impounded on the property of its owner or possessor and shall order such person to provide all necessary care for the animal and to allow regular inspections of the animal by a person designated by the court.

(5) If a veterinarian finds that an animal kept or used in violation of this section is suffering from an injury or a disease severe enough that it is not possible to humanely house and care for the animal pending completion of a hearing held under s. 828.073(2), final disposition of the criminal charges, or court-ordered forfeiture, the veterinarian may euthanize the animal as specified in s. 828.058. A veterinarian licensed to practice in this state shall be held harmless from criminal or civil liability for any decisions made or services rendered under this subsection.

(6) If an animal can be housed in a humane manner, the provisions of s. 828.073 shall apply. For the purpose of a hearing provided pursuant to s. 828.073(2), any animal baited, bred, trained, transported, sold, owned, possessed, or used for the purpose of animal fighting or baiting shall be considered mistreated.

(7) In addition to other penalties prescribed by law, the court may issue an order prohibiting a person who is convicted of a violation of this section from owning, possessing, keeping, harboring, or having custody or control over any animals within the species that are the subject of the conviction, or any animals kept for the purpose of fighting or baiting, for a period of time determined by the court.

(8) This section shall not apply to:

(a) Any person simulating a fight for the purpose of using the simulated fight as part of a motion picture which will be used on television or in a motion picture, provided s. 828.12 is not violated.

(b) Any person using animals to pursue or take wildlife or to participate in any hunting regulated or



subject to being regulated by the rules and regulations of the Fish and Wildlife Conservation Commission.

(c) Any person using animals to work livestock for agricultural purposes.

(d) Any person violating s. 828.121.

(e) Any person using dogs to hunt wild hogs or to retrieve domestic hogs pursuant to customary hunting or agricultural practices.

(9) This section shall not prohibit, impede, or otherwise interfere with recognized animal husbandry and training techniques or practices not otherwise specifically prohibited by law.

#### Section 14 - Animal control appeal board.

An appeal board consisting of five persons who are residents of Franklin County shall be appointed by the board of county commissioners to review decisions of the division of animal control as required under the Franklin County Animal Control Ordinance, including, but not limited to, the initial classification of an animal as dangerous. The membership of the animal control appeal board shall include the following: one member knowledgeable in the area of animal behavior; one member with a law enforcement background; one member licensed to practice veterinary medicine in the State of Florida; one member knowledgeable in the area of public health; and one citizen member.

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#### Section 15 - Impoundment.

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(a) The director of animal control or any animal control officer shall have the authority to enforce this article, and shall pick up, catch, or confine any animal in violation of this article. Each person designated as an enforcement officer, pursuant to F.S. Ch. 828, may issue to the known owner or keeper of such animal a warning notice or citation as defined in section 3.

(b) No person shall:

- (1) Refuse to surrender an animal upon lawful demand by the director of animal control or any animal protection officer;
- (2) Interfere with any animal protection officer who is lawfully apprehending an animal; or shall hold, hide, or conceal any animal which the director of animal control or an animal control officer has deemed to be in violation of this article; or
- (3) Take or attempt to take any animal from:
  - a. An animal control officer or from any vehicle used by him to transport animals in the legal performance of his duties; or
  - b. An animal control shelter, a humane live trap, or an animal carrier, without proper authority.

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(c) A property owner or tenant may restrain in a humane manner any animal found in violation of this article on his property. When such restraint is made, the property owner or tenant shall immediately notify the division of animal control. The property owner or tenant shall treat the animal humanely and shall exercise due care to ensure the animal's safety and well-

being. The director of animal control or any animal protection officer shall impound any animal delivered by its owner, ~~or shall pick up and impound any animal restrained by a property~~ owner or tenant as described above, and shall dispose of the animal pursuant to this article.

- (d) Animals which are impounded and are not suffering from or suspected of having an infectious or contagious disease, shall be held for not less than five working days unless sooner redeemed by the owner. Ill or injured animals may be euthanized prior to the expiration of the five days holding period in accordance with F.S. § 828.05. In instances when the owner of an impounded animal can be determined, the director of animal control or any animal control officer shall make a reasonable attempt to contact the owner before disposition of the animal.
- (e) The owner shall be responsible for payment of all boarding costs, fines imposed and other fees as may be required to humanely and safely keep the dog during impoundment. No animal shall be redeemed to its owner until such costs, fines, and fees are paid or otherwise resolved with the animal control authority.

#### Section 16 - Right of entry.

- (a) Pursuant to F.S. §§ 828.27, 828.073 and 125.01, the director of animal control and/or any animal control officer may enter public or unfenced private property within the county to carry out the duties imposed by this article.
- (b) Pursuant to F.S. §§ 828.27, 828.073 and 125.01 the director of animal control and/or any animal protection officer may enter fenced private property when:
  - (1) The owner or keeper of an animal which has bitten or otherwise exposed a human or domestic or captive wild animal to rabies refuses to surrender such animal for rabies quarantine.
  - (2) The animal being sought was at large immediately prior to the division of animal control receiving a filed complaint that the animal was at large chasing people or domestic animals or was causing the destruction or loss of personal property, but subsequently returned to its owner's fenced private property; provided, however, that the animal has the capability to leave the fenced property by climbing, jumping, or crawling under the fences and provided that an attempt to contact the owner, if known, was unsuccessful.
  - (3) The division of animal control is investigating or taking possession of any animal found or suspected to be neglected or cruelly treated pursuant to F.S. §§ 828.27, 828.073 and 125.01.
  - (4) Pursuant to F.S. §§ 767.12 and 125.01, the division of animal control is taking possession of any animal initially determined as dangerous or aggressive.

#### Section 17 - Disposal of impounded animals.

Feral or unweaned animals may be euthanized immediately upon impoundment. Other animals not claimed at the end of the fifth day or after the quarantine period for animals impounded pursuant to section 15, shall become the property of the county. Before any animal

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may be adopted from the animal shelter, provision shall be made for such animal to be neutered or spayed with the following exceptions:

- (1) A dog or cat claimed by the owner before the end of the fifth day or at the end of the quarantine period shall not be required to be neutered or spayed before its release to the owner.
- (2) If said county dog or cat is under the age of six months, if female; or eight months, if male, provisions shall be made to have said county dog or cat neutered or spayed between the ages of six and eight months, if female; or eight and ten months, if male.
- (3) Upon request of a licensed veterinarian, and for a valid medical reason, such as the relative immaturity of a particular animal or breed at the required age of sterilization or the presence of a medical problem or condition of a particular animal which makes surgery at the time inadvisable, the director of animal control shall extend the time limits within which the animal must be sterilized.
- (4) No animal from the incorporated area of the county which is dangerous within the meaning of Laws of Fla. Ch. 90-180, as amended, shall be placed for adoption from the animal shelter in the event that the owner does not redeem said animal.
- (5) Any animal not redeemed by its owner or adopted as a personal pet within 14 days of its arrival at the animal shelter shall become the property of the county animal shelter.
- (6) Any animal for which its owner is responsible to the animal control authority or animal shelter for boarding fees, costs, or fines shall not be redeemed to its owner until said fees, costs, and fines are paid or otherwise resolved with the animal control authority or animal shelter. If said fees are not paid or otherwise resolved the animal becomes the property of the county animal shelter.

#### Section 18 - Identification of ownership.

- (a) Except as otherwise provided, every owner of an animal over the age of four months residing within the geographical areas of the county must carry identification to identify the animal's ownership including:
  - (1) The owner's name;
  - (2) The owner's address;
  - (3) The owner's phone number.
- (b) Unless otherwise provided, all animals are required to wear a rabies tag at all times, unless said animal is implanted with an electronic animal identification device (microchip), provided the microchip identification code is recorded with the county animal shelter.

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#### Section 19 - License fees for dangerous dogs.

Dogs classified as a dangerous dog shall pay a license fee as set by resolution by the board of county commissioners.

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#### Section 20 - Kennel license.

Any person operating a kennel within the county shall obtain all necessary licenses and approvals from the county and shall meet any and all requirements of state law.

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#### Section 21 - Fees.

The board of county commissioners may, by resolution, establish and subsequently amend a fee schedule for the animal shelter which shall be administered by the animal shelter. All fees collected under this section that are not expended in the current fiscal year shall be carried over to the succeeding fiscal year for expenditure for the animal shelter.

#### Section 22 - Rules and regulations.

The board of county commissioners may, by resolution, enact reasonable rules and regulations to implement and carry out the provisions of this article.

#### Section 23 - Designation of enforcement officers.

- (a) The board of county commissioners is hereby authorized to designate certain of its employees in the animal control division as enforcement officers along with the county sheriff's department and division of code enforcement. The training and qualifications of the employees for such designation shall be determined by the board.
- (b) The director of animal control, any animal control officer, code enforcement and law enforcement shall have the authority to enforce this article. The director of animal control and each person designated as an animal control officer pursuant to F.S. Ch. 828, may issue to the known owner or keeper of such animal a warning notice or citation as defined in section 3.

#### Section 24 - Duties of officers.

It shall be the duty of any person designated as an enforcement officer to enforce the animal control ordinance as determined by the board in conjunction with the designation of the individual enforcement officer.

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#### Section 25 - Officer's authority to issue citation.

Any enforcement officer is hereby authorized to issue a citation for the violation of this article when the officer has probable cause to believe that a violation of this article has occurred (Laws of Fla. chs. 82-319 and 90-180, as amended, and F.S. § 828.27(1)(f)).

#### Section 26 - Contents of citation.

A citation issued by an enforcement officer under the provisions of the act shall be in a form prescribed by the board and shall include:

- (1) The time and date of issuance;
- (2) The name and address of the person accused;
- (3) The date and time the civil infraction was committed;
- (4) The section and number of this article which was violated;



- (5) The name and authority of the issuing animal protection officer;
- (6) The facts constituting probable cause;
- (7) The time, date, and place at which the person accused shall appear in court;
- (8) The signature of the person accused;
- (9) The procedure for the person to follow in order to pay the specific civil penalty imposed or to contest the citation;
- (10) The maximum civil penalty if the person elects to contest the citation; and
- (11) A conspicuous statement that if the person fails:
  - a. To pay the civil penalty within the time allowed; or
  - b. To appear in court to contest the citation, then he shall be deemed to have waived his right to contest the citation, and that in such case judgment may be entered against the person for an amount up to the maximum civil penalty.

#### Section 27 - Procedure upon issuance of citation.

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- (a) Once a ticket is issued the person cited shall either:
  - (1) Pay the ticket in the amount required within ten days; or
  - (2) Contact the clerk's office within ten days and request a hearing.
- (b) If the ticket is not paid within ten days of issuance and delivery to the violator, and a hearing not required, it shall automatically be reduced to judgment and turned over to a collection agency in the amount set per schedule.
- (c) If a hearing is requested then, if the defendant:
  - (1) Is present, he shall plead guilty or not guilty and shall face a fine and court costs determined by the court;
  - (2) Fails to appear, a default will be entered and a fine shall be imposed and the defendant shall be deemed to have waived any objection to the amount payable.
- (d) Any person who willfully refuses to sign and accept a citation (ticket) shall be in violation of this article and shall be punished according to applicable state law.

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#### Section 28- Interference with Performance of Duties

It shall be unlawful for any person to interfere with, prevent or hinder anyone in the performance of any duty required by this chapter including, but not limited to, removing or attempting to remove an animal from an animal control officer's vehicle, tampering with or removing an animal from an animal control division animal trap, tampering with or destroying signs and/or other county property, interfering with the lawful execution of the duties of an animal control officer or interfering with the lawful impoundment of an animal. All alleged violators of any section of this chapter shall be required to provide positive photo identification and accurate current residence; failure to do so shall be considered a violation of this section that is subject to a fine as designated in the fines and fees schedule adopted by

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resolution of the board of county commissioners. If the fine and fees scheduled does not provide for a penalty for the violation of this section, then the penalty shall be a \$100 fine, plus court costs. If the fine and fees schedule provides a penalty which is in conflict with this section, then the resolution adopting a fine and fee schedule shall control.

#### Section 29 - Neglecting or abandoning animals.

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It shall be unlawful for any person to neglect or abandon an animal. For purposes of this article, it shall be considered neglect or abandonment if one or more of the following occurs:

- (1) Failing to provide any one of the following: sufficient water; sufficient food; adequate shelter to protect the animal from extreme weather, necessary veterinary care/treatment to prevent suffering, sufficient exercise, and wholesome exchange of air.
- (2) Caging or confining an animal and failing to supply the animal, during such caging or confinement, with sufficient water, sufficient space, sufficient exercise and with sufficient food;
- (3) Abandoning an animal upon or beside any street, road or other public or private place; or
- (4) Forsaking entirely and leaving to die any animal that is maimed, sick, infirm or diseased.

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#### Section 30 - General Nuisance.

It shall be an unlawful nuisance to keep or feed any animal, domestic or wild, in a manner that causes any one or more of the following: creates unsanitary conditions or objectionable odor; is a source of infestation by insects or rodents; and/or creates physical conditions that endanger the health or safety of humans. This subsection shall not apply to animals maintained on land zoned for agricultural purposes, nor shall it apply to a properly permitted animal shelter established for the care and/or placement of unwanted or stray animals, nor a properly zoned commercial boarding kennel, veterinary clinic, or other animal facility.

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#### Section 31 - Noise.

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- (a) It shall be unlawful for the owner, or any caretaker of an animal or animals to allow the animal(s), to bark, meow, whine, howl, or to make other sounds common to the species, persistently or continuously for a period of 30 minutes or longer when the animal is not contained within an enclosure sufficient to baffle loud noises and render them reasonably unobjectionable. This subsection shall not apply to animals maintained on land zoned for agricultural purposes, nor shall it apply to a properly permitted animal shelter established for the care and/or placement of unwanted or stray animals, nor a properly zoned commercial boarding kennel or other animal facility.
- (b) An owner or custodian of the animal(s), may be cited for violation of this section when either the investigating officer has received, from at least two unrelated adult witnesses from different residences, a sworn affidavit attesting to the committing of a nuisance pursuant to such section or subsection, or the citing officer has witnessed the commission of such a nuisance. Affidavits attesting to the nuisance must come from residents within a three-block radius (approximately 900-foot radius).

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### Section 32 - County court jurisdiction

- (a) The county court in and for Franklin County, Florida, shall hear charges of code violations pursuant to the issuance of citations.
- (b) Any person so charged may contest the citation in the county court.

### Section 33 - Repeal.

All other ordinances of the county which are in conflict with this article are hereby repealed, specifically including Ordinance No. 2017-07, which is hereby repealed in its entirety.

### Section 34 - Effective Date

This ordinance shall take effect upon filing with the State of Florida.

### Section 35 - Remedies Cumulative

The remedies provided by this ordinance are cumulative and are in addition to State Law, except to the extent of conflict with or preemption by the State. In the event that State Law imposes a greater or lesser penalty than is provided by this ordinance, then the penalty provided by State Law shall prevail.

### Section 36 - Savings Clause

If any court of competent jurisdiction should enter a final order finding that any one, or more, parts of this ordinance are unlawful or unenforceable, then such part, or parts, shall be stricken and the remainder of the ordinance shall remain in full force and effect.

This ordinance adopted in open regular session this 5th day of January, 2021, after notice of intent to consider the same has been made and kept in the Ordinance Book of the Clerk of the Board for at least 10 days, and the title and substance hereof published according to law.

FRANKLIN COUNTY, a political subdivision  
of the State of Florida

By: \_\_\_\_\_  
Ricky Jones, Its Chairman

Attest:

\_\_\_\_\_  
Michele Maxwell, Clerk of Courts

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Approved By:

Thomas M. Shuler  
Franklin County Attorney

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INTERLOCAL AGREEMENT BETWEEN  
FRANKLIN COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA,  
AND  
THE CITY OF \_\_, A MUNICIPAL CORPORATION,  
FORTH THE PROVISION OF ANIMAL CONTROL SERVICES WITHIN CITY LIMITS  
PURSUANT TO COUNTY ORDINANCE 2021-\_\_

WHEREAS, Franklin County, a political subdivision of the State of Florida, provides animal control services within unincorporated Franklin County, Florida, pursuant to Franklin County Ordinance 2021-0\_\_; and

WHEREAS, the City of \_\_ (Hereinafter "City") does not have an animal control department and has requested that Franklin County provide animal control services within the city limits of the City; and

WHEREAS, Franklin County has requested, and the City has agreed, that the City coordinate with the Franklin County Animal Control Department to create a process whereby the City will first dispatch, and maintain until each call is completed, a police officer to the scene to make the initial contact in the field at the scene of the complaint and make an assessment for each animal control related call within its jurisdiction; and,

NOW THEREFORE, pursuant to §163.01, *et. seq.*, Florida Statutes, the Florida Interlocal Cooperation Act of 1969, it is agreed that the City of \_\_ and Franklin County, hereby enter into an interlocal agreement for the provision of animal control services by Franklin County within the municipal boundaries of the City of \_\_ pursuant to County Ordinance 2021-0\_\_, as follows:

1. All of the preamble to this interlocal agreement is incorporated herein by this reference.
2. For the fiscal year 2020-2021, the City shall contribute \$\_\_ to Franklin County to offset the cost of animal control services within the City pursuant to Franklin County Ordinance 2021-0\_\_. For the 2020-2021 fiscal year, the payment is due by (insert date).

3. For the fiscal year 2021-2022, and each fiscal year thereafter, until this Interlocal Agreement is either modified or terminated, the City shall contribute \$ \_ to Franklin County to offset the cost of animal control services within the City. This payment is due on October 1<sup>st</sup> each year beginning October 1, 2021.
4. **PROCEDURE FOR ANIMAL CONTROL COMPLAINTS WITHIN THE CITY'S LIMITS:** The City police department shall first be dispatched to the scene of a complaint about animals. Upon the receipt of a complaint about an animal within the City limits, the Franklin County Animal Control Officer shall not be dispatched to the scene until after the City police department has made first contact at the scene and made a determination that Franklin County Animal Control Officers should be dispatched. Once dispatched, Franklin County shall determine whether a violation of the Franklin County Animal Control Ordinance 2021-0 \_ has occurred and what enforcement measures to take, if any. A police officer shall remain on the scene at all times while a Franklin County Animal Control Officer is on the scene or in the field within the City limits while responding to a complaint about animals. The City, Franklin County and the Sheriff's Department shall meet to determine the protocol for dispatch of the Franklin County Animal Control Officer within City limits.
5. **PROCEDURE TO MODIFY ANNUAL CONTRIBUTION:** Franklin County reserves the right to request that the City agree to modify the annual contribution to offset the cost of animal control services with the jurisdiction limits of the two cities.
6. **PROCEDURE TO TERMINATE INTERLOCAL AGREEMENT:** Any party may elect to terminate this interlocal agreement for convenience and without liability upon the provision of 10 calendar days-notice. If terminated during the fiscal year, Franklin



County shall make a prorata refund to the City within 30 business days from the effective date of the termination.

7. COUNTY EMPLOYEES ARE NOT CITY EMPLOYEES. The parties understand and agree that the employees of the Franklin County Animal Control Department are employees of Franklin County only. They are not employees of the City.

FRANKLIN COUNTY, a political  
Subdivision of the State of Florida.

By: \_\_\_\_\_  
\_\_\_\_\_, Its Chairman

ATTEST:

\_\_\_\_\_  
Michele Maxwell, Clerk of Courts

Approved as to form and sufficiency

By: \_\_\_\_\_  
Thomas M. Shuler, County Attorney

CITY OF \_\_\_\_\_, a municipal corporation

By: \_\_\_\_\_  
\_\_\_\_\_, Its Mayor

ATTEST:

By: \_\_\_\_\_  
\_\_\_\_\_, Its City Clerk

Approved as to form and sufficiency

By: \_\_\_\_\_  
\_\_\_\_\_, City Attorney

**Notice of CDBG-CV Public Hearing**

Para versión en español visite el sitio web de la Condado

The Franklin County Board of County Commissioners is considering applying to the Florida Department of Economic Opportunity (DEO) for a Community Development Block Grants - COVID (CDBG-CV). The application is limited to one project of \$200,000 - \$5,000,000, which may contain public services, public facilities, or special economic development activities, to address documented needs to prepare for, respond to, or recover from the COVID-19 pandemic. The program priority is assisting low/moderate income persons. The pre-application deadline is March 15, 2021.

At this time, the Board is considering requesting funding for expanding Broadband coverage. For additional information, contact Mark Curenton, County Planner, at the Franklin County Planning and Building Office, 34 Forbes Street, Apalachicola, FL 32320, email [marke@franklincountyflorida.com](mailto:marke@franklincountyflorida.com), phone 850-653-9783x160, during the hours of 8:30 a.m. – noon and 1:00 – 4:30 p.m.

The public hearing will be held during the March 2, 2021 Board meeting at 11:15 a.m. The meeting is held via ZOOM, which the public may access via a link on the Board meeting agenda, which will be posted on the website <https://www.franklincountyflorida.com/resources/agendas-minutes/>.

Any person wishing to attend the public hearing and requiring an interpreter or special accommodations should contact the County Clerk's Office, telephone 653-8861 (or call 711 for the Florida Relay Service for hearing impaired TTY/TDD) at least two business days prior to the meeting.



## ATTACHMENT A

# CDBG-CV SMALL CITIES PROGRAM GUIDELINES

### **Summary**

The Small Cities Community Development Block Grant – Coronavirus (CDBG-CV) Program is designed to help a non-entitlement municipality or county **prepare for, prevent, or respond to the health and economic impacts of COVID-19**. The activities must be critical to their locality and primarily for the benefit of low- and moderate-income residents. This document outlines program guidance by which subgrantees may apply for and implement CDBG-CV funded projects and programs to support the response, recovery, or prevention of the coronavirus (COVID-19).

### **Background**

Under the State of Florida's CDBG Program, the state awards grants to smaller units of general local government that develop and preserve decent affordable housing to provide services to the most vulnerable in our communities, and to create and retain jobs.

Pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the U.S. Department of Housing and Urban Development (HUD) allocated additional Community Development Block Grant Coronavirus (CDBG-CV) funds to the state of Florida to address issues related to the impacts of coronavirus (COVID-19).

CDBG-CV funds were provided by HUD in three allocations to states and entitlement subgrantees. DEO has received a total of \$100 million in CDBG-CV funding.

### **Eligible Applicants**

#### ***Eligible Applicants***

Eligible applicants include all Florida counties, cities and towns except for direct HUD entitlement communities. Visit the [CDBG-CV Small Cities Program Eligible Communities List](#) to see a list of local governments that HUD has identified as being eligible to apply for Small Cities CDBG-CV funding.

Individual threshold requirements and other documents, as appropriate, are necessary for each applicant/subrecipient as outlined in the application. Each application will be limited to one activity. All activities utilizing CDBG-CV funds must meet a national objective of the CDBG program. Information on meeting a national objective can be found below under the Meeting the Low- and Moderate-Income National Objective section.

#### ***Subrecipients***

Activities may either be carried out directly by the local government or by a nonprofit/s as a subrecipient of the subgrantee. The nonprofit must not be on the federal debarment list and must demonstrate to DEO and the subgrantee that they have the capacity to carry out the activity and meet all requirements of the [DEO State and Small Cities CDBG Program](#). Local governments are expected to conduct a risk analysis to review the financial and administrative capacity of any subrecipients who will be carrying out activities on behalf of the local government. Executed agreements that bind the subrecipient to the requirements and policies of CDBG-CV will be required.

## **Duplication of Benefits Requirement**

Federal law requires DEO to conduct a duplication of benefits review for each CDBG-CV eligible activity. A duplication of benefits occurs when assistance is provided to a person or entity (i.e., beneficiary or local government) to address losses and that person or entity (i.e., beneficiary or local government) receives assistance for the same costs and/or losses from other funding sources. The funding sources not only includes CARES Act sources, but also other federal, state, philanthropic, and local government sources.

For a list of other likely federal sources and guidance, see the [HUD CDBG-CV Duplication of Benefits Quick Guide](#), the [HUD Memo: CDBG Coronavirus Response Grantee Resources Related to Preventing Duplication of Benefits](#), and the [CARES Act Programs through SBA, FEMA, IRS, Treasury, USDA, and HHS for CDBG Grantee Awareness for Duplication of Benefits](#) documents.

DEO will recapture all funds associated with a duplication of benefits. To alleviate issues, applicants must develop and maintain adequate procedures to prevent a duplication of benefits. Procedures must include a requirement of repayment of any duplicative assistance by persons/entities receiving CDBG-CV funds and a method to assess whether CDBG-CV funds will duplicate financial assistance that is already received or likely to be received by acting reasonably. A copy of the duplication of benefits procedures must accompany the CDBG-CV application.

A copy of the DEO CDBG-CV Duplication of Benefits Policy and Checklist can be found on the [CDBG-CV Coronavirus Relief Funding](#) webpage.

## **Meeting the Low- and Moderate-Income National Objective**

Each activity must meet one of the following national objectives for the program: benefit low- and moderate-income (LMI) persons, prevent or eliminate of slums or blight, or address community development needs with particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available. A need is considered urgent if it poses a serious and immediate threat to the health or welfare of the community and has arisen in the past 18 months.

A minimum of 70% of all CDBG-CV funds must be used for activities that meet the low- and moderate-income national objectives.

### ***LMI Area Benefit***

An LMI area benefit activity is an activity that benefits all the residents of an area that is primarily residential. To qualify as addressing the national objective of benefit to LMI persons on an area basis, an activity must meet the identified needs of LMI persons residing in an area where at least 51 percent of the residents are LMI persons. The benefits of this type of activity are available to all residents in the area regardless of income.

### ***LMI Limited Clientele***

An LMI limited clientele activity is one that provides benefits to a specific group of persons rather than everyone in a defined service area. It may benefit particular persons without regard to the area in which they reside, or it may be an activity that provides benefit on an area basis but only to a specific group of persons who reside in the area. In either case, at least 51 percent of the beneficiaries of the activity must be LMI persons.

### ***LMI Housing***

An LMI housing activity is one that provides benefits to a low- and moderate-income household that is qualified based on data about household size and income. This information must be documented and verified. For such activities to qualify under the low- to moderate-income benefit national objective, it must result in housing that will be occupied by low- and moderate-income households upon completion. The housing can be either owner- or renter-occupied and can be either one family or multi-unit structures.

### **LMI Jobs**

An LMI jobs activity is one that creates or retains permanent jobs, at least 51 percent of which, on a full time equivalent (FTE) basis, are either held by low- or moderate-income persons or considered to be available to low- or moderate-income persons.

### **Slum and Blight – Area Basis**

The focus of activities under this national objective is a change in the physical environment of a deteriorating area. This category covers activities that aid in the prevention or elimination of slums or blight in a designated area. *DEO does not anticipate the use of the Slum/Blight National Objective for CDBG-CV activities.*

### **Slum and Blight – Spot Basis**

The focus of activities under this national objective is a change in the physical environment of a deteriorating area. These are activities that eliminate specific conditions of blight or physical decay on a spot basis and are not located in a slum or blighted area. *DEO does not anticipate the use of the Slum/Blight National Objective for CDBG-CV activities.*

### **Urgent Need**

To comply with the national objective of meeting community development needs with a particular urgency, an activity must be designed to alleviate existing conditions which the local government certifies and the state determines:

- Pose a serious and immediate threat to the health or welfare of the community;
- Are of recent origin or recently became urgent;
- The state grant recipient is unable to finance the activity on its own; and
- Other sources of funding are not available to carry out the activity, as certified by both the state and the grant recipient.

In light of the severity of coronavirus and the urgency of the nation in addressing its impacts, pursuant to 24 CFR 570.483(d), a local government may document that the activity was designed to alleviate existing conditions utilizing the same records to show that grant funds were used to prevent, prepare for, and respond to coronavirus, as required by the CARES Act.

The local government may certify that the activity is designed to alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community within 18 months following a date determined by one of the following three methods:

- Referral to the [U.S. Department of Health and Human Services issued press release declaring a public health emergency for the entire United States](#). The declaration was retroactive to January 27, 2020;
- Referral to the [President's declaration of the ongoing Coronavirus Disease 2019 \(COVID-19\) pandemic](#) as an emergency of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 32 5121-5207 (the "Stafford Act"). (The President subsequently approved additional major disaster declarations for states); or
- Referral to the effective date of a subgrantee's own local or state emergency declaration.

More detailed information on meeting a national objective can be found in the [Guide to Eligible Activities and National Objectives for State CDBG Program](#) on the [DEO Downloads and Information for Applicants](#) webpage.

## **Eligible Activities**

Funds may be used ONLY to cover costs associated with preparing for, responding to, or recovering from the COVID-19 pandemic. All activities must be based on needs substantiated by the local government applicant. Applicants must demonstrate coordination with state and/or local health authorities before undertaking any activity to support state or local pandemic response. Applicants may use **Community Development Block Grant Coronavirus (CDBG-CV)** funds for public services, public facilities, and special economic development activities. The charts below outline examples of eligible projects.

### **Buildings and Improvements, Including Public Facilities**

Acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements.	Rehabilitate a facility for testing, diagnosis or treatment.
	Reconstruction of roads/sidewalks (expansion) to allow for social distancing.
	Acquire and rehabilitate, or construct, a group living facility that may be used to centralize patients undergoing treatment.
	Installation of wiring, fiber optic cables, and permanently affixed equipment such as receivers for areas to receive broadband/internet access.
Rehabilitation of buildings and improvements	Rehabilitate a senior center, community center or homeless shelter by replacing the HVAC system and/or installing air purification system.
	Acquisition and/or rehabilitation of a building to expand capacity of homeless shelters to accommodate social distancing and isolation.
	Installation of wifi routers/extenders in affordable housing buildings for LMI residents.

### **Assistance to Businesses, including Special Economic Development Assistance**

Provision of assistance to private, for-profit entities, when appropriate to carry out an economic development project.	Provide loans to support new businesses or business expansion to create jobs and manufacture medical supplies necessary to respond to infectious disease.
Provision of assistance to microenterprises.	Provide technical assistance, grants and other financial assistance to establish, stabilize and expand microenterprises that provide medical, food delivery, cleaning, and other services to support home health and quarantine.

Public Services	
Provision of assistance to primarily Low-and-Moderate Income persons.	Carry out job training to expand the pool of health care workers and technicians that are available to treat disease within a community.
	Provide testing, diagnosis or other services at a fixed or mobile location.
	Provide equipment, supplies, and materials necessary to carry-out a public service (e.g., childcare for working parents with distance learning school kids).
	Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.
	Installation of wiring, fiber optic cables, and permanently affixed equipment such as receivers for families to receive broadband/internet access.

Planning	
Planning Only Grants	Gather data and develop non-project specific emergency infectious disease response plans.
Project Planning	Planning activities in conjunction with another eligible activity (e.g., preliminary engineering with sidewalk project, economic impact study with business assistance program).

### **Citizen Participation**

When national, state, and/or local health authorities recommend social distancing and limiting public gatherings for public health reasons, in-person public hearings are not possible. Local governments may amend the Citizen Participation Plan to meet public hearing requirements with virtual public hearings. Additionally, the virtual hearings must provide reasonable notification and access for citizens in accordance with the subgrantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses. Subgrantees must record and retain documentation of all virtual hearings, outreach efforts, and public comments.

### ***Public Hearings***

To meet the minimum requirements for citizen participation during the application phase, the applicant must hold **two public hearings** to obtain citizens' comments prior to its final application submission to DEO. Both hearings must be advertised as described in the applicant's Citizen Participation Plan. The timing of the hearing notices must follow CDBG-CV regulatory requirements. CDBG-CV public hearings may be held no less than five (5) days after the date of publication.

1. The first public hearing should be held at the beginning of the application process, **prior to submission of the pre-application**. The notice should provide enough information about the available funding and allowable activities to allow citizens to be able to provide input.

2. The second public hearing must contain a description of the proposed activities to be carried out, including the amount of the funding request and total cost of the activities. The second public hearing must be conducted **prior to submission of the final application**.

A publisher's affidavit of the notices, minutes of the hearings signed by the local government clerk and sign-in sheets (or equivalent) must be submitted to DEO as a part of the pre-application and application.

More information is available on the [DEO Downloads and Information for Applicants](#).

### **Technical Assistance**

DEO staff are available to provide support through the pre-application, application, and implementation phases. Applicants are strongly encouraged to attend all scheduled webinars and trainings provided by DEO. Applicants can also find current information on the [DEO Community Development Block Grant – Coronavirus Relief Funding](#) webpage.

Questions regarding the CDBG-CV Small Cities Program can be directed to CDBG Program Managers or by emailing [CDBG-CV@deo.myflorida.com](mailto:CDBG-CV@deo.myflorida.com).

### **Minimum and Maximum Grant Awards**

Subgrantees may apply for a minimum of \$200,000 and a maximum of \$5 million. The final grant amount is per the discretion of DEO and will be determined as part of the evaluation and approval process. CDBG-CV funds will not count toward the annual funding limits in other CDBG-CV programs or other CDBG program areas (Downtown Revitalization, Neighborhood Revitalization, Housing and Economic Development).

### **Compliance Requirements**

The local government is responsible for conforming with all federal and state regulations governing the CDBG program. CDBG-CV Small Cities Program applicants must comply with federal regulations and certify that, if funded, they will comply with all applicable laws and requirements in the CDBG-CV Small Cities Program. Please refer to Appendix A CDBG-CV Program – State and Federal Statutes, Regulations, and Policies Contract Attachment below for specific details. If you have questions about the documentation needed, please contact a DEO CDBG-CV Program Grants Manager for assistance.

It is important that applicants understand the commitment they will be undertaking with a CDBG grant. The following list is intended to provide the local government and its subrecipients with a brief list of basic federal and state administrative requirements for compliance areas that must be addressed.

#### ***Conflict of Interest***

Per 24 CFR Part 570.489 (h) and Florida Statutes, Section 112.3143, the following people or their immediate family members shall not have any direct or indirect financial interest in any contract, subcontract, or the proceeds thereof for work to be performed in connection with the grant during their tenure or for one year thereafter: 1) employees or agents of the recipient who exercise any function or responsibility for the CDBG project and 2) officials of the recipient including members of the governing body. The applicant will be asked to determine if a potential conflict exists. Questions regarding this item are in the program application. Please note that sub-recipients must comply with these regulations as well. Consult with DEO staff regarding conflict of interest questions or Florida Community Development Block Grant Program Regulations.

#### ***Citizen Participation (Important Note: Please see Citizen Participation above.)***

Applicants must certify in the application that they are following all citizen participation requirements and providing for access to information and participation in all stages of the project. This includes proper advertising of public hearings, and timely access to meetings, information, and records related to the project.



Examples of actions applicants may take to ensure adequate citizen participation in the application stage include meeting with community groups and leaders prior to public hearings, holding informational meetings for those citizens whose homes will be affected by the project, and distributing notices of meetings and public hearings directly to them. Applicants may also choose to distribute public hearing notices to local community action agencies, legal services offices, and other public and private organizations.

### ***Program Income***

Program income generated after closeout of a CDBG-CV funded activity must be returned to DEO. Program income generated prior to closeout must be returned to DEO unless the program income is used to fund additional units of CDBG activities. DEO or the state may require remittance of all or a portion of any balance of a recipient's program income at the end of a program year.

### ***Audits/Compliance***

**CDBG-CV** subgrantees (and/or their subrecipients) expending \$750,000 or more (all federal sources) in a fiscal year are **required** to have a Single Audit per [2 CFR 200 Subpart F](#).

### ***Costs Associated with Preparation of the CDBG-CV Application***

Applicants that receive CDBG-CV funding may charge the cost of application preparation to the project budget if procurement procedures consistent with 24 CFR 200.318 are followed.

### ***Procurement***

The subgrantee must follow the procurement requirements specified in [2 CFR, Part 200.317-200.326 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#). The procurement procedures must reflect all applicable state and local laws, should promote free and open competition, and describe efforts to encourage minority and female-owned businesses to submit bids/proposals. Subgrantees must contract for the procurement of goods, services, and construction projects including design services.

### ***Equal Opportunity***

Applicants are required to ensure that **CDBG-CV** aided projects comply with equal opportunity and nondiscrimination laws and that people in protected categories are not excluded from project participation.

Applicants are required to take into consideration equal opportunity and non-discrimination laws in designing **CDBG-CV** programs to ensure that people in protected categories are not excluded from participation, denied the benefit of, or subjected to discrimination under any program or activity funded in whole or in part with **CDBG-CV** funds.

### ***Fair Housing***

Recipients of **CDBG-CV** funds will be required to comply with fair housing and non-discrimination laws and regulations. For each year that a **CDBG-CV** project is active, a recipient must describe the actions it will take to affirmatively further fair housing.

### ***Language Access Plan (LAP)***

As recipients of CDBG-CV funds, subgrantees have an obligation to reduce language barriers that can preclude meaningful access by Limited English Proficient (LEP) persons to important government programs, services, and activities. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and its implementing regulations require that recipients take responsible steps to ensure meaningful access by LEP persons. Applicants will be required to conduct a Four Factor Analysis using the template provided

by DEO. Jurisdictions that meet the minimum thresholds based on the Four Factor Analysis will be required to submit a Language Access Plan. The plan will address the LAP policy, translation of required vital documents, and requirements for citizen participation. Examples of applying the four-factor analysis to HUD-specific programs are located on the HUD Limited English Proficiency (LEP) Frequently Asked Questions webpage. Applicants can find a template for the Four Factor Analysis on the [CDBG-CV Coronavirus Relief Funding](#) webpage.

### ***Economic Opportunity (Section 3)***

Section 3 of the Housing and Urban Development Act of 1968, as amended, contains requirements governing programs providing direct financial assistance to public recipients and related contractors (or subcontractors).

Subgrantees must describe a strategy whereby opportunities in employment and procurement arising out of a **CDBG-CV** assisted project are identified and made available to low-income residents and businesses within the **CDBG-CV** assisted area to the greatest extent feasible. This strategy must include (1) identification of training and technical assistance resources to prepare low-income residents for employment and procurement opportunities; (2) attempts to reach the numerical targets for new hires set forth in the Section 3 regulation, which applies to recipients receiving \$200,000 or more in non-administrative line items expended for construction contracts of at least \$100,000 per contract; and (3) education of low-income residents within the **CDBG-CV** assisted area about the components and opportunities of the program.

### ***Environmental Review***

Recipients of **CDBG-CV** funds are required to comply with the requirements of the National Environmental Policy Act of 1969 (NEPA) found at [24 CFR Part 58](#) and [Florida Executive Order 19-12](#) and complete the appropriate Environmental Review Record (ERR). Information on environmental review processes and forms can be found on the [CDBG Environmental Review Process](#) website.

Questions concerning the environmental review process should be directed to [CDBG-CV@deo.myflorida.com](mailto:CDBG-CV@deo.myflorida.com).

### ***Section 504 of the Rehabilitation Act of 1973***

The local government applicant must complete a Self-Evaluation Plan and Transition Plan (if required) as required by Section 504 to ensure that it does not discriminate by reason of a person's disability.

Recipients of **CDBG-CV** funds are required to comply with the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and the HUD implementing regulations at 24 CFR, Parts 8 and 9. The requirements of Section 504 apply to any recipient of federal **CDBG-CV** funds for any program or activity carried out directly or through another recipient, successor, assignee, or transferee.

The Grant Agreement will require recipients to complete the Section 504 Survey and Transition Plan (if applicable) covering policies, practices, and physical accessibility and notify affected persons that it does not discriminate on the basis of handicap. (The latter notification action is a requirement if the recipient has 15 or more employees.) This plan will not satisfy all the requirements of the Americans with Disabilities Act, but it will meet the minimum requirements for a **CDBG-CV** assisted project.

### ***Residential Anti-Displacement and Relocation Assistance Plan***

A plan for residential anti-displacement and relocation must be documented or submitted with the application. All occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- or moderate-income housing must be replaced within three years of the beginning of the demolition or rehabilitation related to the conversion.

Once **CDBG-CV** funds are awarded, recipients must have a plan to minimize residential displacement and to provide relocation assistance to displaced residents in a timely manner. Compliance with the plan must be documented, including the information made public and the means used to make it public.

The plan must include a description of the activity, a location map, a time schedule, dwelling data on target and replacement homes, funding sources, a schedule for replacement or relocation, and the basis for concluding that replacement dwellings will remain low- or moderate-income for at least 10 years. A guide form for developing the plan should be obtained from DEO once an award is received.

### ***Americans with Disabilities Act (ADA)***

State and local governments are required to comply with the provisions of Title I of the Americans with Disabilities Act (ADA), which protects qualified individuals with disabilities from discrimination in all state and local government programs and activities including employment.

Governments with 25 or more employees were subject to the law after July 26, 1992, and governments with 15 or more employees after July 26, 1994. If a government is not covered by Title I of the Act, Section 504 of the Rehabilitation Act of 1973 applies. All governments receiving federal financial assistance will continue to be covered by Section 504.

### ***Lead-Based Paint Hazards***

Projects involving rehabilitation of residential structures require compliance with the federal Lead-Based Paint Hazard Reduction Act of 1992. While residential structures are not likely to be involved with most **CDBG-CV** projects, local government subgrantees are advised to determine state and county health requirements if there is any rehabilitation or demolition of structures that are likely to have lead-based paint present.

### ***Reporting***

DEO requests copies of all published press articles, TV coverage, scheduled ribbon cuttings, and other events and milestones. Periodic photographs should document project stages, training, events and successes.

A [Quarterly Progress Report \(Form SC-65\)](#) is due at the close of each quarter. A final Administrative Closeout Report (Form SC-62) will be required prior to grant closeout.

### ***Monitoring***

DEO will monitor the project through mechanisms including the review of quarterly reports received from the grant recipient, phone/email/letter correspondence, and desk and/or on-site monitoring visits.

DEO staff will notify the subgrantee before on-site monitoring visits and the monitoring forms are located on the [DEO Downloads for Recipients](#) website

### ***Financial Management Requirements***

DEO will monitor the subgrantee to determine compliance with the financial management requirements. The review will determine if records are maintained in compliance with [2 CFR, Part 200-Uniform Administrative Requirements, Cost Principles, And Audit Requirements For Federal Awards](#) and other CDBG-CV requirements. This monitoring is performed through desktop audit and/or on-site monitoring visits. Typically, ledgers, invoices, canceled checks, bank statements, and requisitions are reviewed to see that the subgrantee has an adequate system of financial management. DEO staff may also make specific requests to review information or documentation relating to financial management of a grant.

### ***SAM.gov Registration***

The Federal Funding Accountability and Transparency Act (FFATA) of 2006 mandates specific reporting requirements for recipients of federal funds. DEO is required by FFATA to submit information to the Office of Management and Budget (OMB) through an electronic Sub Award Reporting System (FSRS) on all grant awards greater than \$25,000 which are awarded on or after October 1, 2010.

In July 2012, the General Services Administration (GSA) combined the Central Contractor Registration (CCR/Fed Reg), Online Representations & Certifications Application (ORCA) and the Excluded Parties List System (EPLS) into one main contractor database. This database was named System for Award Management or better known as the SAM registration.

Since DEO is required to report information as a part of FFATA for grants awarded after October 1, 2010, the [www.SAM.gov](http://www.SAM.gov) registration will be required prior to submission of a **CDBG-CV** application.

### ***Other Requirements and Attachments***

Recipients will also be required to comply with any subsequent requirements issued by HUD and/or DEO. Consult the Required Attachments section in the CDBG-CV Small Cities pre-application and application documents. Please note that if key items are not submitted with the application, it will be returned to the local government.

### **Evaluation Criteria**

Applications shall be awarded points based on the following factors. The final scoring methodology will be available on the CDBG-CV website prior to the opening of the application cycle and is subject to change before final publication.

#### **I. Readiness to Proceed**

Points will be awarded on the basis of documentation and information provided, showing that the resources needed to manage the proposed activity are available and ready, and that the commitment for operation and maintenance, where applicable, has been certified. Maximum points will be given to activities that are ready to move forward quickly. Typically, this means that the design and engineering work (if applicable) is underway or has been completed.

#### **II. Low- to Moderate-Income (LMI) Impact**

Points will be awarded to projects that will have an impact on low- to moderate-income persons in communities. Projects that will be serving presumed LMI beneficiaries, such as seniors or homeless, will receive higher points.

#### **III. COVID-19 Economic Impact to the Community**

Points will also be awarded utilizing a DEO formula based on unemployment data for communities with the greatest economic need and impact related to COVID-19.

#### **IV. Experience, Past Performance and Organizational Capacity**

The experience of the applicant, including the length of time in business and experience in undertaking programs/projects of similar complexity as the one for which funds are being requested will be evaluated. In addition, the capability, and skills of administrative and program staff to carry out the program.

#### **V. Need and Justification**

The project will be evaluated based on need and how well the project outcome(s) address the need(s) identified.

#### **VI. Cost Reasonableness and Feasibility of Project**

The project will be evaluated in terms of cost reasonableness and feasibility.

**Timeframe**

Timelines for CDBG-CV applications may be structured up to an 18-month project, depending on the project activities. The expectation is that these projects/programs will start no sooner than summer 2021. [Federal Register FR-6218-N-01](#) stipulates that a minimum of 80% of all CDBG-CV funds be expended and claimed within three years of DEO contract execution with HUD, effectively September 29, 2023.

**Match Requirement**

There is no match requirement for the CDBG-CV Small Cities Program.

## Appendix A

### CDBG-CV Program – State and Federal Statutes, Regulations, and Policies Contract Attachment

The Recipient agrees to, and, by signing this Agreement, certifies that, it will comply with the requirements of 24 C.F.R. part 570, subpart I, and § 570.200(j) and § 570.606 (HUD regulations concerning State Community Development Block Grant Programs). The Recipient also agrees to use funds available under this Agreement to supplement rather than supplant funds otherwise available. The Recipient further agrees to comply with all other applicable Federal, State, and local laws, regulations, and policies governing the funds provided under this Agreement, including, but not limited to the following:

1. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. part 200);
2. Florida Small Cities Community Development Block Grant Program Act (§§ 290.0401-290.048, F.S.);
3. Florida Small Cities Community Development Block Grant Program rules (chapter 73C-23, F.A.C.);
4. Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. §§ 5301-5321);
5. Rules and Procedures for Efficient Federal-State Funds Transfers (31 C.F.R. part 205);
6. Community Planning Act (§ 163.3164, F.S.);
7. Florida Small and Minority Business Assistance Act (§§ 288.703-288.706, F.S.);
8. CDBG Technical Memoranda (<https://www.hudexchange.info/programs/cdbg/cdbg-memoranda/>);
9. Applicable HUD Community Planning and Development Notices (<https://www.hudexchange.info/programs/cpd-notices/>);
10. Single Audit Act Amendments of 1996 (31 U.S.C. §§ 7501-7507);
11. Environmental Review Procedures for Entities Assuming HUD Responsibilities (24 C.F.R. part 58);
12. Environmental Criteria and Standards (24 C.F.R. part 51);
13. Flood Disaster Protection Act of 1973, as amended (42 U.S.C. §§ 4001-4129), Floodplain Management and Protection of Wetlands (24 C.F.R. part 55), and Executive Orders 11988 (Floodplain Management) and 11990 (Protection of Wetlands);
14. National Environmental Policy Act of 1969, as amended (42 U.S.C. §§ 4321-4370h), and other provisions of law which further the purpose of this act;
15. National Historic Preservation Act of 1966, as amended (54 U.S.C. §§ 300301-320303), Protection of Historic Properties (36 C.F.R. part 800), and other provisions of law which further the purpose of this act;
16. Archaeological and Historic Preservation Act of 1974 and Reservoir Salvage Act of 1960, as amended (54 U.S.C. §§ 312501-312508);
17. Coastal Zone Protection Act of 1985 (§§ 161.52-161.58, F.S.);
18. Safe Drinking Water Act of 1974, as amended (42 U.S.C. §§ 1400-1465);
19. Federal Water Pollution Control Act of 1972, as amended (33 U.S.C. §§ 1251-1387);
20. Davis–Bacon Act of 1931, as amended (40 U.S.C. §§ 3141-3148), and Labor Standards Provisions of 29 C.F.R. part 5;
21. Contract Work Hours and Safety Standards Act of 1962, as amended (40 U.S.C. §§ 3701-3708);
22. Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1975 (42 U.S.C. §§ 6901-6992k);
23. Architectural Barriers Act of 1968 (42 U.S.C. §§ 4151-4157) and the Uniform Accessibility Standards, as applicable;
24. Federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. §§ 201-219);

25. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. §§ 4601-4655), and the applicable rules for Federal and Federally-Assisted Programs at 49 C.F.R. part 24;
26. Copeland “Anti-Kickback” Act (18 U.S.C. § 874);
27. Hatch Act of 1939, as amended (5 U.S.C. §§ 1501-1508);
28. Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4821-4846); the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. §§ 4851–4856); and the applicable implementing regulations at 24 C.F.R. part 35 and 24 C.F.R. part 570, subparts A, B, J, K, and R;
29. Section 102 of HUD Reform Act of 1989 (42 U.S.C. § 3545) and HUD Reform Act regulations at 24 C.F.R. part 4; 30. False Claims Act (31 U.S.C. §§ 3729-3733);
31. Comprehensive Procurement Guideline for Products Containing Recovered Materials (40 C.F.R. part 247);
32. Clean Air Act (42 U.S.C. §§ 7401-7671q.), and National Primary and Secondary Ambient Air Quality Standards (40 C.F.R. part 50); and
33. Whistleblower Protection enacted by Section 828 of P.L. 112-239 and permanently extended under P.L. 114-261.



## ATTACHMENT B

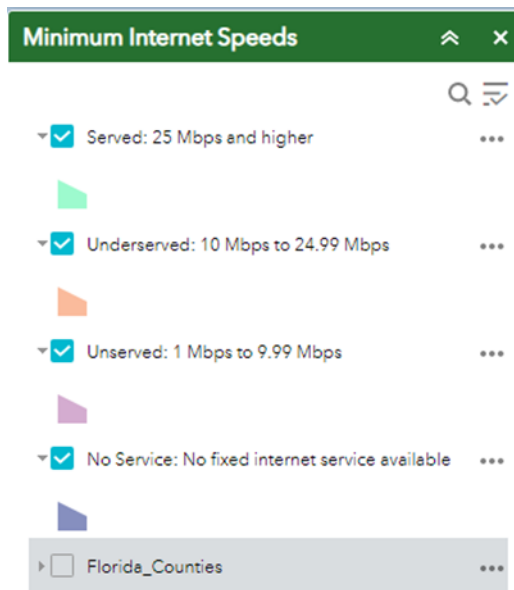
### INFORMATION ABOUT BROADBAND INTERNET SERVICE

Broadband internet is defined as minimum download speeds in excess of 25 MB per second and upload speed of 3 MB per second.

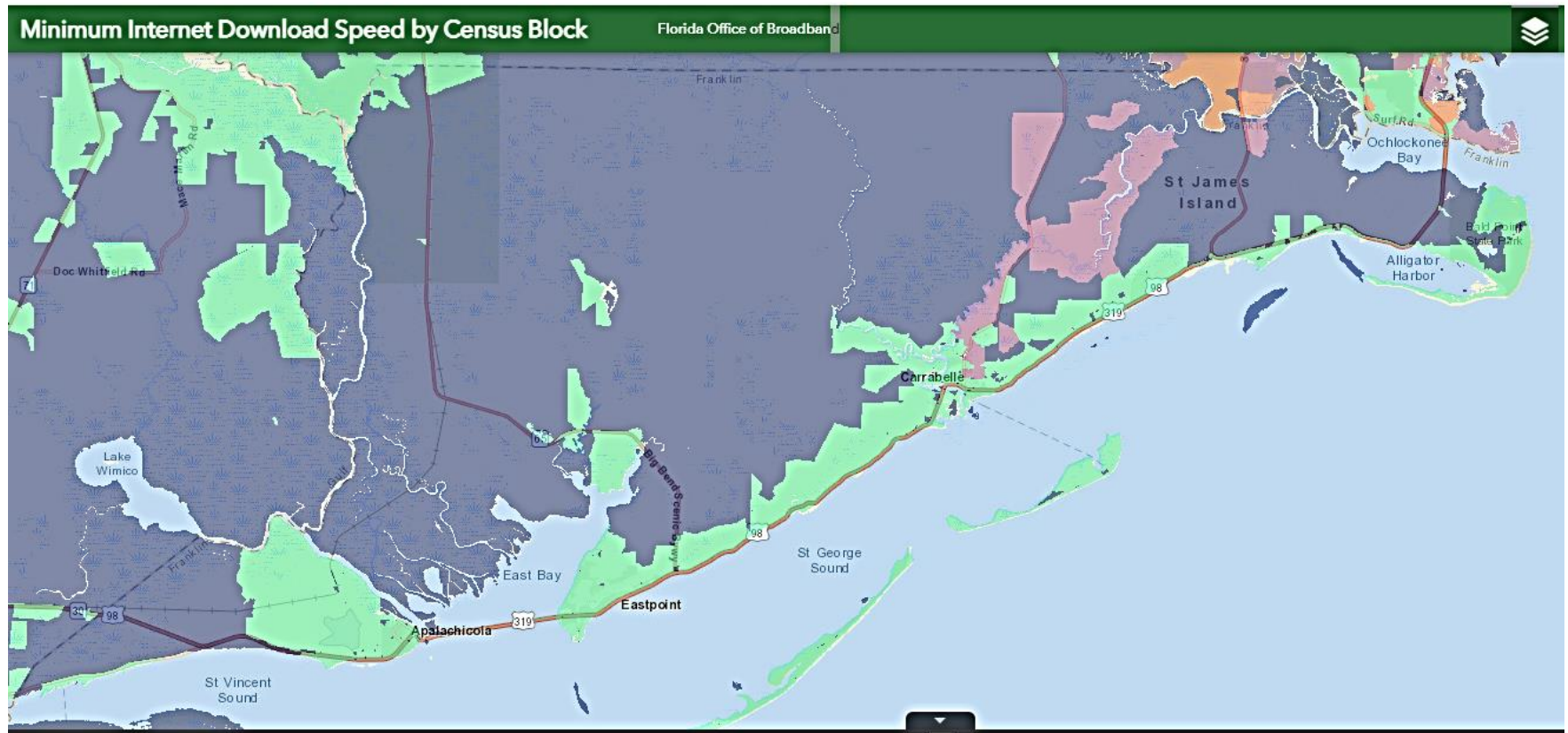
The Federal Communication Commission (FCC) regulates the internet industry. The Florida Office of Broadband within the Department of Economic Opportunity is coordinating studies and promoting expansion of broadband service, especially in rural areas.

Various delivery technologies are being used, with predicted shifts toward mobile/satellite/wireless, especially in less populated areas.

The map on the following page is the current information tool available from the FCC. It sometimes overstates availability of coverage, and a more detailed map is being developed. The map is shown below.



## FRANKLIN COUNTY CURRENT INTERNET SERVICE AVAILABILITY



**The Rural Digital Opportunity Fund (RDOF)** is a Federal Communications Commission program designed to close the digital divide in the United States by investing in the construction of rural broadband networks. Through an auction bidding process, more than \$191 million over a 10-year period was awarded to 10 broadband providers in the state of Florida.

**Rural Digital Opportunity Fund Phase I Auction Results by State/Territory and County**

<b>State</b>	<b>County</b>	<b>Bidder</b>	<b>Locations</b>	<b>Assigned Support (10 years)</b>
Florida	Franklin, FL	Consolidated Communications, Inc.	141	\$640,026.00
Florida	Franklin, FL	Space Exploration Technologies Corp.	60	\$92,172.10
Florida	<b>Franklin, FL Total</b>		201	\$732,198.10

# **State CDBG Program Broadband Infrastructure FAQs**

Last Updated: January 7, 2016

HUD continues its efforts to narrow the digital divide in low-income communities served by HUD by providing, where feasible and with HUD funding, broadband infrastructure to communities in need of such infrastructure.

Broadband is the common term used to refer to a very fast connection to the Internet. Such connections are also referred to as high-speed broadband or high-speed Internet.

Although HUD plans to issue regulations that will formalize its steps for narrowing the digital divide, current State Community Development Block Grant funds can be used for broadband installation infrastructure and service delivery.

## **Frequently Asked Questions**

### **Can Community Development Block Grant (CDBG) funds be used to finance the provision of broadband services?**

Yes. CDBG funds can be used to finance the provision of broadband services such as infrastructure development, internet access, wiring, hardware and software purchases, development and construction of computer rooms, digital literacy classes/economic development, etc.). Acceptable eligible activity categories under Section 105(a) of the Housing and Community Development Act of 1974 (the Act) include:

- Section 105(a)(2) – Public facilities and improvements (includes infrastructure and excludes buildings for the general conduct of government).
- Section 105(a)(4) – Reconstruction and rehabilitation (housing).
- Section 105(a)(8) – Public services (education/training).
- Section 105(a)(14) – Activities carried out through a private or public non-profit.
- Section 105(a)(17) – Economic development assistance to a for-profit business.

### **Must national objective compliance be demonstrated?**

Yes. All CDBG assisted activities must be an eligible activity and must demonstrate compliance with one of the statutory national objectives for the CDBG program. Proposed activities may demonstrate compliance with the following national objectives, depending on the eligible activity selected:

- 24 CFR 570.483(b)(1) – Low- and moderate-income area benefit: Activities demonstrating compliance with this national objective must serve a defined area where at least 51 percent of the residents are low- and moderate-income persons and the area must be primarily residential. With the application of American Community Survey (ACS) data, State CDBG may have to perform an income survey in order to qualify the proposed service area.
- 24 CFR 570.483(b)(2) – Low- and moderate-income limited clientele: Primarily used for public services, activities demonstrating compliance with this national objective, at least 51 percent of the beneficiaries must be low- and moderate-income persons.
- 24 CFR 570.483(b)(3) – Low- and moderate-income housing: Focusing on serving low- and moderate-income occupants; the two activities that may be used are Section 105(a)(4) and 105(a)(14) of the Act.

- 24 CFR 570.483(b)(4) Low- and moderate-income job creation or retention: Activities demonstrating compliance with this national objective must either create permanent jobs on a full-time equivalent basis, and at least 51 percent of those jobs must be held by or made available to low- and moderate-income persons, or retain at least 51 percent low-and moderate-income jobs, and must meet the other requirements as set-forth in the regulations.

### **What types of broadband projects are not eligible under the State CDBG Program?**

State CDBG grantees should fully examine the scope of their activities to ensure that it is both an eligible activity and is able to demonstrate compliance with the appropriate national objective.

For example, the installation of a broadband trunk line would be eligible as an infrastructure activity, however, it is unlikely that this would be able to demonstrate compliance with the low-and moderate-income national objective because the service area would be too large.

Careful consideration would also need to be given to public service activities as there is a statutory cap of 15 percent of a grantees grant that may be used for public services. Moreover, economic development projects will also need to comply with the public benefit standards, as outlined in the regulations.

State CDBG grantees are encouraged, when both designing their programs and evaluating proposed activities, to determine that they are eligible and are able to clearly demonstrate compliance with one of the nation objectives, and should have criteria for these activities laid out within their Method of Distribution, as part of their Action Plan.



February 22, 2021

Mr. Ricky Jones  
Chairman  
Franklin County Board of County Commissioners  
34 Forbes Street, Suite 1  
Apalachicola, Florida 32320

Re: FEMA Funded Recovery -- Task Order #8  
Alligator Drive Hurricane Repairs CEI Services

Dear Mr. Jones,

Dewberry Engineers Inc. (DEI) is pleased to provide this proposal for construction, engineering, and inspection services. It is our understanding the County will receive bids on the subject project on March 2, 2021. Based on the FEMA cost estimating tool (see attached) a fee not exceeding 3% of construction cost may be used. The tasks DEI will perform as part of these professional services are described below.

**A. CONSTRUCTION ENGINEERING AND INSPECTION (CEI)**

1. Schedule and attend the preconstruction meeting.
2. Provide inspection services during construction.
3. Witness and verify all material testing for compliance.
4. Provide weekly and monthly project progress reports.
5. Respond to all RAI(s) during the construction phase.
6. Review contractor pay requests and submittals.
7. Prepare contract close out documents.

Task A Total = \$ 139,575.00

**TOTAL PROPOSED LUMP SUM FEE: \$139,575.00**

All terms and conditions of this Task Order shall be governed by the terms and conditions in the current Professional Services Agreement between Franklin County and Dewberry Engineers Inc. dated February 14<sup>th</sup>, 2018. If you have any questions, please do not hesitate to contact us. We appreciate the opportunity to provide these services to you.

Sincerely,

Josh Baxley, P.E.  
Associate  
Dewberry  
324 Marina Drive  
Port St Joe, FL 32456  
850-354-5187  
[jbaxley@dewberry.com](mailto:jbaxley@dewberry.com)

Approved by:

\_\_\_\_\_  
Ricky Jones, Chairman

Date: \_\_\_\_\_



## Cost Estimating Tool for Engineering and Design Services

The costs of basic engineering and design services normally performed by an architectural-engineering firm on complex construction projects are eligible for reimbursement. Such services include:

- Preliminary engineering analysis;
- Preliminary design;
- Final design; and
- Construction inspection.

While a final inspection and reconciliation will be used to determine the actual costs for reimbursement of these services, the costs can be estimated during project formulation using a percentage of the construction cost. Percentages are derived from FEMA engineering and design services cost curves. These curves, which were developed for FEMA from data developed by the American Society of Civil Engineers Committee on Professional Practice in 2005, show a correlation between engineering costs and total construction costs. These curves are shown in Figures 3 and 4. To use the curves, estimate construction costs for a project. Find the construction cost on the horizontal axis and, using the appropriate curve for either force account or contract work, read the associated percentage of engineering and design services from the vertical axis. This percentage can be multiplied by the estimated construction cost to determine an appropriate engineering and design cost estimate.

### Curve A

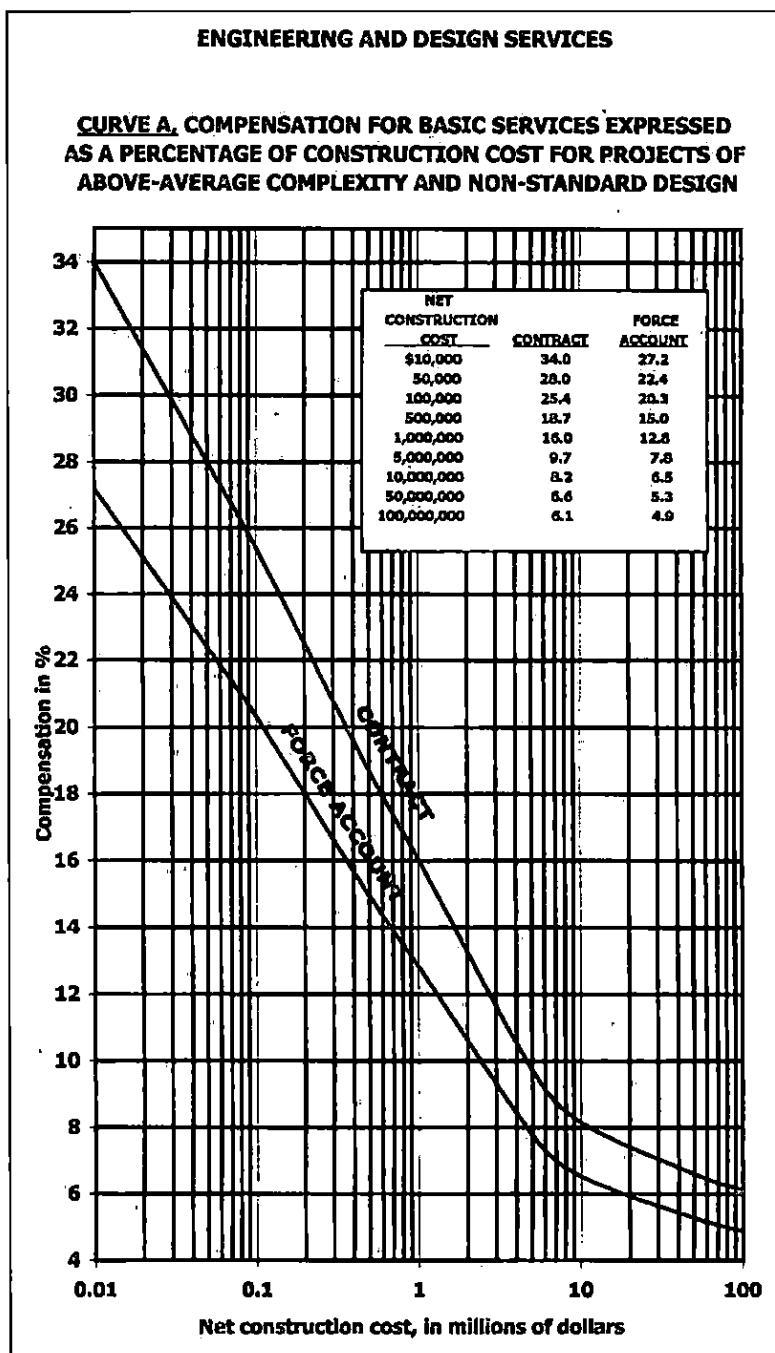
Curve A<sup>1</sup> applies to projects of above-average complexity and nonstandard design. Examples of such projects include:

- Airports with extensive terminal facilities;
- Water, wastewater, and industrial waste treatment plants;
- Hospitals, schools, and office buildings;
- Power plants;
- Large dams and complicated small dams;
- Highway and railway tunnels;
- Pumping stations;
- Incinerators; and
- Complicated waterfront and marine terminal facilities.

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<sup>1</sup> See Figure 1 on page 2

**Figure 1:**  
**Engineering and Design Services of Above-Average Complexity**



**NOTE:** "Contract" and "Force Account" above mean engineering and design services performed by contract or by an applicant's own employees, respectively.

## Curve B

Curve B<sup>2</sup> applies to projects of average complexity. Examples of such projects include:

- Industrial buildings, warehouses, garages, hangars, and comparable structures;
- Bridges and other structures of conventional design;
- Simple waterfront facilities;
- Roads and streets;
- Conventional levees, floodwalls, and retaining walls;
- Small dams;
- Storm sewers and drains;
- Sanitary sewers;
- Water distribution lines;
- Irrigation works, except pumping plants; and
- Airports, except as classified for Curve A.

In addition to the basic engineering services, special services may be required for some projects. Such services include engineering surveys, soil investigations, services of a resident engineer, and feasibility studies. Because special services are not required on all projects, they are not included in the percentages on the engineering and design services curves. These services are estimated separately.

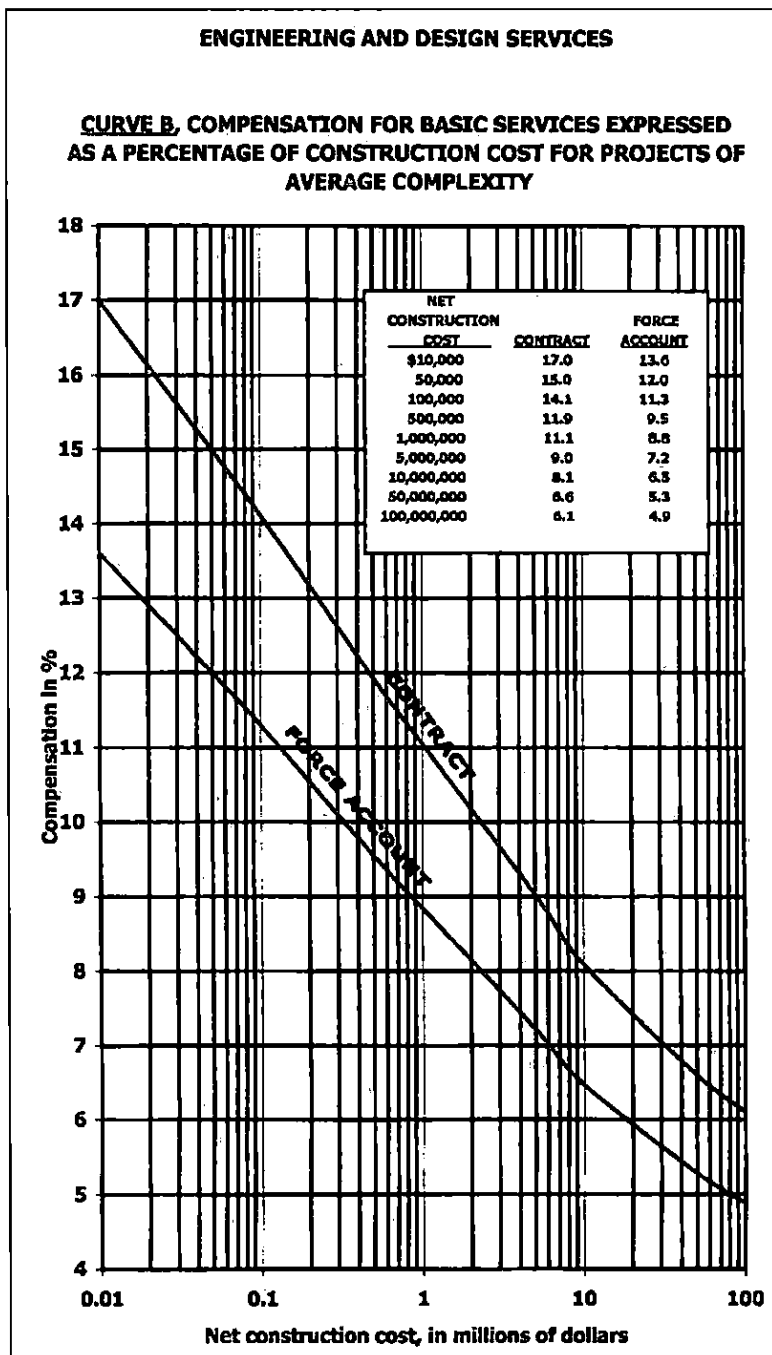
If a project requires only basic construction management, a fee not exceeding 3 percent of construction costs may be used for the estimate. Management functions include review of bids, work site inspection visits, checking and approval of material samples, review of shop drawings and change orders, review of contractor's request for payment, and acting as the client's representative. An example of a project requiring only inspection services but no design and engineering would be a building repair project that only included patching and painting damaged interior wall. Another example would be where a contractor is hired to repair local roads back to the pre-disaster condition, using local construction standards.

Estimates for engineering and design services and construction inspection typically are not included in small project estimates or emergency work project estimates except for complex projects or projects where special services are required.

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<sup>2</sup> See **Figure 2** on page 4

**Figure 2:**  
**Engineering and Design Services of Average Complexity**



**NOTE:** "Contract" and "Force Account" above mean engineering and design services performed by contract or by an applicant's own employees, respectively.

**ADA TRANSITION PLAN  
FOR ACCESSIBILITY OF  
PEDESTRIAN FACILITIES  
WITHIN THE  
PUBLIC RIGHT-OF-WAYS**

**FRANKLIN COUNTY, FLORIDA**

**APPROVED BY THE  
FRANKLIN COUNTY  
BOARD OF COUNTY COMMISSIONERS  
MARCH 2, 2021**

## **I. INVENTORY OF PEDESTRIAN FACILITIES WITHIN THE PUBLIC RIGHT-OF WAYS.**

### **WEST OF APALACHICOLA**

There is an asphalt multi-use path on the north side of Bluff Road from the Apalachicola City Limits to Gibson Road, approximately 3,200 feet in length. It was constructed in 2006 by Franklin County. The pathway is 9 feet wide. There are no detectable warning surfaces where the path intersects Bluff Road or Gibson Road.



Crosswalk at the east end of the Bluff Road multi-use path, which lacks detectable warning surfaces.



Crosswalk at the west end of the Bluff Road multi-use path, which lacks detectable warning surfaces.



## EASTPOINT

There is an asphalt multi-use path on the east side of North Bayshore Drive from Hickory Dip to Palm Street, approximately 2,680 feet in length. It was constructed in 2005 by the developer of the Lakes on the Bluff Subdivision. The pathway is 8 feet wide. There are no detectable warning surfaces on the path at intersections with streets except for the surface installed at Hickory Dip in 2018.



Looking south from the multi-use path across Hickory Dip to the 2018 sidewalk.



Looking south along the multi-use path on North Bayshore Drive in Eastpoint, from near Palm Street.

In 2018 Franklin County constructed a 5 feet wide sidewalk from the southern terminus of this asphalt path at Hickory Dip to U.S. Highway 98, approximately 2,250 feet in length. There are detectable warning surfaces (truncated domes) across the sidewalk at

every street intersection, and a detectable warning surface was installed at the south end of the asphalt path at Hickory Street. There are no physical barriers that limit accessibility of individuals with disabilities.

Also in 2018, a 5' wide sidewalk was installed along South Bayshore Drive from U.S. Highway 98 to Island Drive, a distance of approximately 5,400 feet. There are detectable warning surfaces (truncated domes) across the sidewalk at every street intersection. Crosswalks were installed on U.S. Highway 98 and Island Drive to connect this sidewalk with other existing sidewalks. There are no physical barriers that limit accessibility of individuals with disabilities.



Looking north from South Bayshore Drive at the crosswalk on U.S. Highway 98.



Looking northwest on South Bayshore Drive at the intersection with Las Brisas Drive.





Looking north on Island Drive at the end of the South Bayshore Drive sidewalk where it crosses Island Drive.

### **ST. GEORGE ISLAND**

There is an asphalt multi-use path on the southeast side of Gulf Beach Drive that runs from Twelfth Street West to the Dr. Julian G. Bruce St. George Island State Park, approximately 6.95 miles in length. It was constructed in three phases beginning in 1995. The path is 10 feet wide. There are no detectable warning surfaces on the path at intersections with streets.



Looking east from 6<sup>th</sup> Street West at the St. George Island Path.



# Evergreen Solutions, LLC

2878 Remington Green Circle - Tallahassee, Florida 32308  
850.383.0111 - fax 850.383.1511

A.

February 17, 2021

Ms. Erin Griffith  
Fiscal Manager/Grants Coordinator  
Franklin County  
33 Market Street  
Apalachicola, Florida 32320

SUBMITTED VIA EMAIL: [erin@franklincountyflorida.com](mailto:erin@franklincountyflorida.com)

Dear Ms. Griffith:

We appreciate the opportunity to submit a letter proposal to conduct a Classification and Compensation Study for Franklin County. I have prepared some background information on Evergreen Solutions as well as a cost and timeline for conducting the study. I have attached Evergreen's approach and methodology as well as a detailed work plan outlining the tasks, activities, and milestones necessary to successfully accomplish this study for the County.

## **Background and Experience**

Evergreen was formed in 2004 in the State of Florida to provide a modern, practical alternative to the typical consulting options. Evergreen is made up of management and human resource professionals as well as strategic partners who came together to form an innovative alternative that places clients and their needs before any individual, model, or corporate goal.

Our philosophy is based on an understanding that there is not a "one size that fits all" solution to compensation management. Our approach is built on working collaboratively with all parties to make sound, implementation-focused recommendations.

Evergreen is a certified as a W/MBE in many states and municipalities throughout the country, including Florida.

Our main focus is on people, management, and technology. This focus allows our team to provide a broad variety of services, including, but not limited to: classification and compensation studies; salary and benefits surveys; performance appraisal reviews; workload analyses; staffing studies; disparity studies; HR Department reviews; training assessments; and strategic planning.

Evergreen has contracted with more than 800 public sector, quasi-governmental, and non-profit organizations in 46 states throughout the country, the majority of which have been located in the State of Florida.

**Exhibit 1** includes a list of some of the local governments and other public sector organizations in the State of Florida that Evergreen has worked with, or is currently on contract to work with, in providing work similar in scope to the services being requested by Franklin County. **Note:** Evergreen has also provided similar work to many school districts and institutions of higher education in Florida.

### Exhibit 1: Select Florida Public Sector Clients

City of Alachua	City of St. Petersburg	Bay County Sheriff's Office
City of Bartow	City of Sunny Isles Beach	Clay County Sheriff's Office
City of Bunnell	City of Tallahassee	Collier County Sheriff's Office
City of Bushnell	City of Tamarac	Flagler County Sheriff's Office
City of Cape Coral	City of Temple Terrace	Lake County Sheriff's Office
City of Clermont	City of Venice	Leon County Sheriff's Office
City of Cocoa	City of West Melbourne	Manatee County Sheriff's Office
City of Coral Springs	City of Winter Park	Monroe County Sheriff's Office
City of Dania Beach	City of Sunrise	Nassau County Sheriff's Office
City of Daytona Beach	City of Zephyrhills	Okaloosa County Sheriff's Office
City of Daytona Beach Shores	Alachua County	Pasco County Sheriff's Office
City of Delray Beach	Bay County	Volusia County Sheriff's Office
City of Deltona	Brevard County	Walton County Sheriff's Office
City of Destin	Charlotte County	Florida Sheriff's Association
City of Doral	Citrus County	Florida Association of Counties
City of Dunedin	Escambia County	Florida League of Cities
City of Fort Myers	Flagler County	FL Association of Court Clerks/Comptrollers
City of Fort Walton Beach	Gulf County	FL Public Human Resource Association
City of Green Cove Springs	Hernando County	Board of Bar Examiners
City of Groveland	Highlands County	The Florida Bar
City of High Springs	Lake County	Hillsborough County Clerk of Court/Comptrollers
City of Holly Hill	Leon County	Ft. Pierce Utilities Authority
City of Hollywood	Manatee County	Keys Energy Services
City of Holmes Beach	Martin County	Kissimmee Utility Authority
City of Key West	Miami-Dade County	Utilities Commission of New Smyrna Beach
City of Jacksonville	Miami Shores Village	Florida Keys Aqueduct Authority
City of Jacksonville Beach	Monroe County	Sarasota Bay Estuary Program
City of Kissimmee	Osceola County	Toho Water Authority
City of Lake City	Palm Beach County	Tampa Bay Water
City of Largo	Pinellas County	Peace River Manasota Reg. Water Supply Auth.
City of Maitland	Santa Rosa County	St. Johns River Water Management District
City of Marathon	Sarasota County	Southwest Florida Water Management District
City of Melbourne	Seminole County	South Florida Water Management District
City of Miramar	Sumter County	Loxahatchee River District
City of New Smyrna Beach	Wakulla County	Solid Waste Authority of Palm Beach County
City of North Miami Beach	Town of Belleair	CareerSource Pinellas
City of North Port	Town of Cutler Bay	CareerSource Northeast Florida
City of Ocala	Town of Davie	Worknet Pinellas
City of Orange City	Town of Juno Beach	Association for Institutional Research
City of Orlando	Town of Jupiter	Florida Telecommunications Relay, Inc.
City of Palm Bay	Town of Lade Lake	Orange County Library System
City of Palm Beach Gardens	Town of Lake Park	Pinellas Housing Authority
City of Panama City	Town of Longboat Key	Manatee County Clerk's Office
City of Panama City Beach	Town of Medley	Gadsden County Property Appraiser's Office
City of Parkland	Town of Palm Beach	Brevard County Property Appraiser's Office
City of Pensacola	Town of Ponce Inlet	Brevard County Tax Collector
City of Plant City	Town of Orange Park	Health Care District of Palm Beach County
City of Plantation	Town of Surfside	Glades General Hospital
City of Punta Gorda	Village of Islamorada	Hillsborough Area Transit Authority
City of Sarasota	Village of North Palm Beach	Orlando-Orange County Expressway Authority
City of Sebring	Village of Pinecrest	Sarasota-Manatee County Airport
City of St. Cloud	Alachua County Sheriff's Office	Northwest Florida Beaches International Airport

## Cost and Timeline

Our total, not-to-exceed, fixed cost to complete all tasks in our attached detailed work plan for all staff listed below is **\$27,500**. Our cost is all inclusive, and includes travel costs (meals and lodging), transportation, fringe benefits, indirect cost (overhead), clerical support, and all other out-of-pocket expenses. Evergreen can conduct the Classification and Compensation Study in approximately three to four months from the execution of a contract.

Per your request, we have broken down our cost based on the following employee groups:

- Board of County Commission Employees: 68 full- and part-time staff - **\$14,000**
- Clerk of Courts: 19 full- and part-time staff - **\$3,000**
- Sheriff: 85 full- and part-time staff - **\$8,000**
- Property Appraiser: 8 full-time staff - **\$1,000**
- Tax Collector: 8 full-time staff - **\$1,000**
- Supervisor of Elections: 3 full- and part-time staff - **\$500**

We would love the opportunity to work with Franklin County. If you have any questions or need any additional information, please feel free to contact me at (850) 383-0111 or via email at [jeff@consultevergreen.com](mailto:jeff@consultevergreen.com).

Sincerely,



Dr. Jeffrey Ling  
President  
Evergreen Solutions, LLC



# Approach and Work Plan

The following is Evergreen’s overall approach and methodology for conducting the Classification and Compensation Study for Franklin County and a detailed work plan—identifying the tasks, activities, and milestones necessary to successfully accomplish the work.

## 1. Approach and Methodology

Evergreen Solutions is uniquely qualified to conduct a Classification and Compensation Study for Franklin County as our team includes recognized experts in local government human resources management and understands that there is not a “one size fits all” solution to compensation management. Our approach is built on working collaboratively with all parties to make sound, implementation-focused recommendations. Specifically, we have developed a methodology that:

- focuses on market competitiveness;
- is based on the organization’s compensation philosophy;
- recognizes that compensation is comprised of more than just base pay levels;
- reflects changes in recent compensation strategies;
- designs custom solutions that take into account the diversity of needs present in the organization and allows you to select the components and options that best meet your overall needs; and
- produces a structure that improves the organization’s ability to recruit, reward, motivate, and retain talent in a competitive environment that includes both public and private sector employers.

We will work closely with the County’s designated Project Manager and the Human Resources Department throughout the process to ensure constant communication of issues, concerns, and potential outcomes. We work closely with your staff to gain a solid understanding of your current operational realities, challenges, and desired outcomes. Moreover, Evergreen will work with you to balance your need to meet your performance goals while carefully managing the organization’s resources.

Compensation management has undergone significant transformation in the private sector and over time public sector organizations have mirrored these changes. While compensation once centered on the separate administration of base pay and core benefits, a shift has occurred that has transformed compensation management.

Progressive organizations now recognize that to effectively recruit, reward, motivate, and retain employees, compensation management requires strategic thinking and planning. Compensation management must support an organization’s overall strategic direction. To accomplish



	<p>this, effective organizations design a compensation philosophy that details where an organization wants to be in relation to the market in key areas. These key areas include cash compensation, benefits, and work/life balance. Compensation is thus a reflection of the organization's philosophy.</p> <p>Evergreen realizes that we will need to tailor our approach to fit the operating, fiscal, and competitive needs of the organization. Recommendations must always reflect competitive needs while supporting the organization's overall mission.</p> <p>Listed below is an overview of the typically recommended approach that Evergreen takes when conducting a study of this nature.</p>
<b>Kick Off Meeting</b>	<p>Evergreen begins each engagement by meeting with our client's leadership team. Frequently, this initial meeting will accomplish several goals, including:</p> <ul style="list-style-type: none"> <li>• finalizing the project work plan;</li> <li>• identifying milestone and deliverable dates;</li> <li>• gaining insight into the management structure and approach;</li> <li>• collecting classification and compensation data;</li> <li>• identifying additional data needs; and</li> <li>• developing preliminary schedules for subsequent tasks.</li> </ul> <p>At this time, we will also request a copy of the employee database that reflects current classification and compensation data.</p>
<b>Communication Plan</b>	<p>Communication is a critical component of any Classification and Compensation Study. Communicating with employees directly and early in the process builds support for the process and the accompanying outcomes. As part of our communication plan, we meet first with key project staff to fully understand the nature and scope of the project. The results of these meetings are then communicated to employees during the project outreach through employee orientation sessions, focus groups, and interviews. Regular updates are provided to the client's Project Manager and can be posted on the client's intranet site, if available and desired. Additionally, the communication plan for the distribution of the end product, particularly how the results will be distributed to employees, is also critical.</p>
<b>Employee Orientation and Focus Groups</b>	<p>Based on client feedback and a review of best practices, we have designed an orientation curriculum that provides employees insight into the process as well as provides a forum for answering questions and soliciting participation. Following the orientation sessions, we begin the focus group process. Focus groups are used to gain detailed insight into employee perceptions, concerns, and issues. The protocol for the sessions is provided to your project team in advance and refined to meet your needs.</p> <p>We have found that employee orientation sessions and focus groups are critical venues for building employee participation and buy-in. Since they take place at the outset of the project, they are a critical introduction to the project and the question and answer formats allow employees to</p>



### Department Head Interviews

become engaged in the process. During these sessions, Evergreen's consultants can also help to manage expectations since some employees may have unrealistic expectations based on anecdotal information.

Evergreen staff conduct one-on-one interviews with department heads and/or senior management (in addition to any other employees the client determines is necessary) to identify challenges for consideration. These interviews will allow our staff to add details to our understanding of the organization and its needs. They also allow our consultants the opportunity to better understand the organizational structure of each department as well as the unique recruiting and retention issues that may be present in each department. Frequently, department directors and senior management serve as invaluable resources in explaining how internal equity relationships have evolved over time and explaining the nuances between the differences in jobs.

### Job Assessment Tool and Management Issue Tool

Another important activity undertaken at this time is the distribution of Evergreen's Job Assessment Tool© (JAT). These questionnaires are central components of the job evaluation process. The JAT asks a series of questions regarding an employee's job that captures the nature of the job and how it interacts with work within the organization.

The JAT contains questions that ask about each of the following areas:

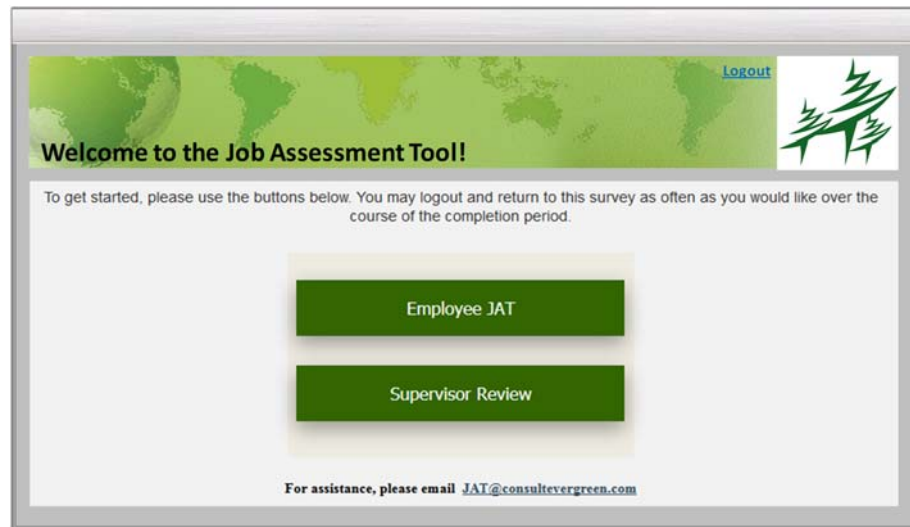
- scope of duties;
- complexity of work;
- supervision received and exercised;
- physical requirements;
- financial responsibilities;
- analytical/mental requirements;
- knowledge and skills required for the job; and
- level of responsibility/reporting relationships.

Evergreen will contact the client's Project Manager should there be a need to clarify question responses or issues with information collected from the JAT. Due to budgetary constraints faced by many of our clients, we have designed the JAT as a web-based tool so that data can be collected electronically. If requested, we can also provide a paper-based version of the tool.

**Exhibit 1** below depicts a screenshot of the JAT home screen showing the levels of access for a Supervisor. Supervisors have access to their own surveys in addition to the ability to review and approve the surveys of their direct reports. The supervisor review process ensures validation of the JAT data collected from employees and prevents comments made by employees from being taken out of context.



### Exhibit 1 Supervisor's JAT Home Screen



Source: Evergreen Solutions, 2020

**Exhibit 2** illustrates how Evergreen uses the JAT to collect functional details of employee's jobs. Seeking to understand how employees summarize their responsibilities in their own words allows our analysis to expand beyond what may be conveyed in a traditional job description. An informal survey of municipal employees revealed that 90 percent felt that the job descriptions held on file with their employers were inaccurate or incomplete representations of their duties. Understanding this, Evergreen designed the JAT to fill in those gaps to ensure that the entirety of an employee's job is analyzed within the context of the study.



## Exhibit 2

### Job Description and Responsibilities

[Logout](#)

**Basic Job-Related Information**

**Job Introduction**

Briefly provide an overview of your job, including a description of the purpose of your job and the type of work you do. This may be the same as the introduction to your current job description, but it does not need to be.

Description

Type of Work

Please select the level that best describes the type of work you perform.

Type of Work

- ☐ Clerical/Manual - Perform a variety of office and administrative support duties OR unskilled, labor-intensive tasks.
- ☐ Laborer/Trade-Based Occupations - Performs work necessitating repetitive operations with their hands, physical skill and energy.
- ☐ Technical/Paraprofessional - Performs tasks requiring a solid understanding of basic algebra and statistics OR use of heavy equipment.
- ☐ Administrator - Performs tasks directly related to the management or general business operations. Exercises discretion and judgment with matters of significance.
- ☐ Managerial/Professional - Performs tasks requiring advanced knowledge, which is predominantly intellectual in nature. OR tasks related to the control or administration of part of the organization.
- ☐ Executive/Advanced Professional - Performs tasks related to managing the organization, or managing a department OR perform work requiring highly advanced knowledge.

**Education and Experience**

Please select the level that best describes how much education and experience a new-hire should be required to have for your position.

Education

Experience

**Licenses and Certifications**

Please list any licenses, certifications, or professional designations you believe should be required or preferred for your position.

Required

**SAVE**

Source: Evergreen Solutions, 2020

**Exhibit 3** shows a similar page in which employees are asked to list the Essential Functions of their job. These are the tasks and activities that define the classification and make it unique. Gathering information such as this allows Evergreen to assess the validity of the present classification structure and identify classifications or individuals within classifications that need to be restructured or reclassified.



Exhibit 3  
Job Functions

Logout

### Essential Job Functions

On the lines provided, please include all essential job functions you perform. For every function you list, estimate the total percent of your time spent on each function on an annual basis and check off which tasks are a priority. A priority task is one that is core to your position.

Task	Percent	Priority
Task 1		<input type="checkbox"/>
Task 2		<input type="checkbox"/>
Task 3		<input type="checkbox"/>
Task 4		<input type="checkbox"/>
Task 5		<input type="checkbox"/>
Task 6		<input type="checkbox"/>
Task 7		<input type="checkbox"/>
Task 8		<input type="checkbox"/>
Task 9		<input type="checkbox"/>
Task 10		<input type="checkbox"/>

Source: Evergreen Solutions, 2020

**Preliminary  
Assessment**

In addition to the JAT, Evergreen will also distribute our Management Issues Tool (MIT). The MIT is distributed to supervisors and managers and is used to collect specific information from supervisors and managers related to such issues as recruitment and retention problems, classification issues, pay equity issues, problems with titles, and other related issues. Each MIT will be logged and a specific response will be provided. The MIT process is designed to allow supervisors and managers to give direct input into the process and they serve as “red flags” to Evergreen staff during the analysis portion of the project.

As a starting point for analysis, Evergreen’s project consultants review the client’s database in comparison to the pay plan and information collected from the JATs to produce a preliminary assessment. The preliminary assessment summarizes the strengths and weaknesses of your human resource management system. The compensation analysis focuses on the number of pay grades, range widths, percentage differences between grades, step plans versus open range plans, and the expected time to reach full job competency. The overall analysis focuses





	<p>on structure, movement, and equity (internal) as well as specific concerns such as turnover, longevity, compression, and range anomalies. The issues we identify in the assessment become core considerations in creating the potential solutions later in the process.</p>
<b>Job Evaluation</b>	<p>The next step in the process is to review responses to the JATs and identify any possible misclassifications. Once the review of the JATs has been completed, Evergreen's consultants will evaluate all jobs on each of the compensatory factors, score each position, and determine if there is any need for further investigation of specific positions. If serious discrepancies exist, Evergreen's consultants will work directly with the Client Project Manager to resolve any issues.</p> <p>Once work has been properly classified, changes in the current classification system rankings can be recommended. Our goal is to produce a classification system that reflects the internal equity relationships suggested by the JAT scoring conducted earlier.</p>
<b>Compensation</b>	<p>Our approach to compensation analysis is based on the belief that compensation should be organization-specific, fair, equitable, and directly tied to strategic goals. To ensure that all these criteria are met, we will conduct an extensive analysis on the relevant labor market, the internal structure and inter-relatedness of jobs within the organization, and the relative worth of jobs within the organization vis-à-vis the compensation philosophy.</p> <p>The most traditional component of a total compensation program is base pay (fixed pay). However, inclusion of benefits in total compensation strategy is not a new concept. Provision of benefits was originally a recruitment tool, though over time the provision of core benefits has become an expectation. Research shows that public sector organizations commonly use superior benefits packages as a way to offset structural disadvantages in base pay. The purpose of the survey is to collect information for comparison to current offerings, and making recommendations for change consistent with the parameters of the organization's compensation philosophy.</p>
<b>Market Survey</b>	<p>A key component of assessing compensation is to consider market position, which is sometimes referred to as external equity or competitiveness. Evergreen's consultants wait until well into the classification analysis to design the market survey to ensure that jobs are understood, anomalies in classification characteristics are documented, and sufficient input has been received. The market survey will obtain standard range information related to minimum, midpoint, and maximum salaries. Data collection will focus on the public sector, but will include information from the private sector where applicable. Further, we will look to include any employers to whom the organization has recently lost employees.</p>



<b>Benchmarks</b>	<p>One of the most important components of the external assessment is in the selection and utilization of benchmark positions for the labor market survey. We will work with the client to identify the appropriate number of benchmark positions to best suit the client's needs in the labor market survey. Based on our experience, we have found that it is simply not practical to survey all positions within the organization—the resulting surveys become too cumbersome for labor market peers to complete, and the response rate on the whole suffers. We ensure, through multiple checks and balances, that the benchmark positions chosen will represent a broad spectrum of positions across the organization, from all job families, pay levels, and functional areas.</p>
<b>Targets</b>	<p>To conduct an external labor market assessment, we work with the client to identify the most appropriate targets to survey. Evergreen selects peer organizations based on the local labor competition, regional markets, and class-specific markets. Peer organizations should be those organizations that compete with the client for labor in at least one job family. An appropriate mix of peers in the public and private sectors will be included in the survey, and if necessary, augmented with published secondary data sources.</p> <p>Typically, Evergreen waits until the outreach process has been completed to identify the complete list of market peers. This is because we often will uncover specific information during the focus group and interview sessions that identifies potentially critical survey targets. Ideally, we would like to work with the client after the outreach has been concluded to identify the final list of potential market peers.</p> <p>An important factor of our methodology is that the client has the final approval of all aspects of the study. We will not proceed with the analysis unless the client is completely comfortable with the survey targets chosen. Often, there are different factors impacting an organization, such as proximity to a major metropolitan area, technology corridor, or specific market (i.e., military base), that have a direct effect on its ability to recruit and retain employees in specific positions. These factors have to be taken into account when selecting survey targets. Once the targets are selected and approved, the survey instrument is developed and sent to the client for final approval. Subsequent to client approval, the survey is then distributed to the targets in both paper and electronic formats.</p> <p>Evergreen uses a four-fold method of communicating with respondents. Our staff notifies the target group that the survey is being sent or made available, confirms receipt, and encourages participation. Once the data are received, they are cleaned, validated, and summarized. A separate report is issued that shows the results of the salary survey.</p> <p>After determining the appropriate division of work and market position, the compensation structure can be created. There is not a single, perfect solution for every client partner. The nuances and unique characteristics of each client necessitate a customized solution to best meet the organization's needs.</p>
<b>Unifying the Solution</b>	



### Compensation Administration Guidelines

The Evergreen Team has considerable experience in developing multiple solutions and working with client partners to determine the one that best meets their needs. Our analytical team uses a variety of tools to produce various potential solutions: regression analysis, market thresholds, and other human resource models. Several major options are presented to the client's team before the implementation plan is created.

It is at this stage in the process that we typically meet with the client to identify the direction of the final solution. We will present to the client a draft report for review and comment. We typically ask the client to examine the draft solution objectively and provide insights and recommendations on the direction of the report. When this process is completed, Evergreen's consultants will proceed with the final solution. The solution also contains information regarding fiscal impact and implementation.

In order for clients to maintain the recommended compensation system, Evergreen develops compensation administration guidelines for use by the client after completion of the study. The guidelines will include recommendations on installation and continuing administration of the system. The team first conducts a review of current practices and procedures then assesses their effectiveness, compliance with legal guidelines, and applicability to the recommended system.

Once this review and assessment are complete, revisions to the current practices and/or new guidelines can be recommended, as needed. At a minimum, the recommendations will address areas such as:

- how employees will move through the pay structure/system as a result of transfers, promotions, or demotions;
- how to pay employees whose base pay has reached the maximum of their pay range or value of their position;
- the proper mix of pay and benefits;
- how often to adjust pay scales and survey the market;
- timing of implementation; and
- how to keep the system fair and competitive over time.

### System Maintenance

Our goal is to produce recommendations that are effective and that can be maintained by our clients. We are strongly committed to providing transparent and replicable solutions. In essence, when we complete our core assignment, our goal is that our client's staff can maintain and update the system on their own. We are readily available to provide assistance, but our goal is to give our clients all the tools and training that are needed. Towards this end we will provide the Human Resources Department with all necessary tools and training to maintain the system over time.

Based on client needs and industry best practices, Evergreen has developed a compensation and classification maintenance tool to assist our clients with implementing, managing, and updating the solutions: **JobForce Manager**. This tool allows our clients to estimate future pay



plan changes, update market information, make determinations on reclassifications, and create new jobs. By automating these tasks, **JobForce Manager** allows our clients to not only streamline, but also increase the fairness and transparency of regular compensation and classifications tasks after solution implementation.

**Exhibit 4** displays the interface from **JobForce Manager** for determining a positions pay grade; additional features include a job scoring tabulation sheet, market survey results database and summary report, pay plan report, and employee salary calculators for modeling fiscal impacts of compensation changes at the employee level. All data and reports are downloadable and printable, so they can be provided to key decision makers.

**Exhibit 4**  
**JobForce Manager Tool**

Pay Plans	Scoring/Slotting	Compensation	Market	Account						
<div><div> Download Data</div><div> Grid Edit</div></div>										
CURRENT TITLE ▲	PAY PLAN	JAT SCORE	REGRESSION MIDPOINT	MARKET MIDPOINT	POSITION MIDPOINT (SELECT)	GRADE	MINIMUM	MIDPOINT	MAXIMUM	
Accounting Specialist II	ESP	212.5	\$30,100.27	\$31,220.80	\$31,508.69	105	\$22,702.21	\$31,508.69	\$40,315.17	 Edit
Accounting Specialist III	ESP	281.3	\$39,058.27	\$34,379.43	\$40,213.96	110	\$28,974.42	\$40,213.96	\$51,453.51	 Edit
Accounting Specialist IV	ESP	306.3	\$42,315.73	\$40,166.80	\$44,335.90	112	\$31,944.29	\$44,335.90	\$56,727.50	 Edit
Accounting Supervisor	ESP	500.0	\$67,561.02	\$69,350.91	\$68,779.53	121	\$49,556.08	\$68,779.53	\$88,002.97	 Edit
Acquisition Specialist	ESP	306.3	\$42,315.73	\$41,595.60	\$44,335.90	112	\$31,944.29	\$44,335.90	\$56,727.50	 Edit
Administrative Aide	ESP	312.5	\$43,130.09	\$36,624.74	\$44,335.90	112	\$31,944.29	\$44,335.90	\$56,727.50	 Edit
Administrative Recording Secretary	Professional	381.3	\$52,088.10	\$40,994.30	\$58,245.16	212	\$46,596.13	\$58,245.16	\$69,894.19	 Edit
Administrative School Secretary I	ESP	206.3	\$29,285.91	\$31,619.17	\$33,084.13	106	\$23,837.32	\$33,084.13	\$42,330.93	 Edit
Administrative School Secretary II	ESP	231.3	\$32,543.36	\$35,996.59	\$34,738.33	107	\$25,029.19	\$34,738.33	\$44,447.48	 Edit
Administrative School Secretary III	ESP	256.3	\$35,800.82	\$37,701.80	\$38,299.01	109	\$27,594.68	\$38,299.01	\$49,003.35	 Edit
Administrative Secretary I	ESP	231.3	\$32,543.36	\$32,190.02	\$33,084.13	106	\$23,837.32	\$33,084.13	\$42,330.93	 Edit
Administrative Secretary I	ESP	206.3	\$29,285.91	\$32,190.02	\$33,084.13	106	\$23,837.32	\$33,084.13	\$42,330.93	 Edit
Administrative Secretary II	ESP	231.3	\$32,543.36	\$33,919.04	\$34,738.33	107	\$25,029.19	\$34,738.33	\$44,447.48	 Edit
Administrative Secretary II	ESP	231.3	\$32,543.36	\$33,919.04	\$34,738.33	107	\$25,029.19	\$34,738.33	\$44,447.48	 Edit
Administrative Secretary III	ESP	256.3	\$35,800.82	\$35,971.01	\$38,299.01	109	\$27,594.68	\$38,299.01	\$49,003.35	 Edit
Administrative Specialist	Professional	231.3	\$32,543.36	\$43,762.63	\$39,422.62	204	\$31,538.09	\$39,422.62	\$47,307.14	 Edit
Administrative Specialist-School Food Services	Professional	275.0	\$38,243.91	\$42,861.08	\$45,636.61	207	\$36,509.29	\$45,636.61	\$54,763.93	 Edit

Source: Evergreen Solutions, 2020



## 2. Detailed Work Plan

The detailed work plan that Evergreen proposes to use to conduct the Classification and Compensation Study for Franklin County is provided in this section.

Our work plan consists of the following 11 work tasks:

- Task 1: Project Initiation
- Task 2: Evaluate the Current System
- Task 3: Collect and Review Current Environment Data
- Task 4: Evaluate and Build Projected Classification Plan
- Task 5: Identify List of Market Survey Benchmarks and Approved List of Targets
- Task 6: Conduct Market Survey and Provide External Assessment Summary
- Task 7: Develop Strategic Positioning Recommendations
- Task 8: Conduct Solution Analysis
- Task 9: Develop and Submit Draft and Final Reports
- Task 10: Develop Recommendations for Compensation Administration
- Task 11: Provide Revised Class Descriptions and FLSA Determinations

### Task 1.0 Project Initiation

#### TASK GOALS

- Finalize the project plan with the County.
- Gather all pertinent data.
- Finalize any remaining contractual negotiations.
- Establish an agreeable final time line for all project milestones and deliverables.

#### TASK ACTIVITIES

- 1.1 Discuss with the County's Project Manager (CPM) the following objectives:
- the classification and pay plan study process;
  - understand mission and current compensation philosophy;
  - review our proposed methodology, approach, and project work plan to identify any necessary revisions;
  - reach agreement on a schedule for the project including all assignments and project milestones/deliverables; and
  - establish an agreeable communication schedule.



**Task 2.0**  
**Evaluate the**  
**Current System**

- 1.2 Identify potential challenges and opportunities for the study. Discuss the strategic direction of the County and some of the short- and long-term priorities. This activity serves as the basis for assessing where the County is going and what type of pay plan will reinforce current and future goals.
- 1.3 Obtain relevant materials from the County, including:
  - any previous projects, research, evaluations, or other studies that may be relevant to this project;
  - organizational charts for the departments and divisions, along with related responsibility descriptions;
  - current position and classification descriptions, salary schedule(s), and classification system; and
  - personnel policies and procedures, including step placement policies.
- 1.4 Review and edit the project work plan and submit a timeline for the completion of each project task.
- 1.5 Provide status updates to the CPM throughout the course of the study.

**KEY PROJECT MILESTONES**

- Comprehensive project management plan
- Comprehensive database of County staff

**TASK GOAL**

- Conduct a comprehensive preliminary evaluation of the existing compensation plan(s) for the County.

**TASK ACTIVITIES**

- 2.1 Obtain the existing pay structure and compensation philosophy (if any). Review the existing pay structure and look for potential problems and issues to be resolved.
- 2.2 Determine the strengths and weaknesses of the current pay plan(s) and structure for the County. Discuss any pay compression issues that may exist and possible solutions.
- 2.3 Discuss with the CPM a preliminary compensation philosophy of where the County desires to be in the market as it relates to employee salaries.





**Task 3.0**  
**Collect and Review**  
**Current**  
**Environment Data**

- 2.4 Complete an assessment of current conditions that details the pros and cons of the current system as well as highlights areas for potential improvement in the final adopted solution.

**KEY PROJECT MILESTONES**

- Review of existing compensation plan(s)
- Initial compensation philosophy
- Assessment of current conditions

**TASK GOALS**

- Conduct statistical and anecdotal research into the current environment within the County.
- Guide subsequent analytical tasks.

**TASK ACTIVITIES**

- 3.1 Schedule and conduct employee orientation sessions to describe the scope of work and methodology.
- 3.2 Meet with department heads to obtain relevant information and statistical/anecdotal data on specific compensation issues and policies. Obtain insight into perceived current compensation system strengths and weaknesses.
- 3.3 Hold focus groups with a sample of employees to obtain additional relevant information and statistical/anecdotal data on specific compensation issues and policies.
- 3.4 Work with the CPM to administer the Job Assessment Tool (JAT) and Management Issues Tool (MIT). Our staff utilizes a web-based tool for data collection. Paper copies can be provided for classifications without computers or Internet access.
- 3.5 Review any data provided by the County that may provide additional relevant insight.

**Note:** Task 3 can be conducted virtually using zoom and/or conference calls due to COVID-19 should the County desires this method.

**KEY PROJECT MILESTONES**

- JAT and MIT distribution
- Department head interviews
- Employee focus groups and orientation sessions



**Task 4.0**  
**Evaluate and Build**  
**Projected**  
**Classification Plan**

**TASK GOALS**

- Identify the classification of existing positions utilizing Evergreen's job evaluation system.
- Review JAT responses.
- Characterize internal equity relationships within the County.

**TASK ACTIVITIES**

- 4.1 Review all draft class specifications with the CPM.
- 4.2 Review the work performed by each classification and score. Include an evaluation of supervisory comments.
- 4.3 Review JAT scores and identify the classification of positions.
- 4.4 Schedule and conduct additional follow up with employees for jobs where uncertainty exists over data obtained from the JATs.
- 4.5 Develop preliminary recommendations for the classification structure. The classification system designed at this point would be based solely on internal equity relationships and would be guided by the JAT scores for each classification. Essentially, a structure of classifications would be established, and classifications with similar scoring would be grouped and spacing between jobs would be determined.
- 4.6 Review recommendations with the CPM.

**KEY PROJECT MILESTONES**

- JAT scores by class
- Recommended classification changes
- Preliminary job structure based on internal equity

**Task 5.0**  
**Identify List of**  
**Market Survey**  
**Benchmarks and**  
**Approved List of**  
**Targets**

**TASK GOALS**

- Reach an appropriate number and identify the proper benchmark positions for the external labor market salary assessment.
- Identify and develop a comprehensive list of targets for conducting a successful external labor market salary assessment.



**Task 6.0  
Conduct Market  
Survey and  
Provide External  
Assessment  
Summary**

**TASK ACTIVITIES**

- 5.1 Identify, from the initial review, a list of classifications (benchmarks) to include in the labor market survey.
- 5.2 Finalize the list of positions with the CPM.
- 5.3 For each employee group review with the CPM the peer organizations to use as targets for the salary survey. **Note:** Evergreen will work with the CPM to select up to 15 targets for the salary survey.
- 5.4 Develop a preliminary list of public and private organizations for the external labor market survey of salary, placing a comparative emphasis on characteristics such as:
  - size of the organization;
  - geographic proximity to the Apalachicola area;
  - economic and budget characteristics; and
  - other demographic data.
- 5.5 Develop a list of survey targets by employee group. Develop a system for use of secondary data including potential sources and weighting of secondary data, if necessary.
- 5.6 Review survey methodology with the CPM and refine survey methodology prior to distribution of survey.
- 5.7 After approval of survey methodology, develop contact list of peer organizations and notify peers of impending survey.

**KEY PROJECT MILESTONES**

- Final list of benchmark positions for the external labor market assessment salary survey
- Initial list of survey peers
- Survey methodology
- Final list of survey organizations and contacts

**TASK GOALS**

- Conduct the external labor market salary survey.
- Provide a summary of the survey results to the CPM.

**TASK ACTIVITIES**

- 6.1 Prepare a customized external labor market salary survey for the CPM's approval. Discuss questions and categories for the market survey.



**Task 7.0**  
**Develop Strategic**  
**Positioning**  
**Recommendations**

- 6.2 Contact the targets for electronic completion of the survey. Provide paper copies by fax, if requested.
- 6.3 Conduct necessary follow-up through e-mails, faxes, and phone calls.
- 6.4 Collect and enter survey results into Evergreen's electronic data analysis tools.
- 6.5 Validate all data submitted.
- 6.6 Develop summary report of external labor market assessment results.
- 6.7 Submit summary report of external labor market assessment results to the CPM.

**KEY PROJECT MILESTONES**

- Market survey instrument
- Summary report of external labor market assessment results

**TASK GOALS**

- Assess the appropriateness of the current compensation philosophy for the County.
- Develop a plan for all employees, providing issue areas and preliminary recommendations for strategic improvement.

**TASK ACTIVITIES**

- 7.1 Identify the compensation philosophy and accompanying thresholds.
- 7.2 Using the market salary survey data collected in **Tasks 6.0**, and the classification data reviewed in **Task 4.0**, determine the proper pay plan for the County.
- 7.3 Identify highly competitive positions within the County and customize recommendations for compensation where required.
- 7.4 Produce a pay plan for the County that best meets its needs from an internal equity and external equity standpoint.

**KEY PROJECT MILESTONES**

- Proposed compensation strategic direction, taking into account internal and external equity
- Plan for addressing unique, highly competitive positions



**Task 8.0**  
**Conduct Solution**  
**Analysis**

**TASK GOALS**

- Conduct analysis comparing JAT values.
- Survey results for the benchmark positions.
- Produce several possible solutions for implementation.

**TASK ACTIVITIES**

- 8.1 Conduct regression analysis or other appropriate techniques to properly slot each classification into the proposed pay plan for the County.
- 8.2 Place all classifications into pay grades based on **Task Activity 8.1**. Sort alphabetically by job class title, in descending order by range, and by old class title and new class specifications.
- 8.3 Create implementation solutions for consideration that take into account the current position of the County as well as the findings from the classification and compensation analysis. Identify and prepare a range of compensation policy alternatives.
- 8.4 Meet with the CPM to discuss the potential solutions.
- 8.5 Determine the best solution to meet the needs of the County in the short-term and long-term.
- 8.6 Document the accepted solution.

**KEY PROJECT MILESTONES**

- Initial regression analysis
- Potential solutions
- Documented final solution

**Task 9.0**  
**Develop and**  
**Submit Draft and**  
**Final Reports**

**TASK GOALS**

- Develop and submit a draft and Final Report of the Classification and Compensation Study to Franklin County.
- Present the Final Report.

**TASK ACTIVITIES**

- 9.1 Produce a comprehensive draft report that captures the results of each previous step. Provide a draft final report to the CPM for review and approval. The draft final report will include the costs associated with all recommendations as well as an implementation plan based on the recommended changes to the classification and compensation plans.



**Task 10.0  
Develop  
Recommendations  
for Compensation  
Administration**

- 9.2 Make edits and submit necessary copies of the Final Report to the CPM.
- 9.3 Present the Final Report.
- 9.4 Develop a communication plan for sharing study results with employees of the County.
- 9.5 Develop a plan for maintaining recommendations over time.

**KEY PROJECT MILESTONES**

- Draft and final reports
- Final presentation
- Communication plan
- Implementation and maintenance database

**TASK GOALS**

- Develop recommendations for continued administration by County staff to sustain the recommended compensation and classification system.
- Provide training.

**TASK ACTIVITIES**

- 10.1 Develop recommendations and guidelines for continued administration and maintenance of the classification and compensation system by County staff, including recommendations and guidelines related to:
  - how employees will move through the pay structure/system as a result of transfers, promotions, or demotions;
  - how to pay employees whose base pay has reached the maximum of their pay range or value of their position;
  - the proper mix of pay and benefits;
  - how often to adjust pay scales and survey the market;
  - the timing of implementation; and
  - how to keep the system fair and competitive over time.
- 10.2 Recommend recruitment/retention strategies, where appropriate.
- 10.3 Present recommendations to the CPM for review.





**Task 11.0**  
**Provide Revised**  
**Class Descriptions**  
**and FLSA**  
**Determinations**

10.4 Finalize recommendations.

10.5 Provide instructional information/training to Human Resources Department staff to ensure that staff can conduct audits/adjustments consistent with study methods until the next formal study is conducted using Evergreen's **JobForce Manager** tool that will enable Human Resources staff to estimate future pay plan changes, update market information, make determinations on reclassifications, and create new jobs – allowing for streamlining, and an increase in fairness and transparency of regular compensation and classification tasks after solution implementation.

**KEY PROJECT MILESTONES**

- Recommendations for compensation administration
- Recommendations for recruitment/retention policies
- Training on Evergreen's **JobForce Manager** tool

**TASK GOALS**

- Update existing class descriptions.
- Create new class descriptions as needed, ensuring ADA, FLSA, EEO, etc. requirement satisfaction.
- Provide final version of all class descriptions/specifications in electronic format (i.e., MS Word).

**TASK ACTIVITIES**

- 11.1 Assess current class descriptions for form, content, validity, and ADA, FLSA, EEO compliance, etc.
- 11.2 Discuss new class description format with the CPM and the Director of Human Resources.
- 11.3 Revise classification descriptions based on data gathered from the JAT process.
- 11.4 Create new class descriptions for new classifications, as needed. Provide complete listing of the allocation of job classes to salary range assignments.
- 11.5 Make FLSA determinations based on work performed and federal requirements.



- 
- 11.6 Recommend a systematic, regular process for reviewing job descriptions.

**KEY PROJECT MILESTONES**

- Updated class descriptions
- New class descriptions, as needed
- FLSA Determinations





# Consulting Services Agreement

By and Between

Franklin County, Florida

and

Evergreen Solutions, LLC

This Agreement (the "Agreement"), dated as of **INSERT DATE**, is made by and between Evergreen Solutions, LLC, a Florida corporation ("Evergreen"), and Franklin County (the "Client").

WHEREAS, Evergreen Solutions and the Client desire to enter into an agreement whereby Evergreen will provide certain management consulting services for the Client on the terms and conditions hereinafter set forth; and

WHEREAS, Evergreen Solutions is willing to provide such management consulting services for the Client.

NOW, THEREFORE, the parties hereto agree as follows:

**1. Engagement.** Evergreen Solutions hereby agrees to provide such management consulting services for the Client as may be reasonably requested by the Client in connection with the Letter Proposal submitted by Evergreen Solutions on February 17, 2021.

**2. Extent of Services.** Evergreen Solutions agrees to perform such services to the best of its ability and in a diligent and conscientious manner and to devote appropriate time, energies and skill to those duties called for hereunder during the term of this Agreement and in connection with the performance of such duties to act in a manner consistent with the primary objective of completing the engagement.

Evergreen Solutions agrees to devote such time as is reasonably required to fulfill its duties hereunder. Throughout the duration of this agreement, Evergreen Solutions will serve as an independent contractor of the Client, as such; Evergreen Solutions will obey all laws relating to federal and state income taxes,



associated payroll and business taxes, licenses and fees, workers compensation insurance, and all other applicable state and federal laws and regulations.

In the successful completion of this engagement, Evergreen Solutions may utilize subcontractors, but Evergreen Solutions shall remain completely responsible to the Client for performance under this Agreement.

**3. Term.** The engagement of the Consultant hereunder by Client shall commence as of the date hereof and shall continue through June 30, 2021, unless earlier terminated, pursuant to Section 5 hereof.

#### **4. Compensation.**

(a) As compensation for the services contemplated herein and for performance rendered by Evergreen Solutions of its duties and obligations hereunder, the Client shall pay to Evergreen Solutions an aggregate fee equal to \$27,500 (the "Consulting Fee"), earned and payable according to the following invoice/payment schedule:

- 25% - upon completion of Tasks 1 – 2 of the detailed work plan
- 25% - upon completion of Tasks 3 – 4 of the detailed work plan
- 25% - upon completion of Tasks 5 – 6 of the detailed work plan
- 25% - upon completion of Tasks 7 – 11 of the detailed work plan

(b) The Client's sole obligation shall be to pay Evergreen Solutions the amounts described in Section 4(a) of this Agreement, and the Consultant is not and shall not be deemed an employee of the Client for any purpose.

**5. Termination.** This Agreement shall be terminated as follows:

(a) 30 days after written notice of termination is given by either party at any time after **INSERT DATE**, provided however, that if the Client shall terminate this Agreement pursuant to this Section 5(a) for any reason other than Consultant's material breach of this Agreement (having given prior notice of, and reasonable opportunity for Consultant to cure, any such breach), Client shall pay to consultant in one lump sum an amount equal to that portion of the aggregate Consulting Fee which has not been paid to Consultant as of the effective date of such termination.

(b) On such date as is mutually agreed by the parties in writing.

(c) Upon expiration of the Term as set forth in Section 3.

If Client elects to terminate for material breach then Client shall pay to consultant in one lump sum an amount equal only to that for which services have been rendered.

Upon termination of this Agreement pursuant to this Section 5, except as contemplated by Section 5(a) in the event Client terminates this Agreement in the absence of continuing material breach hereof by Consultant, Consultant shall be entitled to payment of only that portion of the Consulting Fee earned through the effective date of such termination and any portion of the Lump Sum Payment which has not been paid to Consultant as of the effective date of such termination.

**6. Confidential Information.** Evergreen Solutions shall not, at any time during or following expiration or termination of its engagement hereunder (regardless of the manner, reason, time or cause thereof) directly



or indirectly disclose or furnish to any person not entitled to receive the same for the immediate benefit of the Client any trade secrets or confidential information as determined by the Client in writing.

**7. Covenants.** Evergreen Solutions agrees to (a) faithfully and diligently do and perform the acts and duties required in connection with its engagement hereunder, and (b) not engage in any activity which is or likely is contrary to the welfare, interest or benefit of the business now or hereafter conducted by the Client.

**8. Binding Effect.** This Agreement will inure to the benefit of and shall be binding upon the parties hereto and their respective successors or assigns (whether resulting from any re organization, consolidation or merger of either of the parties or any assignment to a business to which all or substantially all of the assets of either party are sold).

**9. Entire Agreement.** This Agreement, including the aforementioned letter proposal, contains the entire agreement and understanding of the parties with respect to the subject matter hereof, supersedes all prior agreements and understandings with respect thereto and cannot be modified, amended, waived or terminated, in whole or in part, except in writing signed by the party to be charged.

**10. Notices.** All notices required to be given under the terms of this Agreement or which any of the parties desires to give hereunder shall be in writing and personally delivered or sent by registered or certified mail, return receipt requested, or sent by facsimile transmission, addressed as follows:

(a.) If to Evergreen Solutions addressed to:

Evergreen Solutions, LLC  
Attention: Dr. Jeff Ling, President  
2878 Remington Green Circle  
Tallahassee, Florida 32308

(b.) If to the Client addressed to:

Franklin County  
Attention: Ms. Erin Griffith, Fiscal Manager/Grants Coordinator  
33 Market Street  
Apalachicola, Florida 32320

Any party may designate a change of address at any time by giving written notice thereof to the other parties.

**11. Miscellaneous.** This Agreement:

(a) shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns;

(b) may not (except as provided in Section 9 hereof) be assigned by either party hereto without the prior written consent of the other party (any purported assignment hereof in violation of this provision being null and void);

(c) may be executed in any number of counterparts, and by any party on separate counterparts, each of which as so executed and delivered shall be deemed an original but all of which together shall constitute



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one and the same instrument, and it shall not be necessary in making proof of this Agreement as to any party hereto to produce or account for more than one such counterpart executed and delivered by such party;

(d) may be amended, modified or supplemented only by a written instrument executed by all of the parties hereto; and

(e) embodies the entire agreement and understanding of the parties hereto in respect of the transactions contemplated hereby and supersedes all prior agreements and understandings among the parties with respect thereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

Evergreen Solutions, LLC

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Jeff Ling, President

Franklin County

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Enter Client Signatory Name and Title





# RESOLUTION

## FRANKLIN COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

**WHEREAS**, County Road 67 runs north from Carrabelle to the Liberty County line, providing an important transportation link to Franklin County, and,

**WHEREAS**, County Road 67 also provides an evacuation route for the citizens and visitors of Franklin County, and

**WHEREAS**, County Road 67 crosses Womack Creek over three large arch culverts, which are deteriorating and in need of repair, and

**WHEREAS**, the Florida Department of Transportation has offered the opportunity to apply for funding through the Small County Outreach Program to repair these culverts,

**NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS** that they support the application for a Small County Outreach Program grant from the Florida Department of Transportation for the repair of the three arch culverts on County Road 67 at Womack Creek and Ricky D. Jones, the Chairman of the Board of County Commissioners, is hereby authorized to sign the Small County Outreach Program grant application requesting funding for this project.

This Resolution approved this 2<sup>nd</sup> day of March 2021.

By: \_\_\_\_\_  
Ricky D. Jones, Chairman  
Board of County Commissioners

ATTEST:

\_\_\_\_\_  
Michel Maxwell, Clerk

# RESOLUTION

## FRANKLIN COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

**WHEREAS**, in 2016, Franklin County paved a portion of Mill Road with funds provided by a Small County Outreach Program grant (436837-1-54-01), and,

**WHEREAS**, the cost of the project precluded Franklin County from paving the entire length of Mill Road that had been originally proposed, and

**WHEREAS**, there remains 1.156 miles of Mill Road that were not paved under the 2016 SCOP grant, and

**WHEREAS**, the Florida Department of Transportation has offered the opportunity to apply for funding through the Small County Outreach Program to pave the remainder of this road,

**NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS** that they support the application for a Small County Outreach Program grant from the Florida Department of Transportation for the paving of the remaining 1.156 miles of unpaved Mill Road and Ricky D. Jones, the Chairman of the Board of County Commissioners, is hereby authorized to sign the Small County Outreach Program grant application requesting funding for this project.

This Resolution approved this 2<sup>nd</sup> day of March 2021.

By: \_\_\_\_\_  
Ricky D. Jones, Chairman  
Board of County Commissioners

ATTEST:

\_\_\_\_\_  
Michele Maxwell, Clerk

# **RESOLUTION**

## **FRANKLIN COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS**

**WHEREAS**, Patton Drive in Eastpoint, Florida, is used as a shortcut by many people between U.S. Highway 98 (SR 30) and Island Drive (SR 300), thereby relieving congestion on U. S. Highway 98 at its intersection with Island Drive, and,

**WHEREAS**, Patton Drive is heavily used by residents and visitors to St. George Island traveling to the east, and

**WHEREAS**, Patton Drive is a narrow road in need of resurfacing, and

**WHEREAS**, the Florida Department of Transportation has offered the opportunity to apply for funding through the County Incentive Grant Program to widen and resurface Patton Drive,

**NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS** that they support the application for County Incentive Grant Program funding from the Florida Department of Transportation for the widening and resurfacing of Patton Drive, and Ricky D. Jones, the Chairman of the Board of County Commissioners, is hereby authorized to sign the County Incentive Grant Program application requesting funding for this project.

This Resolution approved this 2<sup>nd</sup> day of March 2021.

By: \_\_\_\_\_  
Ricky D. Jones, Chairman  
Board of County Commissioners

ATTEST:

\_\_\_\_\_  
Michele Maxwell, Clerk

# RESOLUTION

## FRANKLIN COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

**WHEREAS**, County Road 67 runs north from Carrabelle to the Liberty County line, providing an important transportation link to Franklin County, and,

**WHEREAS**, County Road 67 also provides an evacuation route for the citizens and visitors of Franklin County, and

**WHEREAS**, County Road 67 is a narrow road in need of widening and resurfacing, and

**WHEREAS**, Franklin County has applied for and been approved for funding from the Florida Department of Transportation to widen and resurface the southern portion of County Road 67 from Highway 98 northwards to State Forest Road 172, and

**WHEREAS**, the Florida Department of Transportation has offered the opportunity to apply for funding through the Small County Road Assistance Program to widen and resurface the final portion of County Road 67,

**NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS** that they support the application for a Small County Road Assistance Program grant from the Florida Department of Transportation for the widening and resurfacing of County Road 67 from State Forest Road 172 to the Franklin/Liberty County line, and Ricky D. Jones, the Chairman of the Board of County Commissioners, is hereby authorized to sign the Small County Road Assistance Program grant application requesting funding for this project.

This Resolution approved this 2<sup>nd</sup> day of March 2021.

By: \_\_\_\_\_  
Ricky D. Jones, Chairman  
Board of County Commissioners

ATTEST:

\_\_\_\_\_  
Michele Maxwell, Clerk

# RESOLUTION

## FRANKLIN COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS

**WHEREAS**, Power Drive runs parallel to U.S. Highway 98 in Eastpoint, Florida, from Norvell Street to Old Ferry Dock Road, and,

**WHEREAS**, Power Drive provides access to the rear of many businesses that front on U.S. Highway 98, and

**WHEREAS**, many of these business use Power Drive for their commercial deliveries, and

**WHEREAS**, Power Drive also provides access to several residences along the road, and

**WHEREAS**, Power Drive is narrow and badly in need of resurfacing, and

**WHEREAS**, the Florida Department of Transportation has offered the opportunity to apply for funding through the Small County Road Assistance Program to widen and resurface Power Drive,

**NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS** that they support the application for a Small County Road Assistance Program grant from the Florida Department of Transportation for the widening and resurfacing of Power Drive from Norvell Street to Old Ferry Dock Road, and Ricky D. Jones, the Chairman of the Board of County Commissioners, is hereby authorized to sign the Small County Road Assistance Program grant application requesting funding for this project.

This Resolution approved this 2<sup>nd</sup> day of March 2021.

By: \_\_\_\_\_  
Ricky D. Jones, Chairman  
Board of County Commissioners

ATTEST:

\_\_\_\_\_  
Michele Maxwell, Clerk