

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM  
APRIL 20, 2021  
9:00 AM  
MINUTES**

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

**Commissioners Absent:** Noah Lockley

**Others Present:** Michele Maxwell-Clerk of Court, Michael Shuler-County Attorney, Michael Moron—County Coordinator, Jessica Gay-Deputy Clerk to the Board

**Call to Order**

Chairman Jones called the meeting to order at 9:00 a.m.

**Prayer and Pledge**

Commissioner Ward led the Board in prayer followed by the Pledge of Allegiance.

**Approval of Minutes**

A. April 6, 2021 Regular Meeting

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve the minutes from the meeting held on April 6, 2021. Motion carried 4-0.**

**Payment of County Bills**

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

**Franklin County Correctional Institution -- Warden Robert Conner -- Update**

A. Warden Conner will update the Board on inmate labor and recent discussions on prison closings.

Warden Conner explained to the Board the shortage of inmates for labor and expressed concerns on recent discussions of prison closures. Warden Conner asked the Board, the County, and the public to contact legislators and express the importance of the prisons for rural counties.

Commissioner Ward expressed her appreciation for Warden Conner's efforts and said she had contacted representatives.

Warden Conner noted the proposed housing in Carrabelle would be an attraction for employees.

Commissioner Boldt asked if funding came from the State and if salaries were mandated by the State. Warden Conner said they were and that the County Commissioners' role is to advocate for the prisons and staff.

Commissioner Parrish said legislation just wants to sweep trust funds instead of funding affordable housing. And that maybe we the previous letter should be readdressed to the House Speaker and President.

**Commissioner Parrish made a motion to write a letter to the House Speaker and President to reemphasize the importance of prisons in our rural community and objecting to closings. Motion seconded by Commissioner Boldt. Motion carried 4-0.**

Mr. Nabors asked if there was any way that we can get more inmates. Warden Conner said most are disciplinary and not eligible for the outside. He said once court resumes, they should get more inmates that are eligible to work outside but until then there's not going to be much movement.

Mr. Moron thanked Mr. Davis for his assistance in contacting Warden Conner to be in attendance.

### **Public Comments**

Mr. Barry had difficulty logging in. Will defer public comments until he can log in successfully.

### **Department Directors Report**

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

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

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

Commissioner Ward said she has received calls regarding maintenance on Hwy 65. The Board discussed the maintenance needed and spoke of contacting the state to maintain due to it being a State road and the shortage of county staff and inmates. Mr. Nabors said he was having a hard time on grass cutting, having to put three crews together to make a crew. Mr. Moron asked Commissioner Ward to email him a list of roads in question so that he can explore opportunities. Commissioner Boldt noted Alligator Point Drive and how the county maintains it.

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

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

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

Mr. Davis reported the basketball goals on St. George Island and Vroom Park had been installed. Mr. Davis said the Day of Ball was a success. He thanked the Animal Control Department and Attorney Shuler for helping things run smoothly at the recent Animal Control Appeal Board hearing.

Commissioner Jones thanked Mr. Davis for all of the hard work for the entire county.

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

##### **A. Action Item**

1. Request the Approval of Awarding of the HLMP Bid Packet to Florida Retrofit and the Signing of the Contract

**On a motion by Commissioner Ward, seconded by Commissioner Parrish, to approve awarding of the HLMP Bid Packet to Florida Retrofit and authorize the Board Chair to sign the contract upon Attorney Shuler's approval.**

Commissioner Parrish asked if Retrofit had done work before, yes they are currently a contractor for us

**Motion carried 4-0.**

**Mr. Moron presented Item #6 from his report.**

6. EOC Contract: Mrs. Pam Brownell, Emergency Management Director, requested that Chairman Jones sign the Federally Funded Subaward and Grant Agreement No. Z2607 for Hurricane Sally. Mrs. Brownell stated that she was facing a deadline and needed the signed document sent to the Florida Division of Emergency Management last week. In addition, Mrs. Erin Griffith completed the associated FDEM Risk Assessment Questionnaire.

**On a motion by Commissioner Parrish, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board ratified the Chairman's signature on the Hurricane Sally Federally Subaward and Grant Agreement. Motion carried 4-0.**

**Mr. Moron presented Item # 4 from his report.**

4. New EOC Location: A couple of years ago the Board requested, as a legislative appropriation, funds to design and construct a new Emergency Operations Center (EOC). The County received funds from the State to design and engineer a new EOC. After much discussion the Board agreed to a location on the Airport for the new EOC, however, that location was considered "Airport" property based on a 1947 FAA lease and recorded deed. In order not to pay the Airport fair market value to use that property, FAA would have to exclude the property from the 1947 lease and recorded deed. AVCON tried but was unsuccessful on getting FAA to exclude this property. So, in an attempt to avoid that issue, Mr. Clay Kennedy of Dewberry, Mr. John Collins and Mrs. Mary Soderstrum of AVCON, and county staff started a search for a parcel around the airport that would be big enough for the new EOC, but not part of the famous 1947 lease and recorded deed. After many meetings and emails, the lot indicated by the green shade on the attached map is recommended. This lot is located on the NE corner of Brownsville and Airport Road and a three acres section will be used to allow enough room for the EOC building, parking, stormwater, and expansion. Now, this lot is not without its own challenges, as it was mistakenly included and recorded on the deed as part of the 1942 lease, but there is a prior deed that shows it was never part of the 1942 lease. AVCON is working with FAA and FDOT to remove this lot from the recorded deed, and even though both agencies agree that it was a mistake to include that lot, there is a process that will take a few months to correct the error. Mr. Kennedy, Mrs. Erin Griffith and I met with Attorney Shuler and explained the situation to him for his council and guidance on moving forward with this lot for the new EOC. Attorney Shuler agrees that we should proceed with this lot and the design of the new EOC but wanted the Board to be aware that if we have to move the EOC from this location for any reason, there will be added expense for changes and re-engineering of the EOC at a new location. So, is the Board ready to move forward with the designing of the new EOC at this location with all the information that has been presented here today?

Mr. Moron said the exact location of the new EOC building must be submitted to the State and they decide whether they will approve the site or not. The current building is in a Cat 5 surge line and may not be approved by the State. Chairman Jones questioned if the new proposed property was outside of the runway. Mr. Moron confirmed that it was. Mr. Moron said even though it is in an X flood zone, they are not sure about surge zones. Attorney Shuler said his understanding is the flood elevation is the same as the previous location. Chairman Jones said it would be hard to find a property that was not in Cat 5 surge line. Mr. Moron suggested they get the information from Mr. Clay, send it to the State for approval and then have the Board approve.

Mr. Clay stated the FAA does not own the property but they have stipulations on how the property can be used. Mr. Clay suggested finding a piece of county owned property that doesn't fit under the lease. Mr. Moron explained the lease situation as best he could.

Attorney Shuler understood time was a factor and asked Mr. Kennedy to weigh in on timelines.

Mr. Kennedy said we have deliverables that have to be met with grant and the 30 % deliverables are coming up. Mr. Kennedy said he has asked them to delay to the end of May.

Commissioner Parrish asked why the State would deny the site as long as we meet required elevation. Mr. Kennedy said there were criteria to be met in the design but that he was unaware that it had to be on stilts. He said he didn't see any pitfalls but the structural design will have to change if stilts are required.

Commissioner Boldt said we needed to make sure that there are no instrument approaches. Commissioner Ward said perhaps we could have Mr. Kennedy speak with the state before we approve. Chairman Jones agreed. Mr. Moron noted that Mr. Kennedy will consider elevation when designing.

**Commissioner Ward made a motion to approve the New EOC Location contingent on Mr. Kennedy speaking with the State and Mrs. Brownell. Seconded by Commissioner Parrish.**

Mr. Ted Mosteller asked if the proposed location would be in the path of the runway and where the communication tower would be placed. Mr. Mosteller proposed moving it on the west side of Airport Road and tower across the street.

**Motion carried 4-0.**

Public Speaker:

Mr. John Berry, a resident of Alligator Drive spoke regarding the volunteer fire department audit noting falsehoods in documents received. In his opinion, there has been no audit of the fire department.

## **B. Informational Items**

1. EOC Hosted a G-300 Class on 04/05-04/07/21.
2. EOC is Hosting a G-400 Class on 04/27 – 04/28/21.
3. 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 both projects have had their DDD and Cost and Scope Signed off on. We have submitted the Project for CAT B Reimbursement. North Bayshore project has also been submitted.
4. IPAW/WEA/EAS System test will be completed by 04/30/21.
5. 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.
6. 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.
7. 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.

8. EOC Staff virtually participated in the Orientation for the K0705 Class on 04/13/21. Class will begin on 04/19/21.

9. EOC Staff will virtually participate in the FEPA – WebEOC 9 Lunch and Learn on 04/20/21.

### **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, removal of storm-damaged vessels, cypress tree issues, and 4-H programming.

2. Extension Director participated in the NW District Natural Resource Agent program team meeting via Zoom.

3. Extension Director participated in promotion packet review within the NW District.

Sea Grant Extension:

4. Extension Director participated in Florida Sea Grant meeting via Zoom for updates on statewide projects.

4-H Youth Development:

5. Extension Director participated in the District III 4-H Agent meeting and Youth Council meeting to elect this year's officers.

Family and Consumer Sciences:

6. Family Nutrition Program assistant continues providing nutrition programming in local schools

Agriculture/Home Horticulture:

7. Two Master Gardener classes took place at the local Extension office during this period. There are ten people currently taking the training.

Mr. Lovestrand noted they were moving forward on the removal of the derelict vessels in the Apalachicola River stranded from Hurricane Michael. The owners of the vessels have been notified in writing.

### **Board of Adjustment – Cortni Bankston – Report**

- A. Consideration of a request for a variance to construct a single-family dwelling 12 feet into the 25-foot setback off River Road, 15 feet variance into the 25-foot setback off River Street (Unconstructed), and a 15 feet variance in to the 50-foot wetlands setback requirement from Carrabelle River. Property described as 339 River Road, block 5, Carrabelle River Sub Lot 1, Carrabelle, Franklin County, Florida. Request submitted by Richard A. Glover, agent for Richard L. Wood, Sheryl T. Wood, and Donna B. Bostwick, applicant. **Advisory Board Recommended Approval.**

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, to approve a variance to construct a single-family dwelling 12 feet into the 25-foot setback off River Road, 15 feet variance into the 25-foot setback off River Street (Unconstructed), and a 15 feet variance into the 50-foot wetlands setback requirement from Carrabelle River. Property described as 339 River Road, block 5, Carrabelle River Sub Lot 1, Carrabelle, Franklin County, Florida.**

Attorney Shuler asked for Mrs. Bankston to confirm the square footage of the heating and cooling area as well as confirm the owners had agreed to govern the property and push the

stormwater closer to the road and away from the water. Mrs. Bankston stated the heating and cooling area will be a minimum of 1,000 feet and confirmed the owners had agreed to manage the stormwater. Attorney Shuler recommends the Board Commissioner Ward amend her motion to include the heating and cooling area will be a minimum of 1,000 feet and the owners had agreed to manage stormwater per Franklin County's policies and ordinances.

**Commissioner Ward amended her motion to approve a variance to construct a single-family dwelling 12 feet into the 25-foot setback off River Road, 15 feet variance into the 25-foot setback off River Street (Unconstructed), and a 15 feet variance into the 50-foot wetlands setback requirement from Carrabelle River. Property described as 339 River Road, block 5, Carrabelle River Sub Lot 1, Carrabelle, Franklin County, Florida, to include confirming the heating and cooling area will be a minimum of 1,000 feet and the owners have agreed to manage storm water per Franklin County's policies and ordinances. Commissioner Boldt seconded the amended motion. Motion carried 4-0.**

- B. Consideration of a request for a variance to construct a single-family dwelling 10 feet into the 25-foot setback into right of way on Indian Harbor Drive. Property described as 1931 Indian Harbor Road, Lot 8 Indian Bay Village, St. George Island, Franklin County, Florida. Request submitted by Garlick Environmental, agent for Walter Sears, applicant. **Advisory Board Recommended Approval.**

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve a variance to construct a single-family dwelling 10 feet into the 25-foot setback into the right of way on Indian Harbor Drive. Property described as 1931 Indian Harbor Road, Lot 8 Indian Bay Village, St. George Island, Franklin County, Florida. Motion carried 4-0.**

- C. Consideration of a request for a variance to construct a single-family dwelling 13.4 feet into the front 25-foot setback off Highway C30 and a 3 feet variance into both the left and right 10-foot side setback requirement. Property described as 1610 Highway C30, Carrabelle, Franklin County, Florida. Request submitted by Robert Mollergren & Leslie Denhard, applicants.

**Advisory Board recommended approval of Front Setback variance request contingent upon Demolition of Current Home/Structure.**

**Advisory Board recommended denial for side setback request.**

Attorney Shuler explains the purpose of the setback to the Board. Mrs. Bankston said the Advisory Board recommended to approve the setback for the house and deny the setback for the walkway.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve a variance to construct a single-family dwelling 13.4 feet into the front 25-foot setback off Highway C30 and to deny a 3 feet variance into both the left and right 10-foot side setback requirement of the property described as 1610 Highway C30, Carrabelle, Franklin County, Florida. Motion carried 4-0.**

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

- A. Approval to appoint Tony Shiver as the District 1 Board Member for Planning & Zoning Board.
- On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to approve the appointment of Tony Shiver as the District 1 Board Member for Planning & Zoning Board. Motion carried 4-0.**

### **Critical Shoreline Applications**

- A. Consideration of a request to construct a Single Family Private Dock located at 1545 Alligator Drive, Lot 3, Block R, Peninsular Point, Unit 5, Alligator Point, Franklin County, Florida. The applicant has both State and Federal Permits. The dock will be 229' x 4' with a 6' x 20' terminal platform and a 12' x 20' proposed boatlift. Request submitted by Robert Kirby, applicant. (House Under Construction- #29097) **P&Z Board Recommended Approval**

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to approve the request to construct a Single Family Private Dock located at 1545 Alligator Drive, Lot 3, Block R, Peninsular Point, Unit 5, Alligator Point, Franklin County, Florida. Motion carried 4-0.**

- B. Consideration of a request to construct a Roof over an existing Boatlift and Redesign of existing Terminus located at 71 Fiesta Drive, Unit 1, Lot 80 Holiday Beach, Alligator Point, Franklin County, Florida. The applicant has State and Federal Permits. The roof will be 29'x14' and the redesigned terminus will be 20'x8'. Request submitted by Better Built Docks, agent for Travis Fink, applicant. **P&Z Board Recommended Approval**

Commissioner Jones inquired as to what restrictions are in place on Alligator Point for covered boatlifts. Attorney Shuler said we have restrictions on covered decks due to flying debris but not on covered boatlifts.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to approve the request to construct a roof over an existing Boatlift and Redesign of existing Terminus located at 71 Fiesta Drive, Unit 1, Lot 80 Holiday Beach, Alligator Point, Franklin County, Florida. Motion carried 4-0.**

- C. Consideration of a request to construct an additional 280 sq foot dock and 312 sq foot covered boat lift to an existing dock located at 323 East Sawyer Street, Unit 5, Block 81, Lot 9, Eastpoint, Franklin County, Florida. The applicant has State and Federal Permits. Request submitted by Richard DeLarber, applicant. **P&Z Board Recommended Approval.**

Commissioner Jones inquired as to what restrictions are in place on St. George Island for covered boatlifts. Attorney Shuler said we have restrictions on covered decks due to flying debris but not on covered boatlifts.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve the request to construct an additional 280 square foot dock and 312 square foot covered boat lift to an existing dock located at 323 East Sawyer Street, Unit 5, Block 81, Lot 9, Eastpoint, Franklin County, Florida. Motion carried 4-0.**

### **Final Plat Applications**

- A. Consideration of a request for Final Plat Approval of a 21 acres of land lying in Sections 25 and 35, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida. The subdivision will be named "St George Bay" and will consist of 16 Lots over 1 acre each. Request submitted by

Elaine Boone, agent for Ed Simmons, applicant. **P&Z Board Recommended Approval Contingent Upon required permits for Final Plat.**

**On a motion by Commissioner Ward, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve a request for Final Plat Approval of 21 acres of land lying in Sections 25 and 35, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida, contingent upon required permits for final plat. Motion carried 4-0.**

### **Commercial Site Plan Applications**

- A. Consideration of a request for Commercial Site Plan Review of a 1,500 square feet Convenience Store with a Deli and Drive Through located at 101 West Pine Ave, Unit 1, Block 2 west, Lots 17 and 18, St. George Island, Franklin County, Florida. Request submitted by Jim Waddell, agent for Charles Robert Shiver and Donna Kay Barber, Applicants. **P&Z Board Recommended Approval Contingent upon flood review and permits.**

Chairman Jones noted the site plan shows a 30 foot alley running between 1<sup>st</sup> Street and 2<sup>nd</sup> Street in between West Pine and West Bayshore as being available to be used but wanted to confirm that it would be upon the applicant to finish the road out at their expense.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, to approve a request for a Commercial Site Plan Review of a 1,500 square feet Convenience Store with a Deli and Drive-thru located at 101 West Pine Ave, Unit 1, Block 2 West, Lots 17 and 18, St. George Island, Franklin County, Florida.**

Attorney Shuler said he wanted to be clear for the record that the applicants were not claiming ownership of the alley.

Mr. Jim Waddell confirmed that the applicants were not claiming any rights to the County owned property. The alley was only included in the site plan.

**Motion carried 4-0.**

### **Re-Zoning & Land Use Change Applications**

- A. Consideration of a request for a Public Hearing to change a triangular parcel for a Re-zoning Change from C-1 Commercial Fishing to C-3 Commercial Recreation. Property described as 336 Patton Drive, Franklin County, Florida. Request submitted by Marsha Watson, agent for MMSW Holdings, LLC, applicant. **P&Z Board Recommended Approval for Public Hearing.**

Commissioner Jones announced that this was a request for a public hearing. However, in looking at the piece of property he was not sure if they can use it as they are requesting.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve a request for a Public Hearing to change a triangular parcel for a re-zoning change from C-1 Commercial Fishing to C-3 Commercial Recreation. Property described as 336 Patton Drive, Franklin County, Florida.**

**Motion carried 4-0.**

- B. Consideration of a request for a Public Hearing to change a 200' x 300' parcel for a Land Use Change from Residential to Commercial and a Public Hearing to Re-zone from R-4 Single Family Home Industry to C-4 Mixed Use Residential. Property described as 31865 Highway 98 West, Carrabelle, Franklin County, Florida. Request submitted by Blakey's Beach LLC, applicant. **P&Z Board motioned without a recommendation to present request for Public Hearing before Board of County Commissioners.**

Mrs. Bankston informed the Board that the applicant requested to revise their request for re-zoning from R-4 Single Family Home Industry to C-2 Commercial Business.



Mr. Moron said he believed they amended their request because they did not anticipate the attention brought about after the P&Z meeting and wanted the least amount of negative attention.

Attorney Shuler restated the steps performed that lead to this request: application submitted, P&Z hearing held with no recommendation by the P&Z Board, and after hearing the applicant's revised request. Attorney Shuler recommends the revised application go back before P&Z for a recommendation.

Mr. Lorne Whaley spoke saying their intentions were to quail complaints at the recommendation of P&Z. Mr. Whaley said if the Board would not move forward with the hearing on the C-2 zoning they would like to continue with the C-4 request. Mr. Whaley said they were willing to sign a longer lease if needed to quiet concerns of skinny homes and noted it was his understanding that in the event they were requested it would have to come back before the Board. Chairman Jones said he believed if they tried to put more than two houses on it they would need Board approval. Attorney Shuler said the Board would not get involved with the private leasing arrangements and the Board would need to decide whether to set a hearing based on the revised request. Commissioner Ward asked if the property owner was agreeable to the C4 zoning and she confirmed that she was.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to schedule a public hearing to change a 200' x 300' parcel for a Land Use Change from Residential to Commercial and a Public Hearing to Re-zone from R-4 Single Family Home Industry to C-4 Mixed Use Residential. Property described as 31865 Highway 98 West, Carrabelle, Franklin County, Florida. Motion carried 4-0.**

### **Special Exception Application**

- A. Consideration of a request for Special Exception in the C1 Commercial Fishing District to construct a 27'x 40' Water Dependent Tourist Commercial Facility (Kayak Rental Facility) located at 444 Highway 98, 150 feet facing Highway 98, Apalachicola, Franklin County, Florida. Request submitted by Barbara Mathis, applicant. **P&Z Board recommended approval of the Special Exception.**

\*\*\*Staff recommends deferring this request until the Building Department and the Floodplain Administrator have an opportunity to discuss the building/shed currently on the property with no record of a permit.

Samantha Mathis and Barbara Mathis spoke to the board via phone stating the portable building is on a goose neck trailer. They are willing to get any permits needed to bring the property into compliance. They intend to keep the building on the trailer for it to be moved in the event of a storm.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to table the request for a Special Exception in the C1 Commercial Fishing District to construct a 27'x 40' Water Dependent Tourist Commercial Facility (Kayak Rental Facility) located at 444 Highway 98, 150 feet facing Highway 98, Apalachicola, Franklin County, Florida, to give applicant and staff time to work out permitting issues. The item will be brought back to the Board once permitting issues are resolved. Motion carried 4-0.**

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

- A. The Franklin County Board of County Commissioners is seeking civil engineering services relating to the construction engineering and inspection (CEI) of the multi-use trail and bike path on the CR 370 Alligator Point Multi-Use Path Project. The scope of this project will include the construction of a 10' multi-use path from George Vause Road eastward for approximately

1 mile to Gulf Shore Boulevard on Alligator Point, FL as identified in the County's Local Agency Participation contract with the Florida Department of Transportation (FDOT). Consideration will be given to only those firms that are qualified pursuant to law and that have been prequalified by FDOT to perform the indicated types of work.

Mr. Moron explained to the Board that three bids were required per FDOT and that Mr. Curenton said we must re-advertise to receive a third bid.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward to reject bids without opening them and re-advertise in order to receive a third bid.**

Commissioner Boldt thanked the two companies who had submitted bids.

**Motion carried 4-0.**

The meeting recessed at 10:30 a.m.

The meeting reconvened at 10:48 a.m.

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

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

##### **1. Buddy Ward Artificial Reef Project**

Walter Marine of Orange Beach Alabama was the top ranked and only proposer for the Buddy Ward Artificial Reef Project. The ranking committee recommends the Board enter into a contract with Walter Marine as Walter Marine meets all contractor requirements of the RFP. The grant award requires the deployment of at least 25 concrete prefabricated reef modules to construct three reef complexes in the Buddy Ward permit site located approximately 7.5 nautical miles off Bob Sikes Cut. Walter Marine's proposal will deploy 30 reef modules for the contract price of \$70,000. The deployment is to occur prior to August 1, 2021 and upon deployment, the GPS coordinates will be posted online via the Apalachicola Artificial Reef Association's website: [www.apalachicolareef.org](http://www.apalachicolareef.org).

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the Chairman's signature on the attached contract with Walter Marine for the Buddy Ward Artificial Reef Project. Motion carried 4-0.**

##### **2. Budget Resolution Buddy Ward Artificial Reef Project**

Pursuant to FS 129.06, the attached budget resolution is needed to incorporate the unanticipated revenues from the Florida Fish and Wildlife Conservation Commission's \$60,000 state grant and the \$10,000 contribution from the Apalachicola Artificial Reef Association into the 2020/2021 county budget. The corresponding \$70,000 expenditure line item will be 001.20.572.3401 titled Other Contract Services, Buddy Ward Reef Project.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the adoption of the attached resolution to incorporate the unanticipated grant revenues into the county budget to fund the artificial reef project. Motion carried 4-0.**

##### **3. CARES Act Update, State Shared Gas Tax Revenues**

The Florida Department of Revenue distributes state shared revenue proceeds several months after the collection period. The final state shared gas tax revenues were not received until December. As the COVID pandemic shifted into crisis mode in late March of 2020 - the state shared gas tax revenue estimates used in the budget process for 19/20 as released by the State of Florida were short by \$162,029.33. As the CARES funds can be used to offset losses in revenue, it is requested that the BOCC authorize booking \$162,029.33 of CARES funds in the

Road and Bridge Fund to stabilize the Road Department budget which is funded primarily by gas taxes. Should the BOCC approve, this will leave approximately \$66,763.78 remaining from the 1st CARES allocation. The CARES cost tracking workbook with the proposed entry is attached and the impacted shared revenues are listed in the attached table.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, to authorize booking Cares Revenues in the Road and Bridge Fund to offset losses in State Shared Gas Tax Revenue Proceeds.**

Chairman Jones noted that in the future we may not receive as many funds due to electric car sales and that we needed to keep this in mind when budgeting.

**Motion carried 4-0.**

#### 4. State Attorney Information Technology Line Item

Franklin County received a request from Mary Dean Barwick the Executive Director of the State Attorney's Office to authorize a line-item budget amendment whereas the \$6,500 budgeted in the State Attorney's information technology contractual services budget to be used for the funding of a shared information technology position. There will be no change in total budget for the State Attorney's Office.

**On a motion by Commissioner Ward, seconded by Commissioner Parrish, and by unanimous vote of the Board present, the Board authorized the line-item budget amendment and authorized the attached memo to be sent back to Ms. Barwick to confirm the change. Motion carried 4-0.**

#### 5. Sheriff's Department E911 Grants

a. At the March 16<sup>th</sup> Commission Meeting, the Board authorized signing the RapidDeploy grant application. Attached to this report is the grant agreement which was sent to the county from the Department of Management Services. The \$63,960 grant is part of the tri-county rural grant for five years of software licensing that will interface the newly updated mapping data with the E911 system at the Sheriff's Department. The RapidDeploy system combines mapping and data analytics with cloud-based software. This grant is funding the replacement of the existing GEOCOMM software which is out of date.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the Chairman to sign the attached RapidDeploy grant application, Motion carried 4-0.**

b. County Attorney Michael Shuler reviewed the MOU between the twelve region counties relative to the \$422,816 Region 1 GIS Mapping Project NG-911 Grant and the Chairman signed the attached Regional MOU on April 13<sup>th</sup>. The regional MOU was a necessary cornerstone of the regional grant application. As this is a twelve-county project, all counties will be signing the MOU, applications, and vendor contracts to comprise one regional project. The five-year grant will interface mapping data within the region and will leverage technology to enhance response time, provide additional mapping data and services to process incoming 911 calls. Once the application is signed, a grant agreement will follow shortly after along with the vendor contract and sole source provider letter.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present the Board authorized the Chairman's signature on the Twelve County Region 1 GIS E911 Mapping Grant. Motion carried 4-0.**

## **B. Informational Item**

### **1. Tap Fee SGI Bathroom Project**

For the Board record, included on the check for Water Management Services is the \$13,745 tap fee as funded by the TDC for the new SGI Bathroom Project. The tap fee was not a part of the construction bid and the responsibility of the owner. The tap fee will be included in the total cost of the project.

Commissioner Parrish commented on the large amount for the tap fee. Chairman Jones said that it was normal for St. George Island.

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

### **A. Action Items**

1. Grammercy Correction: At your March 16, 2021 regular meeting Commissioner Ward asked staff to investigate a possible scrivener's error on the County's map located at the corner of Highway 98 and Highway 65 near Grammercy Plantation. Mr. Mark Curenton, County Planner, provided a series of maps and information (attached) regarding the property in question. Based on the information provided, the Board may decide there was a scrivener's error and Mr. Curenton will make the necessary zoning change, however, if the Board decides no error was made then the zoning will remain as is. *Board action to determine if a scrivener's error was made based on the information provided.*

The Board discussed the information provided. Attorney Shuler noted that he believed this matter had come up before and should be in Board records.

**Commissioner Ward made a motion to table for further investigation by County staff.**

Attorney Shuler said the burden of proof should be on the applicant to provide the evidence to County staff. The applicant should provide written evidence to report their request.

**Commissioner Ward withdrew her motion.**

Commissioner Ward said the information provided is contradictory and it seems to be more than just a scrivener's error.

**Commissioner Ward amended her motion for the property owner to investigate and present evidence to the Board to support their claim. Commissioner Boldt seconded. Motion carried 4-0.**

2. ARPC Code Enforcement Agreement: Previously the Board requested Apalachee Regional Planning Council to conduct workshops throughout the County to hear from residents on code enforcement for unincorporated Franklin County. At your last meeting, Ms. Caroline Smith of ARPC reviewed a proposal with the Board to provide the requested service. Included in my report, is an agreement for the Chairman's signature to authorize ARPC to conduct the workshops. This agreement has been reviewed by Attorney Shuler.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the Chairman to sign the ARPC agreement to conduct workshops to hear from residents on code enforcement. Motion carried 4-0.**

3. Airport Fuel Farm Location: John Collins of AVCON (Airport Engineers) presented three different locations for a new Airport fuel farm at your last meeting. After the presentation, the Board decided to schedule a workshop to discuss the different locations in more detail. After the meeting, Mr. Alan Pierce realized that he used the recently constructed FDOT funded Airport access road as the required match for the TRIUMPH grant application to fund the new fuel farm. Mr. Pierce then contacted Mr. Collins and they both agreed that the only location to consider building the new fuel farm is what is referred to as Alternate Site 2 (West Apron) on

the attached map titled *Updated Fuel Farm Alternative Locations, 4-2-2021*. With that information, there was no need for the scheduled April 14th workshop to discuss all three locations, therefore it was cancelled. If there are no additional questions or comments on this matter, the Board can authorize proceeding with that location today.

Mr. Ted Mosteller questioned as to why we are building a new one when we have an existing one that just needs to be refurbished and maintained. The only thing not working is self-serve.

Commissioner Boldt asked Mr. Pierce to clarify. Mr. Pierce said the airport was key to assisting the Coast Guard after Hurricane Michael and they wanted to thank or repay in some way. The TRIUMPH board wanted someone else's money to match theirs so the recently constructed FDOT funded Airport access road was used as the required match for the TRIUMPH grant application to fund the new fuel farm. The access road leads to the fuel farm. It was under construction at the time the grant was awarded and the County didn't want to commit to another project.

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the construction of the new Airport fuel farm at Alternate Site 2 (West Apron). Motion carried 4-0.**

4. New EOC Location: A couple of years ago the Board requested, as a legislative appropriation, funds to design and construct a new Emergency Operations Center (EOC). The County received funds from the State to design and engineer a new EOC. After much discussion the Board agreed to a location on the Airport for the new EOC, however, that location was considered "Airport" property based on a 1947 FAA lease and recorded deed. In order not to pay the Airport fair market value to use that property, FAA would have to exclude the property from the 1947 lease and recorded deed. AVCON tried but was unsuccessful in getting FAA to exclude this property. So, in an attempt to avoid that issue, Mr. Clay Kennedy of Dewberry, Mr. John Collins and Mrs. Mary Soderstrum of AVCON, and county staff started a search for a parcel around the airport that would be big enough for the new EOC, but not part of the famous 1947 lease and recorded deed. After many meetings and emails, the lot indicated by the green shade on the attached map is recommended. This lot is located on the NE corner of Brownsville and Airport Road and a three acres section will be used to allow enough room for the EOC building, parking, stormwater, and expansion. Now, this lot is not without its challenges, as it was mistakenly included and recorded on the deed as part of the 1942 lease, but there is a prior deed that shows it was never part of the 1942 lease. AVCON is working with FAA and FDOT to remove this lot from the recorded deed, and even though both agencies agree that it was a mistake to include that lot, there is a process that will take a few months to correct the error. Mr. Kennedy, Mrs. Erin Griffith, and I met with Attorney Shuler and explained the situation to him for his counsel and guidance on moving forward with this lot for the new EOC. Attorney Shuler agrees that we should proceed with this lot and the design of the new EOC but wanted the Board to be aware that if we have to move the EOC from this location for any reason, there will be added expense for changes and re-engineering of the EOC at a new location. So, is the Board ready to move forward with the design of the new EOC at this location with all the information that has been presented here today?

***Previously discussed under Emergency Management Director – Pam Brownell***

5. SGI Speed Limit Change: At your last meeting, Chairman Jones requested, and the Board agreed by motion, to lower the speed limit to 25 mph on East Pine Street located in St. George Island's business district. The Chairman informed me that the new speed limit should be 20 mph (not 25 mph) and the section of West Pine Street located in the business district should be also be included in that speed limit change for the same reason.

**On a motion by Commissioner Ward, seconded by Boldt, and by unanimous vote of the Board present, the Board approved to reduce the speed limit on the sections of East Pine Street and West Pine Street that is located in St. George Island's business district to 20 mph. Motion carried 4-0.**

Chairman Jones pointed out that it was already 25 mph, and was being reduced to 20 mph due to increased automobile and foot traffic.

6. EOC Contract: Mrs. Pam Brownell, Emergency Management Director, requested that Chairman Jones sign the Federally Funded Subaward and Grant Agreement No. Z2607 for Hurricane Sally. Mrs. Brownell stated that she was facing a deadline and needed the signed document sent to the Florida Division of Emergency Management last week. In addition, Mrs. Erin Griffith completed the associated FDEM Risk Assessment Questionnaire.

***Previously discussed under Emergency Management Director – Pam Brownell***

7. TDC Tax Increase: At your June 16, 2020 meeting the Board discussed increasing the tourist development tax from 2% to 3% and ended the discussion with a motion to schedule a public hearing to increase the tax. Later on, during that same meeting, the Board also motion to schedule a workshop with the TDC to discuss how the additional funds would be spent. That workshop was postponed and never rescheduled. The public hearing was never advertised or scheduled. Is the Board ready to schedule the public hearing, and rather than having a separate workshop, have a representative from TDC appear at the public hearing and discuss possible future projects?

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, to authorize scheduling a public hearing to discuss increasing the tourist development tax from 2% to 3%.**

Commissioner Jones spoke in favor of scheduling the hearing and reminded the Board that our next meeting will be opened to the public in person.

**Motion carried 4-0.**

8. Congressman Dunn's Request: About two weeks ago, Congressman Dunn's office sent a request for Congressionally Directed Community Project Funding with an April 19, 2021 submission deadline. As time was an issue, I asked Mrs. Traci Buzbee to assist the County with the applications. Since this information was already available, the County submitted applications for the construction of a new EOC and additional funding for the Fort Coombs Armory fire sprinkler system. Each application required a letter of support signed by the Chairman.

**On a motion by Commissioner Parrish, seconded by Commissioner Ward, to ratify the Chairman's signature on the letters of support for both applications.**

**Motion carried 4-0.**

Commissioner Ward brought up the barricades blocking Leslie Street from a potential leaking pipe underground. She expressed her concerns regarding the structure of the courthouse due to the compromise between Leslie and 4th Street. Mr. Pierce said that Leslie Street has a stormwater drain issue and 4th Street is a sewage problem. He doesn't think that the two are connected. Commissioner Parrish said all of this seems to be an impact from Hurricane Michael and that it may be possible for the city to apply for the infrastructure money. Commissioner Parrish said he would agree to provide a letter of support for the City if they were to apply. Mr. Moron said Mr. Travis Wade submitted an application last week for the CDHG Program and that he will ask if the two streets are in the plan for those funds. Mr. Moron asked if the Board wanted him to check with Dewberry to see if they have any information regarding the infrastructure of the two roads and how it relates to the courthouse. Mr. Pierce recommended

asking Mr. Wade first. Commissioner Ward said the issue is that the courthouse is located between City streets but that it is the County Board's responsibility to ensure the safety of the courthouse. Chairman Jones said that we could leave it alone and see what happens or have the research done to make sure that the building is not in danger. Chairman Jones spoke in favor of a letter of support for the City to apply for the CDHG Program to repair Leslie and 4<sup>th</sup> Street. Mr. Moron said he suggests contacting Mr. Wade first, then move forward from there. Mr. Moron will compile information from Mr. Wade and Mr. Kennedy and report back to the Board. Mr. Moron will see if it's not too late to submit a letter of application support, if not the Board can ratify it at the next meeting.

9. Abercrombie Boat Ramp Security Cameras: A few years ago, the Board approved video security systems for a number of locations, Abercrombie boat ramp being one of those locations. There were a few hurdles to overcome at the boat ramp, power and a solution for accessing the video due to communication access restrictions. Power at the boat ramp has been available, however we had to make other concessions as it relates to the communication issue. Of all the companies that I have asked for proposals, I recommend the proposal from Inspired Technology. Without revealing too much information, they have the best workaround for accessing the recorded video from the cameras. The total amount of this proposal is \$9,497.00.

**On a motion by Commissioner Parrish, seconded by Boldt and Commissioner Ward, and by unanimous vote of the Board present, to accept the \$9,497.00 quote from Inspired Technology for the installation of a CCTV camera system at the Abercrombie boat ramp. Motion carried 4-0.**

10. Prison Closing Letter to Senate: Earlier in the meeting the Board heard from Warden Conner regarding inmate labor and prison closings. Prior to last week's message and information Warden Conner may have provided this morning, the State Legislature was considering closing four prisons. During the time when this was a probability, there was a call to action to send the Florida Senate President and the Speaker of the House a letter asking that the Franklin County Correctional Institute would not be included on the list of possible prisons closures. Chairman Jones signed the letter, (attached) and it was immediately sent to the Senate President and Speaker of the House.

The Board decided to resend the letter reaffirming the Board's position on the possible closure.

**On a motion by Commissioner Parrish, seconded by Commissioner Ward and Commissioner Boldt, and by unanimous vote of the Board present, to ratify the Chairman's signature on the letter to the Senate regarding the prison closures. Motion carried 4-0.**

## **B. Information Items**

1. Ethics Class: I am currently working with Ms. Becky Berentsen of the Florida Association of Counties on registering each of you for an ethics class video that will be shown here in your commission meeting room. I need you to check your schedule and let me know what Saturday in May you are available to view the ethics class video.

2. CareerSource Hurricane Michael Program: I was informed by Mrs. Kim Bodine of CareerSource Gulf Coast that the Hurricane Michael Grant will close on April 30<sup>th</sup>. That will be the last day of work for the employees working on this grant. CareerSource was unable to secure any additional funds for this program.

3. School Board Event: The Franklin County School District will have a Youth Mental Health Workshop here in your meeting room at 6pm (ET) this evening. Similar workshops will be held in Eastpoint and Carrabelle. The workshop will be hybrid format, in-house and virtual.

4. Ribbon Cutting Ceremony: As a reminder, the ribbon cutting ceremony for the new St. George Island public bathrooms will be today at 2:00 p.m. (ET).

Chairman Jones spoke regarding the proposed bid that was sent out by FWC to place lime rock in the bay. He requested County staff to check in on this. Commissioner Jones said it was his understanding that they will be using smaller parts of limestone and it will be monitored by the Bay Initiative testing profiles, giving FWC the feedback. Commissioner Parrish said he was in favor of using oyster shells. He said he was concerned with the spat setting on the flat surface of limestone.

Commissioner Boldt suggested making a counter-proposal to use oyster shell as an alternate sub straight. Chairman Jones said there is a lot of people very concerned about the lime rock and how it will change the PH level in the water. He said we can't prove that it was detrimental to the bay but the bay has changed since the Gulf Oil spill,

Commissioner Parris said State agencies are running restoration efforts without the expertise of the bay. They are not taking any recommendations from those who were born and raised working the bay.

Commissioner Boldt asked if we could get a progress report possibly in June.

Commissioner Parrish said we might have to find a different base due to the salinity of the bay from decreased freshwater from Georgia. It will be hard to bring the bay back. The Supreme Court ruling sent down a decree that the bay was over harvested. Commissioner Parrish said the issue with oyster shells is that the dealers are now importing the oysters, therefore, the shells belong to the dealers and not the State. The State doesn't want to buy oyster shells.

Chairman Jones said it will be interesting to see how serious they get with the restoration and that solving one issue is not going to fix our bay.

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

### A. Report

#### 1. Ordinance Providing for Limited Maintenance and Repair of Private Roads

Attorney Shuler explained to the Board this was a renewal of a 2010 proposal for the County to create an ordinance for limited maintenance and repair of private roads. A few highlights of the proposed ordinance include 100% advance payment to be paid by the owner; a \$1000 cap for private roads/ \$5000 subdivisions. Attorney Shuler provided a rate sheet from the road department with labor and equipment costs.

**Motion by Commissioner Boldt, seconded by Commissioner Ward, to schedule a public hearing on the proposed ordinance providing for limited maintenance and repair of private roads.**

Commissioner Parrish commented that this issue was addressed several years back and a lot of private contractors came in complaining they would be competing with the government. Chairman Jones noted that none of them are tasked with the safety of constituents. Attorney Shuler reiterated that the ordinance would provide for limited maintenance to provide for the safe passage of emergency vehicles and school busses, filling potholes, and grading roads. **Motion carried 4-0.**

#### 2. Traffic Ordinance

Attorney Shuler reported the newspaper failed to publish the ad for the traffic ordinance scheduled for April 20, 2021 and he has sent another notice for publication for a public hearing to be held on May 6, 2021.

#### 3. Animal Control Appeal Board

Attorney Shuler reported the Animal Control Appeal Board met on April 15, 2021. The Board affirmed the decision of animal control to humanely destroy a dog for an unprovoked bite after being declared a dangerous dog. The owner has a right to file an appeal to the circuit court.



4. 2036 Highway 98 – Destroyed House

Attorney Shuler reported that on March 19, 2021, the property owner received his certified letter notifying her of the public nuisance caused by the destroyed house to which she had 30 days to respond. Attorney Shuler reported that he sent a second letter on April 9, 2021 informing her that this was her final notice to remove the destroyed house and abate the nuisance, giving her a deadline of April 30, 2021. If no response is received, then a lawsuit will be filed.

5. 2626 Highway 98 – Destroyed House

Attorney Shuler reported that on March 5, 2021 a certified letter was returned to him as refused by the owner. However, on April 1, 2021, Mr. Steve Paterson informed Attorney Shuler that the property owner had applied for a demolition permit. Attorney Shuler mailed a follow-up letter to the property owner on April 9, 2021.

6. 329 Highway 98 – Unpermitted Structure

Attorney Shuler reported he had worked with the property owner to bring the property into compliance. To date, no meaningful progress has been made. On February 22, 2021, the property owner agreed to hire a private building inspector, but to date, he has not.

7. 331 Highway 98 – Unpermitted Structure and Unpermitted Use

Attorney Shuler reported that the property owner stated that he had brought the permit and use of the property into compliance with the building and zoning code. Mr. Steve Paterson conducted an inspection and informed Attorney Shuler that the property is now in compliance.

8. Alligator Point VFD MSBU Matter

Attorney Shuler will report on this at the May 6, 2021 meeting.

Commissioner Ward thanked Attorney Shuler for working demolition of the houses noting she had homeowners reach out to her about the concern of the upcoming hurricane season and the possibility of debris being pushed on their houses.

Attorney Shuler reiterated that she has until April 30<sup>th</sup> to respond to the second notice. Attorney Shuler explained upon no response, a lawsuit will be filed and she will be served. However, the process will not be completed before hurricane season begins or ends. Commissioner Ward said she understood the process and knew the County could not demolish someone's home without the proper steps. Attorney Shuler said even though it is a hazard, the law doesn't allow demolition without due process.

**Commissioners' Comments**

**Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 12:09 p.m.

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Ricky Jones – Chairman

Attest:

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Michele Maxwell – Clerk of Courts

