

FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING
COURTHOUSE ANNEX, COMMISSION MEETING ROOM
AUGUST 18, 2020
9:00 AM
MINUTES

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

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

Call to Order

A. Public Notice

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 conducted via livestream and conference call. Those wanting to view the meeting can use the livestream link (<https://www.youtube.com/user/SGIBeachLife>) or go to Forgotten Coast TV's YouTube Page. The livestream feed will promptly start 5 minutes before the meeting commences. Those wanting to participate during "Public Comments" on the agenda should use the teleconference system by dialing 1-844-844-0014 and when prompted enter 540166#. Once the "Public Comments" agenda item is completed, the conference call will be disconnected. 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.

Chairman Lockley called the meeting to Order.

Prayer and Pledge

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes

There were no minutes scheduled for approval.

Payment of County Bills

B. Bill List for Approval

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

Public Comments

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

Mr. Ted Mostellar, Mission Based Apalachicola, said on Mr. Moron's report there is an item about the Bay City Work Camp. He explained in the aftermath of Hurricane Michael the First Methodist Church with authorization used this building to store and distribute disaster relief supplies. He said they are still doing this from the church. Mr. Mostellar reported this area was in deplorable condition and they made improvements so the building was usable for this purpose. He asked the Board to consider allocating the insurance money to repair the building for future use instead of demolishing it.

Department Directors Report

Superintendent of Public Works – Howard Nabors

Mr. Nabors did not have a report. Chairman Lockley asked how the grass cutting is going. Mr. Nabors stated they are behind but are working on St. George Island and will move to Carrabelle, Lanark Village and Alligator Point. Chairman Lockley explained they are going to be behind but they should just do the best they can. Mr. Nabors reported they got their temporary help back on Monday so they have 3 more workers. He said he thinks Mr. Davis got his workers back too.

Mr. Moron asked if they checked into leasing the low boy. Mr. Nabors stated they contacted the company but right now there is a freeze on all leases because no trucks are selling. Mr. Moron asked him to let the Board know when this changes so they can discuss it for budget purposes.

C. Road Department Report

Information Items

1. Detail of Work Performed and Material Hauled by District (see attached documents)

Solid Waste Director – Fonda Davis

Mr. Davis did not have any action items. He said there have been some concerns about the baseball fields but they are waiting to see if they are going to have soccer. He explained they let the field grass over waiting for soccer. Mr. Davis said if they do not have soccer then they will till up the fields for baseball.

D. Solid Waste Director Report

Information Item

1. Right-of-way Debris Pickup/Recycle Material Hauled Report (see attached document)

Emergency Management Director – Pam Brownell

Mrs. Brownell stated she has an action item that came in after her report was submitted. She requested Board approval for the Chairman to sign an extension for the Non-Congregate Sheltering Plan. She reported this plan must be turned in every 30 days to FEMA. She asked for Board approval for the Chairman to sign this document when the time comes up and then at the next meeting the Board can retroactively approve the plan. Mr. Moron said this item just like the Local State of Emergency (LSE) can just be included as an information item so it is part of the record. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to retroactively approve the Chairman signing an extension for the Non-Congregate Sheltering Plan and authorize the Chairman to sign these extensions as they come up.**

Mrs. Brownell said they are watching the second storm and they may have to look out for it next week.

E. Emergency Management Report

Information Items:

1. EOC Staff posted our 2020 Local Mitigation Strategy Plan for Public Review on 08/12/20. The public review period was from 08/12/20 – 08/14/20. We advertised this review on Oyster Radio, EOC Facebook page, and the County Website.
2. 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.
3. 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.
4. 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 missions for PPE, Local State of Emergency, and SitReps.
5. EOC Staff continue to work on FEMA reimbursement claims from Hurricane Michael. (Please see below report regarding Hurricane Michael Projects). 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. As you can see, Project #'s 79475, 81069, and 81073 have moved from EHP Review to Pending Recipient Final Review. 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.

Extension Office Director – Erik Lovestrand

Mr. Lovestrand stated he has no action items. He said he mistakenly attached the report from the last meeting to the Board packet. He presented a hard copy of his current report for the Board.

F. Extension Office Report

Informational Items

General Extension Activities:

1. During this period, the Extension office assisted citizens on the topics interpretation of soil test results, murder hornets, bees, citrus and blueberry production, CARES Act funding for Fisheries-related businesses, rose pruning for better flowering, controlling invasive hydrilla in a private pond, and more.

Sea Grant Extension:

2. Extension Director worked with a team of five FL Sea Grant agents and two UF food safety professors to plan and co-host a two-day in-service training on the topic of Seafood Safety titled "How do you See Your Seafood." The primary audience was UF/IFAS faculty who work with seafood industry segments and State regulatory staff, primarily from FDACS. Interactive sessions and presentations were conducted via Zoom and provided information on a variety of topics focused around safe seafood handling practices, how the industry is regulated, and future anticipated challenges for seafood supply and demand.

3. The Extension Director participated on a planning team with other FL Sea Grant agents who work with clientele in aquaculture-related industry, regarding the initiation of a new intern program that will pair UF interns with various aquaculture businesses to provide an educational opportunity for interns, as well as providing staffing assistance to the businesses. Funding will be coming from FL Sea Grant to pay intern's salaries.

4-H Youth Development:

4. 4-H youth are participating in a virtual 4-H University program this year due to the COVID pandemic.

5. A virtual 4-H Plant Camp is being conducted and available to Franklin, Bay and Gulf County youth.

6. 4-H clubs are still not meeting in-person due to the virus but a large number of programs are being conducted online with great success and high numbers of youth participating.

Family and Consumer Sciences:

7. Transition to a distance learning platform continues for programs to use when school begins.

8. Yearly statistics for nutrition programming in the schools were provided to the Franklin County Health Department for their reporting purposes.

RESTORE Coordinator – Alan Pierce – Report

Mr. Pierce read his report, as follows:

N. RESTORE Coordinator's Report:

Information Item

1- Inform the Board that I have informed FEMA that the public comment period for the Supplemental Environmental Assessment (SEA) of the repairs to Alligator Drive closed on August 10. The county received no public comment. The project will now move to the funding queue. Because the project is more than \$1M, the project has to receive approval from some standing congressional budget committee. As I understand it, this is a required step but no one will tell me how long it will take. At this time, Anderson Columbia is still standing by.

Mr. Pierce stated he hopes when this project gets through the funding que, Anderson Columbia will still honor their bid and they will build the road.

Mr. Pierce reported he talked with Ms. Susan Skelton, Executive Director of Triumph, and they are happy that Attorney Shuler and the Triumph attorney are working things out. He said by the next Board meeting they may have an agreement with Triumph for the \$1 million project at the Airport. He explained they are doing a one to one match with the project they already have under construction. He reported initially Triumph wanted the county to guarantee a number of Department of Transportation (DOT) projects in the 5 year work plan but sometimes these plans change. He stated they assured Triumph the county will continue to put public money into the airport.

Mr. Pierce reported the Board may be aware that during a previous Legislative session a state senator got \$750,000 in DEO funds allocated to Franklin County as a match for various hurricane projects. He said in the DEO agreement they set \$600,000 as a match for repairs to Alligator Drive which left \$150,000 unallocated. Mr. Pierce reported they need \$100,000 for the County Road (C.R.) 30 match so there will be an amendment to the agreement. He stated that leaves \$50,000 unallocated but they may put the extra on Alligator Point. He reported there may be a third amendment if they find another project that will be funded by FEMA. Commissioner Parrish asked about Island View Park. Mr. Pierce stated Island View Park is a mitigation project that Mrs. Brownell included in the mitigation submission. He said that is one of the reasons it has taken too long. He explained when they do a mitigation project they must do a cost benefit analysis and that slows down the project. Mr. Pierce stated he did mention Island View Park in his email. He said he does not know when Island View Park will be done. Commissioner Parrish stated he doesn't know either but there will be a match requirement and they need to get the project done. Mr. Pierce said one of the challenges the county and the state recognize is some of the design of Island View Park has to be reconsidered. He explained the parking lot needs to be paved with asphalt instead of installing pavers. He commented the ramps were poured concrete and they were undermined and collapsed so they will build back with pile supported ramps just like a normal boardwalk. He reported this will reduce the cost to rebuild significantly. Mr. Pierce reported the landscaping will also be simplified. Mr. Pierce said he does not know what the cost will be but it will be less than the original construction price. He stated they are eager to get the money tied up since it has been sitting there for a couple of years. Mr. Pierce reported he thinks in the second amendment they will send the money to Alligator Point and C.R. 30 and if there is money left over they will see how long it takes to get the money. Mr. Pierce reported at some point DEO is going to want them to do something with the money. Commissioner Parrish said in talking with the engineer it may be October before they are ready on C.R. 30. Mr. Pierce reported the DEO agreement has an expiration date of June, 2021 for C.R. 30 so hopefully they are okay for C.R. 30 and Alligator Drive. Mr. Pierce stated he does not know the timeline for Island View Park. Commissioner Boldt asked if they are considering money to rebuild the boardwalks and dune restoration. Mr. Pierce explained the dune restoration does not have a match because it is being done with RESTORE funds. He was not sure where FEMA stands on the dune walkovers but said the match is not that great. He reported he would rather have these funds reserved for a big project like Island View Park.

Mr. Moron stated they must wait until 10:00 a.m. to do the Board of Adjustment and Planning & Zoning items and that is why they are going out of order on the Agenda.

Clerk of Courts – Marcia M. Johnson – Report

Clerk Johnson presented her report to the Board, as follows:

M. Clerk's Report to Board 8-18-2020

Action Item

1. County Held Tax Certificates

Pursuant to F.S. 197.502(7), the Clerk is tasked to notify the County Commission when there were no bidders on county-held tax certificates that went to public tax deed sale. The list attached is the fourth batch of county-held tax certificates that have been advertised for sales. Sales were held on July 13, 2020 and August 10, 2020, and nobody bid on them. These properties are available should the county wish to purchase them or you can waive your rights to purchase them at this time, and they will be placed on a List of Lands Available for sale. If not purchased, they will escheat to the County after 3 years. I have attached the list plus a copy of the forms on each for the Chairman to sign on whether you elect to purchase or not. These properties are within the same area as the properties I presented to you on April 9th that you elected not to purchase. **Action requested by the Board: a motion to either elect to purchase or elect not to purchase these properties.**

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed not to purchase these properties.

Information Item

2. For information and as a reminder, the first budget public hearing is scheduled for 5:15 p.m. on Tuesday, September 8th.

Clerk Johnson reported the Value Adjustment Board will have an Organizational meeting today at 1:30 p.m. in this room.

County Coordinator – Michael Morón – Report

Mr. Moron provided his report, as follows:

O. County Coordinator's Report

Action Items

1. SGI Bathroom: At your August 4th meeting, bids for the construction of the St. George Island Restroom design were opened and read aloud. Of the three bids received and opened, Storm Construction, LLC was the lowest at \$450,000. Upon Dewberry's review of their bids, there were a couple of required items that were not included in their bid packet. The first was evidence of authority to do business in the State of Florida, which was resolved by looking them up on SunBiz.org for their active status. The other was a list of their subcontractors which was provided to the County within a couple of days (attached to the agenda packet). The list of subcontractor requirement is a holdover requirement from FDOT bids and advertisements that should not have been included for this project. Since these are technical deficiencies that do not affect price, time, changes to the work or quality of work, it is within the Board's authority, as stated in the advertisement, to waive these informalities.

The other option would be for the Board to disqualify Storm Construction and award the project to North Florida Construction for a total cost of \$468,001.

Request: Board action to waive the informalities in Storm Construction's bid package and award them the project for \$450,000 or disqualify Storm Construction and award North Florida Construction the project for \$468,001.

Mr. Moron reported this is the same company that was awarded the bid to do the Road Department building. **Commissioner Massey made a motion to award the bid to Storm Construction.**

Commissioner Jones seconded the motion. Attorney Shuler said the motion should be to waive the informalities and award the bid to Storm Construction. **Commissioner Massey amended the motion to waive the informalities and award the bid to Storm Construction. Commissioner Jones amended his second. Motion carried; 5-0.**

2. CARES Act: At your August 4th meeting, Commissioner Parrish stated that he wanted the Board to be involved earlier in the CARES Act spending plan creation process. In front of you is a comprehensive package from your CARES Act consultant, Ms. Traci Buzbee that includes funding requests and the required forms, from County Departments, Constitutional Offices, County partners, and local businesses. These requests have not been vetted or approved as yet. Ms. Buzbee will be on the September 1st meeting agenda to review the package with the Board and at the end of the presentation would like direction on matters like setting maximum requests for each "group". As I stated at the last meeting, Ms. Buzbee has requested and received a \$3500 quote from Opportunity Florida to review all business applications. Is the Board willing to proceed with this agreement today so there is a head start on business application reviews prior to your September 1st meeting?

Request: Board action to authorize Ms. Buzbee to engage Opportunity Florida to review all business applications.

Mr. Moron stated Ms. Buzbee is the county's consultant and he agrees with her that they need an independent third party to review the business applications. He explained this is the area that is difficult because they must determine if the business has already received other funds. He reported smaller businesses are complaining the application is too much so maybe Opportunity Florida can work with Ms. Buzbee and with the business community. Mr. Moron explained they could use zoom to do a meeting to assist the businesses through the process. Mr. Moron reported hopefully Opportunity Florida will play a dual role. Commissioner Jones said it is advantageous to the Board because there must be a way for businesses to check a simpler list that they have received funds and then worry about the process of getting money from the CARES Act. He stated using Opportunity Florida as a third party is the right thing to do. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to hire Opportunity Florida to review all business applications.**

3. HHRP Homes: At your last meeting Mrs. Lori Switzer-Mills, your SHIP administrator, explained that some of eight (8) Hurricane Housing Recovery Program (HHRP) home recipients required new septic systems and total costs for the installation for some of the home recipients could exceed the County's \$10,000 bid policy maximum amount. Mrs. Switzer-Mills forwarded three estimates (included in the agenda packet), for home recipients' septic installations that will exceed the County's \$10,000 bid policy. The Board will need to waive the County's bid policy to allow the installation of these septic

systems. As the Board is aware Mrs. Switzer-Mills requested quotes for septic installation from four contractors and only Collins responded.

Request #1: Board action to waive the County's bid policy and authorize the three septic installation proposals that exceeded the County's \$10,000 maximum for the HHRP home replacement project.

Attorney Shuler explained his understanding is some of the trailers have been ordered and some are on-site waiting to be installed. Mr. Moron agreed 1-2 are in that situation. Mr. Moron said they must order the trailer before they work on the permit for the septic tank. Attorney Shuler reported it seems like this work should have been done before moving forward with spending \$80,000 on a trailer. Attorney Shuler said the closest exception they have is to declare a state of emergency as to getting the \$80,000 structures installed. He stated the county has already paid for the trailers so they are stuck. **Commissioner Parrish made a motion to declare an emergency and waive the bid policy up to an amount of \$11,000. Commissioner Jones seconded the motion.** Chairman Lockley asked how much over this work is. Mr. Moron answered the most expensive is a little over \$11,000. **Motion carried; 5-0.**

In addition, the HHRP home recipient at 27 Bayview in Apalachicola total project cost has exceeded the \$75,000 set by the County by \$4,431.40. The need for an Exposure D unit, due to windstorm requirements, and a new septic system are the reason for the additional costs. The Board will need to waive the \$75,000 maximum cap for this HHRP project and authorize the \$79,431.40 total cost of this project.

Request #2: Board action to waive the \$75,000 maximum project amount for the home recipient at 27 Bayview Drive in Apalachicola and authorize the \$79,431.40 for this project.

Mr. Moron said the need for exposure d mobile homes and a new septic system is the reason for the additional cost. He stated they need to waive the \$75,000 cap and authorize \$79,431.40 for the home recipient at 27 Bayview Drive in Apalachicola. He explained the Board established the cap so they can waive the cap. Commissioner Parrish asked if some of the others were waived for septic systems. Mr. Moron said Mrs. Mills was able to negotiate down and received a better price and this is the only one over the \$75,000. Commissioner Parrish stated it is over because of the exposure d requirement and the new septic system. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to waive the \$75,000 cap and authorize \$79,431.40 for the recipient at 27 Bayview Drive in Apalachicola.**

4. Road Striping: Recently, the Board authorized Roberts and Roberts to pave Bayshore Drive on St. George Island, Plum Street and Creamer Street in Eastpoint, and 19th, 20th, and 21st streets in Apalachicola. Roberts and Roberts completed this project for \$10,000 less than proposed. Striping for those County streets were not included in that proposal. Roberts and Roberts is working on the change order that will decrease the project by the net amount of \$6,250 (\$10,000 project reduction - \$3750 total striping cost).

Request: Board action to authorize the Chairman's signature on the \$6,250 change order, authorizing the striping of the County streets stated above.

On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize the Chairman's signature on the \$6,250 change order authorizing the striping of the county streets stated above.

5. P&Z/BOA Emergency Ordinance: Emergency Ordinance 2020-15 temporarily suspending meetings of the Planning and Zoning Commission and the Board of Adjustment and authorized the Franklin County Planner to exercise the powers and duties of the Planning and Zoning Commission and the Board of Adjustment sunsets today, August 18, 2020 at 12:01 p.m. (ET). With that in mind, is asked Mrs. Amy Ham-Kelly, Zoning Administrator, to contact members of both Boards to receive input on moving forward. There are some members that prefer that the County Planner continues to review applications, two members, one from each Board, that want us to go back to the format prior to COVID-19, but a majority of the members are willing to participate if we do the meetings virtually using a Zoom format or something similar. I recommend that the Board extends the Emergency Ordinance until your October 6th meeting which would allow time to discuss this matter in more detail and agree to a format to proceed with.

Request: Board action to extend Emergency Ordinance 2020-15 sunset date to October 6, 2020.

Mr. Moron said this will allow the County Planner to do one more Planning & Zoning and two more Board of Adjustments meetings. **Commissioner Jones made a motion to adopt an Ordinance extending the Emergency Ordinance 2020-15 sunset date to October 6th.** Attorney Shuler explained there is a certain format for adopting emergency ordinances. He advised the Board the motion needs to include a finding that the immediate enactment of the ordinance is necessary and there is a declared state of emergency and that it is necessary by a 4/5 vote of the Board that they waive the usual notice requirements otherwise required by Chapter 125 which is a 10 day notice in the newspaper. **Commissioner Jones amended his motion to reflect the County Attorney's comments: to include a finding that the immediate enactment of the ordinance is necessary and there is a declared state of emergency and that it is necessary by a 4/5 vote of the Board that they waive the usual notice requirements as required by Chapter 125. Commissioner Massey seconded the motion.** Chairman Lockley reported the County Planner is doing extra work and has to do his own work too. He said this is not in his job description and he has deadline for his regular job too. He stated they should provide compensation for this extra work. **Motion carried; 5-0.** Commissioner Boldt asked if this should be retroactively applied at the September 1st meeting when the Assistant Financial Clerk is here to address the funds for this work. Chairman Lockley said the County Planner has work to do and this is additional work and he is having to do both. Commissioner Boldt asked him to let Mr. Curenton know about this discussion. Mr. Moron stated he will discuss this with Mr. Curenton and Mrs. Griffith. Chairman Lockley reported he was in Mr. Curenton's office and saw what he was going through. Mr. Moron said he will add this item to his report for the September 1st meeting.

6. Agent of Record: After the Board agreed to the new plan option and rates for the County's dental and life insurance plans through Acentria Insurance at the budget workshop, Chairman Lockley signed the Agent of Record Notification Letter on August 11th. A copy of the letter is attached to the agenda packet.
Request: Board action to ratify the Chairman's signature on the Agent of Record Notification Letter.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to ratify the Chairman's signature on the Agent of Record Notification Letter.

7. DOC (Bay City) Workcamp: Dormitory B (#12) at the Bay City Workcamp was in poor condition and a section of the roof which was damaged in Hurricane Michael has fallen in. Recently it was discovered that someone had been camping in one of the other vacant dormitory buildings at the work camp location and this building poses a significant safety and liability concern. This building shell is approximately 9600 square feet. The other buildings at the location are in better condition. This building is on county insurance and there is approximately \$45,566 in insurance proceeds for this location that can be used for the demolition of the structure. The size of the building equates to an annual insurance expense of \$5,204 and as this structure is unusable, when it is demolished Franklin County will be able to remove this building from coverage. To reduce the project cost, the Board may consider waiving the tipping fees of the construction debris. In addition, would the concrete blocks have any value as rip-rap?

Request: Board action to solicit bids for the tear down of Dormitory Building B (#12) at the old DOC Work camp at 1001 US Highway 98 and waive construction debris tipping fees to reduce costs.

Mr. Moron stated this is the item Mr. Mostellar was referencing under public comment. He said he understands what Mr. Mostellar is saying but they do not think the money that is available will replace the roof so the county would have to add some money. He reported the building is in bad shape and he does not think it is worth saving. He apologized for not attaching pictures so the Board could see how bad the building is. He pointed out they are not tearing down the whole complex just this particular building. The Board discussed the location of the buildings in the complex. Mr. Moron reported Mrs. Brownell has a plan to get the other building restored to use and he has contacted Cates Electric about this matter. Chairman Lockley asked if the people that were camping are gone. Mr. Moron answered yes, the county secured the building they were in. Chairman Lockley asked if there are cameras in this location. Mr. Moron responded no. Commissioner Parrish stated the Board authorized the cameras 3 years ago but they still do not have them. Chairman Lockley reported they need the cameras because that would have stopped the campers. Commissioner Boldt questioned if this area is the area the Sheriff is considering for a rehabilitation facility. Mr. Moron said yes, and he talked to the Sheriff and he does not have any problem with this. Chairman Lockley questioned if the Sheriff said he would fix the building. Mr. Moron answered no. Chairman Lockley reported they told the Sheriff they did not have the money to repair this structure but he wanted to make sure the Sheriff knew about this before it was torn down. Commissioner Boldt said the old slab should be left for a future foundation. He reported by demolishing the building they are saving money on insurance costs.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to solicit bids for tearing down Dormitory Building B (#12) at the old DOC work camp at 1001 U.S. Highway 98 and waive the construction debris tipping fees to reduce costs. Chairman Lockley stated they need to get cameras on this property. He said if someone gets hurt there it will cost the county money. Commissioner Parrish questioned if there is signage on the fence. Mr. Moron was not sure but said he would ask Mr. Shane Phillips, Courthouse Maintenance, to look. He said they need to put up signs and then work on adding the cameras. Commissioner Parrish suggested the signs say unauthorized personnel prohibited.

8. DBPR meetings: As you may have seen in the news, Department of Business and Professional Regulation Secretary Halsey Beshears has been visiting bar and brewery owners throughout the State to discuss a safe reopening plan for their establishments. Since March 26th, only establishments that sell food along with alcohol have been allowed to operate in the State, therefore all other bar and breweries have been closed. In order to support the local bar and breweries, is the Board willing to send a letter of support to Secretary Beshears stating that Franklin County supports a safe reopening plan for bars and breweries that do not sell food?

Request: Board discussion and possible action to authorize a letter of support to Secretary Beshears for a safe reopening plan for bars and breweries.

Commissioner Parrish stated he has heard from different people and bar owners about this matter. He explained the bars here do not have as many people as in large areas. He reported they gave the vacation rental businesses a letter of support which the Board did and the COVID numbers went up. Commissioner Parrish stated the bars in Apalachicola do not serve liquor only beer and wine and one place in Eastpoint sells liquor. He reported the bars do not hold many people and the businesses he talked to are willing to have 50% capacity. Commissioner Parrish stated they need to send a letter and stipulate the businesses he talked to are willing to do half capacity which is around 50 people. He said people that are going to go here are the people that are allowed to come into the county and it does not make sense for these business owners to lose their livelihood. **Commissioner Parrish made a motion to send a letter to Secretary Beshears in support of this with these stipulations.**

Commissioner Jones seconded the motion. Commissioner Boldt said this is good moderation and allows a controlled reopening plan. Chairman Lockley reported the state is pushing all these decisions on the Board. **Motion carried; 5-0.**

County Attorney – Michael Shuler – Report

Attorney Shuler requested the Board conduct an Executive Session with he and Attorney David Theriaque, outside counsel, on the pending litigation with HLS Property Group. He said the attorneys need some advice from the Board and would like to have this session pursuant to Florida Statute 286.0118 on September 1, 2020 at 1:30 p.m. Attorney Shuler explained he would be present at that meeting in addition to the County Commissioners, Attorney Theriaque, and Mr. Moron. **On motion by Commissioner Jones, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize an Executive Session of the Board on September 1, 2020 at 1:30 p.m.**

Commissioner Jones reported at the beginning of June there was a motion or direction about the Board making a formal statement on masks. Attorney Shuler stated he prepared an emergency mask ordinance for the last meeting. He said his understanding was there is going to be an alternate path partnering with TDC on a publicity campaign and that is the reason he has not brought up the ordinance. Attorney Shuler reported he has the ordinance with him if the Board wants to address it. He said it was modeled after an ordinance from Leon County. He explained an ordinance was prepared as opposed to an executive order they are allowed to adopt under a state of emergency because of the penalty. He went on to say the executive order has a criminal second degree offense penalty and the ordinance has a monetary penalty. Attorney Shuler pointed out there are exceptions for people with health conditions and children 6 and under and they are not required to wear a mask. Attorney Shuler

said he thought they were going down a different path with TDC with the campaign to get people to voluntarily comply with wearing the mask and see where the COVID-19 numbers go. Commissioner Jones reported when the Board made this motion what TDC is discussing was not in place and he is not trying to force the Board into a decision but wanted to follow up on the discussion. Attorney Shuler said the ordinance is ready to go but the public has a wide range of decisions on whether to wear a mask or not and that was the reason they were going to try the educational program first and then the Board will make a decision. Mr. Moron stated someone will be at the September 1st meeting to explain the Pledge to Protect campaign. He said Flagler County is using the educational program and trying to get the public to buy in to wearing the face masks. He stated the Board can compare the two and decide what to do. Mr. Moron reported the ordinance is fine but he questioned if the Sheriff has enough people to enforce the ordinance. He explained they are trying to have a more voluntary approach and have people wear the masks when they go into businesses. Mr. Moron said the Board needs more information on these items. Chairman Lockley commented the COVID-19 numbers are going higher.

The meeting recessed at 9:55 a.m.

The meeting reconvened at 10:00 a.m.

Board of Adjustment – Amy Ham-Kelly – Report 10:00 a.m. (ET)

Mrs. Ham-Kelly offered the following report:

- G. Consideration of a request to construct an addition 15 feet into the front setback off of St. Teresa Avenue. Property described as Lots 3-4, Block A, Cochran Beach, Unit 1, 4198 St. Teresa Avenue, St. Teresa, Franklin County, Florida. Request submitted by Charles and Leslie Redding, applicants.

STAFF RECOMMENDATION: Recommends approving this variance request.

BOARD ACTION: To Approve, Table or Deny

Mrs. Ham-Kelly said their office has received letters of support from 3 neighbors. She reported the easement is 40 ft. wide and there is nothing there but the power line transmission so there is nothing there to hinder. She reported the road will probably never be constructed. **On motion by Commissioner Boldt, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve this request.**

- H. Consideration of a request to construct a house 19 feet into the setback off of Castoldi Street, 6 feet into the west side setback and a 15 foot variance into the setback off of Carrabelle Beach Drive. Property described as Lots 5-6, Block B, Range 2, McKissack Beach, Carrabelle, Franklin County, Florida. Request submitted by Greg Winters, applicant.

STAFF RECOMMENDATION: Recommends approving this variance request provided that the house is moved to be 17 feet from Carrabelle Beach Drive.

BOARD ACTION: To Approve, Table or Deny

Mrs. Ham-Kelly said the property has 2 lots and is 100' x 100'. She said there are roads on 3 sides of the property. She presented a site plan and explained the request. She reported the survey shows the deck on the house to the west is located less than 1 ft. from the property line. She stated the house as

designed is 84 ft. long and 36 ft. deep and when the stairs are added the structure will be almost 58 ft. deep. Commissioner Massey said he is not for this request because it is right up against the other man's house. He stated they need to do something different. Mr. Moron unmuted people calling in for public comment. Mr. Chuck Mansfield, an adjacent homeowner, said this home will be 4 ft. from his house and he strongly objects. Mr. Greg Winters, applicant, stated the request would be 10 ft. from Mr. Mansfield's property even though Mr. Mansfield's deck is 10 inches from his property line. He reported the proposed house would be 25 ft. from Carrabelle Beach Drive, 25 ft. from Spacey Drive and a 10 ft. setback from Castoldi Drive. Ms. Lou Ausman, a resident of Carrabelle, stated she lives across the street and does not want any variances allowed because it could affect her property. Commissioner Parrish explained when people apply for a variance they must have a hardship. He reported they must look at the property lines and setbacks and design a house that fits within the lines. He explained they want people to have some use of their property but there must be a hardship. Commissioner Parrish asked if there is a hardship or he just wants to build a bigger house. Mrs. Ham-Kelly presented the site plan and said the house is 84 feet long east to west. Commissioner Parrish said they must design a house to fit the site and abide by the setbacks unless there is a hardship. Attorney Shuler agreed hardship is one of the factors to be considered in granting a variance. He said the County's Building Code requires a minimum building footprint of 1,000 sq. ft. of heated/cooled space and questioned the amount of heated and cooled space in this design. Attorney Shuler recommended the Board table this matter for more information and come back at a later meeting. He reported the additional information can be presented to the Board at that meeting. **On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to table this request until further notice.** Chairman Lockley said they are tabling for more information. Mr. Moron said staff will get with the applicant about this information. He reported the neighbors need to send in their objections so they are part of the record. Attorney Shuler reported they need to know what the necessity is for this particular layout on this particular lot. Commissioner Boldt said they need more specific drawings. Mrs. Ham-Kelly presented a site plan. Chairman Lockley stated they need space between the houses for fire protection. Commissioner Parrish explained this is why they have the setbacks. He said when the setbacks are taken away then they do not have this space. He reported the applicant needs to design a house that fits in the footprint of the lot and does not encroach into the setbacks. Commissioner Parrish reported he is asking for 3 different variances which are the 2 side setbacks and the front setback. He stated he needs to go back and redesign a house to fit the lot. He explained the setbacks are there to protect the neighbors and to protect the right-of-way. Commissioner Massey explained this structure would be right up against Mr. Mansfield's house. Commissioner Parrish stated the setbacks are there to prevent this from happening and are used by the fire trucks as Chairman Lockley mentioned. Chairman Lockley asked if there is an empty lot by him. Mrs. Ham-Kelly explained this is an end lot surrounded by 3 roads and she showed a map of the property. Chairman Lockley stated the applicant would need another lot for this request. Mrs. Ham-Kelly agreed he would need another lot to avoid the need for the variance. Commissioner Parrish said the lady across the street will also be impacted if they allow the variance into the setbacks. Chairman Lockley agreed someone could do the same thing to her and that would create a problem. Commissioner Parrish stated if they allow this it would set a precedent and the next person will be allowed the same thing. He said he understands when there is a hardship and they try to work with the applicant. Mr. Moron said staff will talk with the applicant because he probably needs to reduce the footprint of the house so he will not need so many variances or any at all. He stated the neighbors also need to contact staff so their comments are on the record. Mr. Moron reported they will address

this request at the next meeting. Commissioner Parrish reported this is why he wants to get back to having zoom meetings with the Planning & Zoning Commission and Board of Adjustment so they can look at these items before they come to the Board. He said this will set a precedent and then other people will submit the same requests. He pointed out when they make these planning and zoning decisions they need to pay attention because this is setting up things for years in the future. Commissioner Boldt commented there are standards of practice and quality assurance that help them maintain good quality guidelines so they do not make exceptions that do not have quality assurance standards behind them. He said this cascades into higher values of property and better quality of life. Commissioner Parrish reported if they had a true hardship then the Board would have to look at it. Chairman Lockley commented if there is not this space and they have a fire then it could burn an entire block. Mrs. Ham-Kelly stated there were no letters or phone calls of objection so they need to send them in. She said she will meet with Mr. Winters. Commissioner Massey said he has talked with all of them. Mrs. Ham-Kelly reported no one called the office. Commissioner Massey reported he is their Commissioner so he is speaking for them. Commissioner Parrish stated the objections need to be on the record. Commissioner Massey explained if they start this then it will be requested everywhere in the county. He stated this is not the first request they have turned down.

- I. Consideration of a request to construct a house 15 feet into the front setback off of Alligator Drive. Property described as 1237 Alligator Drive, Alligator Point, Franklin County, Florida. Request submitted by Elva Peppers, Florida Environmental & Land Services, agent for Walter "Kip" Kuck III, applicant.

STAFF RECOMMENDATION: Recommends approving this variance request.

BOARD ACTION: To Approve, Table or Deny

Mrs. Ham-Kelly stated there is a proposed house seaward of the coastal control construction line. (CCCL). She reported the Department of Environmental Protection (DEP) is requiring the house to be closer to Alligator Drive. Mr. Moron stated Ms. Peppers is on the telephone if there are any questions. Commissioner Parrish explained they cannot build seaward of the CCCL so they must be closer to the road and this is a hardship not made by the person. He said they have granted these requests multiple times on St. George Island. Commissioner Parrish reported the person just needs to move into the front setback. **On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve this request.**

- J. Consideration of a request to construct a house 15 feet into the front setback line off of Highway 98. Property described as 2324 Highway 98 West, Carrabelle, Franklin County, Florida. Request submitted by Ronald and Daisy Laone, applicants.

STAFF RECOMMENDATION: Recommends approving this variance request.

BOARD ACTION: To Approve, Table or Deny

Mrs. Ham-Kelly reported this parcel is located on the south side of Highway 98 along St. George Island Sound. She described the house and the variance requested. She reported the house will maintain the 50 ft. setback from mean high water. She reported if the house is constructed it will be approximately 45 ft. from Highway 98 and a septic system can be permitted on the site. Commissioner Parrish asked if the house meets all the side setbacks. He said he assumes the lot has eroded. Mrs. Ham-Kelly said yes, and presented the map of the property. She reported they have a retaining wall that is out of the 50 ft. setback and critical habitat zone. Commissioner Parrish reported they are meeting the side setbacks and protecting the critical habitat zone by allowing them to move forward. He pointed out

they also designed a house that will fit on this lot. **On motion by Commissioner Massey, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve this request.**

Planning and Zoning – Amy Ham-Kelly – Report

Mrs. Ham-Kelly offered the following report:

Critical Shoreline Applications

- K. Consideration of a request to construct a Single Family Private Dock located at Lot 5 Bay Cove Village, 2031 Sand Dollar Trail, St. George Island, Franklin County, Florida. The dock will be 431' x 4' with a 10' x 20' boat lift and a 6' x 20' terminus. The applicant has both State and Federal Permits. Request submitted by Garlick Environmental Associates, agent for Steve Maxwell, applicant. (Proposed House)

STAFF RECOMMENDATION: Recommends approving this application contingent of receiving the FDEP permit for the boatlift.

BCC ACTION: To Approve, Table or Deny

Commissioner Boldt commented about the length of the dock. Commissioner Parrish explained the dock must go out far enough so they are not prop dredging which means this is a shallow area. He stated the dock must go out where water is deeper and they are not tearing up the sea grasses. He said normally when they have their state permit they have already looked at these issues. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve this request contingent upon receiving the FDEP permit for the boatlift.**

- L. Consideration of a request to construct a Single Family Private Dock located at Lot 8, Block 65, Unit 5, 709 Randolph Street, St George Island, Franklin County, Florida. The dock walkway will be 15' x 5' and have a 60' x 10' parallel dock. The applicant has the DEP Self Certification. Request submitted by Lee Chapin, applicant. (Proposed Site Plan- No House. This is an after the fact request, dock is already been constructed.)

P&Z RECOMMENDATION: (Meeting Date: 2/11/2020) Motion to approve by Member Taranto, Seconded by Member Wilkens, contingent upon applying for a DEP Exemption and obtaining the Federal Permit. Applicant has both Exemption and Federal Permits.

BCC ACTION: To Approve, Table or Deny

Commissioner Jones made a motion to approve this request. Commissioner Massey seconded the motion. Commissioner Parrish stated this is an after the fact permit and he asked Mrs. Ham-Kelly to explain the situation. Mrs. Ham-Kelly agreed he built the dock without a permit from DEP, the COE or the county. She reported Mr. Chapin called to get a power pole permit for his dock and was informed he had not been through the process. Mrs. Ham-Kelly said he applied for the permit and it went before the Planning & Zoning Commission in February. Commissioner Parrish inquired if the dock is within his riparian lot lines. Mrs. Ham-Kelly answered yes, the lot is 90 ft. wide and the dock is 60 ft. She stated a professional survey was submitted. She went on to say they must provide a 25 ft. setback from the riparian lot lines or submit a professional survey saying they have not extended into the setbacks. Commissioner Boldt said they have a survey to be sure the dock is where it is supposed to

be. Chairman Lockley reported they need to stop them from building first. Mrs. Ham-Kelly stated they sent a Memorandum to the marine contractors that they must abide by the requirements. She said if they choose not to build in the correct location then they will need to pull the dock up and put it in the right location. Mrs. Ham-Kelly stated they can also be punished through licensing. Commissioner Boldt reported this is another job for code compliance. **Motion carried; 5-0.** Mrs. Ham-Kelly stated the applicant will have to pay a double permit fee.

Commissioners' Comments

Commissioner Boldt said he recognized there is integrity in the Franklin County election. He stated he has the privilege of serving on the Canvassing Board alongside County Judge J. Gordon Shuler. He said he would like the public to know what a tremendous quality assurance review the ballots have. He discussed the election equipment and the process of opening and examining the absentee ballots. He reported the public can go there and observe what is being done.

Information Item(s)

P. Letter - SummerCamp's Water & Sewer

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:39 a.m.

Noah Lockley - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts