

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

**JUNE 1, 2021  
9:00 AM  
MINUTES**

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

**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**

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

**Prayer and Pledge**

Chairman Jones led the Board in prayer followed by the Pledge of Allegiance.

**Approval of Minutes**

A. May 18, 2021, Regular Meeting

**On a motion by Commissioner Ward, seconded by Commissioner Parrish, and by a unanimous vote of the Board present, it was agreed to approve the minutes from the meeting held on May 18, 2021. Motion carried 5-0.**

**Payment of County Bills**

**On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve payment of County Bills. Motion carried 5-0.**

**Public Comments**

Mrs. Cheryl Sanders asked the Board to retract their letter of support to the Liberty County Board of County Commissioners in support of the lime rock mine and land swap.

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

Madam Clerk did not have a report for the Board.

**Duke Energy – Danny Collins – Update**

B. Mr. Danny Collins will update the Board on recent activities including the Vegetation Management Herbicide Project.

Mr. Danny Collins thanked the Board for leasing the staging site to Jingoli Power and for their continued permission to use Apalachicola Airport for a storm staging site. Mr. Collins announced they will be holding forums for contractors to provide proactive outreach as there are a lot of new builders coming into the area. Mr. Collins said the Eastpoint lighting project should be installed this month weather permitting.



















Board action to authorize AVCON to develop and implement a bird monitoring plan to satisfy FAA requirements for use of the 2 Mile Channel Dredge Disposal Area.

**On a motion by Commissioner Parrish, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, the Board agreed to authorize AVCON to develop and implement a bird monitoring plan to satisfy FAA requirements for use of the 2 Mile Channel Dredge Disposal Area. Motion carried 5-0.**

e. BOARD ACTION: Use of CARES funds for Landfill Receiver Box Slab Pad

Of the first CARES allocation, Franklin County has a remaining balance of approximately \$61,000. At the Franklin County Landfill's transfer station, there is a 66'x33' concrete receiver box slab where the transfer containers for household waste are set to wait for transport to the Springhill landfill for disposal. This slab area was completed several years ago and prevents soil and groundwater contamination by draining the runoff from the transport containers to the sewer system. The containers are very heavy as is the equipment required to move the containers. To protect and preserve the concrete slab and the integrity of the drainage system, welded metal sheeting is needed for the pad area. The market prices of metal sheeting change daily and the current estimate for the materials is \$29,178 with the necessary labor to install the sheeting estimated to be \$4,635. Does the Board want to consider using some of the balance of the first CARES allocation to preserve and protect the receiver box slab at the Landfill? The CARES expenditure worksheet is attached.

Board action to authorize the use of an estimated \$33,813 of the remaining proceeds from the 1st Cares Allocation to preserve and protect the receiver box slab at the landfill.

*Item previously addressed.*

### **Informational Items**

f. Board Information: Alligator Drive Hurricane Repair Project

At your last meeting, Alan informed the Board about an FDEP special permitting condition issue that had come up at the pre-construction meeting for the reconstruction of Alligator Drive. The subject special permit condition prohibited construction during Sea Turtle Nesting Season. Franklin County already had a letter from FWC acknowledging that there was no turtle nesting habitat in the area of construction so the special permit condition would and should not have applied, however, the FDEP staff on site were unable to waive the condition without moving up the chain of command at FDEP. Franklin County received formal approval/acknowledgment on Friday that this special permit condition would be waived by FDEP due to the lack of nesting habit. Dewberry Engineers can now move forward with issuing the Notice to Proceed for the reconstruction of Alligator Drive sometime this week.

g. Board Information: Buddy Ward Artificial Reef Project

Walter Marine of Orange Beach, AL will be in Franklin County on or around June 15th for the deployment of the prefabricated articulated reef balls for the Buddy Ward Artificial Reef Project. The deployment is expected to be completed in one day and the Apalachicola Artificial Reef Association will be at the site to fully document and monitor the deployment.

h. Board Information: Preliminary Estimate of Taxable Value

The Franklin County Property Appraiser has provided the Board with a good faith estimate of taxable value for use in the 2021/2022 budget cycle. In the attached, the estimated taxable value

of property in Franklin County is \$2,310,915,668 which is an increase of 13.81% in value over the previous year. This percentage of increase fueled by sales data and new construction is the fastest rate of appreciation as seen by Franklin County since the crash of the housing market almost fifteen years ago. The decline in values during the housing crash was so severe that the taxable value of the property today is now just above the taxable value in 2004 which was \$2.107 billion and still 43% less than the taxable value at the high in 2006 when the taxable value was \$4.112 billion. The revenue estimates for state shared revenues and sales tax proceeds will not be released by the Florida Office of Economic Development and Research until sometime in July.

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

#### **13. Report Action Items**

a. Airport Manager's Resignation: Mr. Jason Puckett submitted his resignation as your Airport Manager effective today June 1, 2021. My recommendation is to appoint me as your interim Airport Manager. This would allow the Board the opportunity to determine the role and responsibilities of a future Airport Manager, along with a job description and salary before advertising for a permanent candidate. I also recommend transferring the grant and reporting responsibilities, permanently, to Mrs. Erin Griffith, your Fiscal Manager/Grants Coordinator. *Board action to accept Mr. Puckett's resignation, appoint me as the interim Airport Manager, and assign Airport grants and report to Mrs. Erin Griffith.*

Commissioner Boldt said he would like to see an experienced airport manager temporarily fill in. He has spoken with Mr. Ted Mosteller inquiring to see if he'd be willing to be an interim airport manager.

**Commissioner Boldt made a motion to accept Mr. Puckett's resignation and to permanently transfer the grant and reporting responsibilities associated with the airport to Mrs. Erin Griffith. Commissioner Ward seconded the motion. Motion carried 4-1, Commissioner Parrish opposed.**

Commissioner Ward asked Mr. Mosteller if he was interested in being the interim airport manager. Mr. Mosteller said that he would be glad to.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, to appoint Mr. Mosteller as the interim airport manager through the end of September 2021. Motion carried 3-2, Commissioner Parrish and Commissioner Lockley opposed.**

b. 8 County Oil Spill Administrators' Meeting & Superintendent at July Meeting: I attended the 8 County Oil Spill Administrators' Meeting hosted by Senators Broxon and Gainer on Monday, May 24th. The purpose of the meeting was for all 8 counties to express concerns and suggestions regarding the TRIUMPH application process, with more funded projects as the result. Job creation requirements, clawback clause, increase in infrastructure projects, and small county vs bigger county obstacles were discussed during a closed-door session. Later that afternoon, the Senators invited TRIUMPH representatives, Chairman Don Gaetz, Mr. Rick Harper (Economist), and the Alan Manning General Council to the meeting and presented the concerns and suggestions discussed earlier. During the TRIUMPH representatives dialog and exchange of information, there was one suggestion from the representatives to the 8 counties, especially the smaller counties,

include TRIUMPH in the early stages of planning or considering any project so they can assist with the application process. With that in mind, and based on an offer from Mr. Rick Harper (Economist) to meet with County representatives, I suggest that the Board consider authorizing Chairman Jones, Mrs. Erin Griffith, and I to meet with TRIUMPH representatives to discuss Franklin County's unique issues and perhaps generate some possible projects that TRIUMPH would consider.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, to authorize Chairman Jones, Mrs. Griffith, and Mr. Moron to represent the Board and meet with TRIUMPH representatives to discuss possible projects. Motion carried 5-0.**

Inform the Board that Mr. Steve Lanier, Superintendent of Schools, and I talked last week about the "adult vocational" program. Mr. Lanier along with his staff will be at your July 6th meeting to discuss this program in more detail.

Commissioner Lockley asked if Mr. Ted Mosteller would be paid for his role as the interim airport manager.

**Motion by Commissioner Lockley, seconded by Commissioner Boldt to pay Mr. Ted Mosteller as the interim airport manager.**

Mr. Moron asked Attorney Shuler to give his guidance regarding this matter. Attorney Shuler said he could draft a contract and have it ready for the next board meeting. Commissioner Lockley believes the pay should be equivalent to Mr. Puckett. Attorney Shuler said he is not sure that Mr. Mosteller has the same credentials as Mr. Puckett but it is entirely up to the Board. Commissioner Boldt said he believes Mr. Mosteller has the same knowledge as Mr. Puckett and Mr. Mosteller will be present at the airport. Mr. Mosteller said he appreciates the discussion of payment. However, he has always volunteered for the position of airport manager. He appreciates whatever the Board decides regarding compensation.

**Motion carried 3-2, Chairman Jones and Commissioner Parrish opposed.**

Mr. Moron confirmed that the motion is for Attorney Shuler to draft a contract based on the Board's direction.

c. Eastpoint USDA Grant: At your March 16, 2021 meeting the Board authorized the Eastpoint Civic Association, by Resolution, to apply for a USDA Rural Business Development Grant to complete an Eastpoint Highway 98 Waterfront and Business Corridor Feasibility Study. The Resolution authorized the elected officers of the Eastpoint Civic Association, Inc. to execute the grant application, agreement, change orders, and other documents related to the grant as signatories for the County. However, Mrs. Betty Webb who made the initial presentation to the Board is of the opinion that since the County is the ultimate responsible party, the Chairman's signature is required on the application and related documents. The application is due in USDA's Marianna office tomorrow by 10 a.m. Mrs. Webb is available virtually to answer any questions.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, to authorize the Chairman's signature on the application and supporting documents for the USDA Rural Business Development Grant. Motion carried 5-0.**

### **Informational Items**

d. Courthouse Structure: Based on the Board's request, a structural engineer inspected the courthouse for any indication that undermining issues on Leslie or Forbes Street may cause structural issues in the courthouse. Mr. Lance Watson, Southeastern Consulting Engineers, does not believe that the issues on both roads present an immediate threat to the building's foundation because they are far enough away that they shouldn't impact the structure. However, he recommends that both roads are repaired as soon as possible to prevent further damage to the roadway and that the damage does not extend toward the Courthouse structure. There are some other issues that may have been caused by damaged infrastructure and recent hurricanes/storms that need to be addressed. Mr. Watson and I will be meeting soon to discuss addressing these issues. I will continue to update the Board on this matter.

e. SHIP Funding: Mrs. Lori Switzer-Mills, your SHIP Administrator, participated in a webinar on Thursday, May 20th where she was informed that the County will most likely receive \$350,000.00 for the 2021/22 SHIP allocation. She will update the Board once this information is confirmed.

f. NFWFMD: Attached are the Northwest Florida Water Management District's Annual Wetland report and summary. This report is based on the District's compilation of the status of wetland and related habitat protection in northwest Florida. It includes a cumulative summary of wetland impacts permitted by the Districts' Environmental Resource Permitting (ERP) program with a summary of wetlands and associated water resource lands restored and protected by District's programs.

Commissioner Ward asked Mr. Moron to reach out to the individual at FDOT who is responsible for Hwy 98. She has two areas of concern where the speed limit may need to be reduced and double lines placed. She would also like for Mr. Moron to check on what can be done at the junction of Hwy 67 and Hwy 98 in the downtown area of Carrabelle. Commissioner Ward suggested installing a crosswalk.

Commissioner Boldt said he has similar issues in his district westbound on Hwy 98 at Crooked River Road. He would like to have the speed limit reduced, double lines placed, and possibly a turn lane added.

Mr. Moron asked the Board to send him an email with all of their state road concerns and he will submit one request to FDOT.

Chairman Jones asked Mr. Moron to get a quote for cell phones for the Board. Chairman Jones said he felt like a separate phone device would help in being transparent to the public.

Attorney Shuler asked the Board for direction on the request from Mrs. Sanders to rescind the letter of support sent to Liberty County. Chairman Jones asked if she was wanted us to rescind the letter. Commissioner Boldt said he had lengthy a conversation with the Sanders family and they do want the letter rescinded.

Attorney Shuler said he is waiting for either a letter from Liberty County BOCC or their revised board meeting minutes. This is due to the Board's direction to have something in writing from the BOCC to show their support for the project.

Chairman Jones said since we are waiting on those items from Liberty County he recommends waiting to take action after we received them. Commissioner Boldt said he felt they are spinning their wheels and dragging their feet.

**Motion by Commissioner Boldt to rescind the letter of support to Liberty County.** Commissioner Parrish said he didn't vote to send the letter to start with so he is not going to make a second. **The motion fails for lack of a second.**

Chairman Jones said we will wait for Liberty County to provide the documentation previously requested by the Board.

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

#### 14. Report

##### Action Items:

a. Settlement: Two claims are pending against the Weems EMS. A settlement has been reached without any admission of liability, but your insurance has agreed to settlement terms. The county's only financial responsibility will be the payment of two \$5,000 deductibles. I recommend that you accept the insurance company's recommendation. I have discussed the terms of the settlement with each of you individually.

**On a motion by Commissioner Parrish, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, the Board authorized acceptance of the two settlements recommended by the insurance companies. Motion carried 5-0.**

a. Enhanced Cleaning of Vacation Rentals: Last year around this time, the board adopted an enhanced cleaning program for vacation rentals so that they could re-open. Now that the Governor has eliminated all China Virus related restrictions, the board should reconsider officially disposing of the enhanced cleaning protocol for vacation rentals.

**On a motion by Commissioner Ward, seconded by Commissioner Parrish, and by a unanimous vote of the Board present, the Board agreed to rescind the enhanced cleaning procedures for rental companies. Motion carried 5-0.**

a. Land Swap Proposed by the City of Apalach and Land Trust and Request to Release Reverter Clause: The City of Apalach and the Land Trust propose to swap one 60'x100' given by Franklin County to the Land Trust (subject to a reverter clause) for affordable housing to the City in exchange for four 30'x100' lots. For purposes of the City's land development code, the four lots equal two 60'x100' lots; representing two buildable lots being exchanged for one buildable lot. In 2010, Franklin County donated the one 60'x100' lot to the Land Trust for affordable housing subject to a reverter clause which automatically transfers title back to Franklin County if the Land Trust uses it for any other purpose than affordable housing or transfers title. Thus, their request that Franklin County releases the reverter clause. I believe that they want the Land Trust to donate the 60'x100' lot without condition, but on May 29, 2021, I asked for the City Manager and City Attorney to provide me with a written position on this matter.

The Board discussed the issue as to whether the lots were buildable. Commissioner Parrish said he would like assurances from the city that are going to be buildable lots. Cliff Butler said they are more buildable than the one we are giving up.

**Commissioner Parrish made a motion to accept the land swap based on Attorney Shuler's recommendation that one of the lots have a reverter clause back to the County and that both lots are buildable.**

The Board discussed the location of the two lots which are located on 25th Street behind the Villas. Mr. Butler said the deal would allow for a swap of one lot zoned R-1 for four lots zoned for manufactured housing.

**Commissioner Lockley seconded the motion to approve with the provision that Attorney Shuler receives assurances from the City of Apalachicola that the lots are buildable and the reverter clause is included. Motion carried 5-0.**

Attorney Shuler noted that a letter was sent to the Department of Revenue regarding the new TDC tax and he has received confirmation of receipt. The new tax will go into effect on July 1st. Commissioner Ward said a couple of people have reached out to her about the leave no trace ordinance noting that there are turtles nesting on beaches other than St. George Island. She suggested we take a look at the current ordinance and revise it to add other locations.

**Commissioner Ward made a motion to revisit the Leave No Trace ordinance to include all of the beaches in Franklin County. Commissioner Boldt seconded the motion. Motion carried 5-0.**

Non-Action Items:

Jingoli Power: The lease at the airport is waiting on Phase I environmental report. The environmentalist was in the field on May 28, 2021, working on this report.

### **Commissioners' Comments**

None.

### **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 12:10 p.m.

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Ricky Jones – Chairman

Attest:

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Michele Maxwell – Clerk of Courts