

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM  
OCTOBER 19, 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, Jessica Gay-Deputy Clerk to the Board**

1. Call to Order

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

2. Prayer and Pledge

Chairman Jones led the Board in prayer followed by the pledge of allegiance.

3. Approval of Minutes – FCBCC Regular Meeting 10/5/2021

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, the Board approved the minutes from the FCBCC Regular Meeting 10/5/2021. Motion carried 5-0.**

4. Payment of County Bills

**On a motion by Commissioner Parrish, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, the Board approved the payment of the County Bills. Motion carried 5-0.**

5. Public Comments

Ms. Debbie Jordan spoke to the Board via Zoom regarding the Lanark Fire Department and the affairs of such. She asked the Board to request a new audit be completed.

Mr. Jeffrey Sharkey spoke to the Board via Zoom regarding the document circulated by Commissioner Boldt in reference to a fiber processing center. He said that his company was working with ARPC to submit applications for grants. They are looking for support from panhandle counties. He said that the planning council plans to be the lead entity, but he would like to meet with the commission to discuss the plan.

Chairman Jones said that the ARPC is still waiting to receive some information from Mr. Sharkey before they can recommend it to the Franklin County Board of County Commissioners. Mr. Sharkey said that he wanted to go ahead and alert the Board on the matter.

6. Awards and Recognitions

a. EMS Award – DOH EMS Provider of the Year – David Walker, CEO

Mr. David Walker recognized the Franklin County EMS for receiving the DOH EMS Provider of the Year award.

The Florida Department Health annually recognizes leadership and service of Florida Emergency Medical Services. This year Franklin County Emergency Medical Service was awarded the EMS Provider of the Year (2021).

Franklin County's EMS was specifically recognized for the leadership role in the Florida EMS system and community, as they have been at the forefront of a Community Paramedic program in Franklin County, while supporting the Department of Health and Franklin County Emergency Operation Center (EOC) during recent emergencies from the COVID pandemic to inclement weather systems. Franklin EMS has demonstrated outstanding initiative in public education and training through placement of AEDs and CPR training in our community. Lastly, Franklin County EMS has demonstrated an excellence and innovation in the areas of quality assurance/improvement and medical control protocol development/implementation through the establishment of telemedicine to support the Community Paramedic program.

We are profoundly proud of our EMS staff and their work in our community. Please give a round of applause to our EMS men and women.

b. TDC Award – 2021 Henry Award – John Solomon, Administrator

Mr. John Solomon recognized the TDC administration for receiving the 2021 Henry Award.

Mr. Solomon thanked the Board for their time and presented the following.

I would like to introduce to you the Franklin County TDC team. This team is not just the administration and the vendors. This team includes you the County Commissioners and the nine volunteers on the TDC board, as well as our lodging providers and our hospitality workers in Franklin County. The TDC team can show and tell people how wonderful it is here on the Forgotten Coast, but the hospitality workers are what keep people coming back year after year.

When the Chamber of Commerce became the administration in January of 2019, we were already a month behind after hurricane Michael came in the first month of that fiscal year and this team stepped up and started the “open for business” campaign and finished off that fiscal year 7.4 % above the previous year’s tourism numbers.

Then in 2019-2020 fiscal year, a world pandemic hit. Yet this team stayed with the task at hand and even after being shut down from visitors for almost two months finished the year off with a 2.5% increase over the year before. Being one of if not the only county in Florida with a tourism increase for that year. I have joked with the Chairman that I would love to see what this team could do in a normal year with no hurricanes or pandemics.

Well, it's still not been normal but as of June this year, yet this team has already surpassed last year’s record numbers with three months left in the fiscal year.

Now with all this going on the numbers speak volumes but during the past two years I am proud to say this team has also won four state tourism awards and this year brought home what is considered the academy award of tourism the Henry Flagler award.

I would like to introduce the rest of the TDC team. Our web media vendor 2K Web Group, Tana Kendrick, our print media vendor Bay Media, Cindy Clark, our video vendor FCTV, Royce Rolstad, my financial director Deb Davis and the head information specialist Jean Lane as well as not here but my assistants Nancy Hodgson and Becca Sapienza. I am honored to be part of this team.

Mr. Solomon read his report to the Board at this time.

## Constitutional Officers

### 7. Clerk of Courts – Michele Maxwell – Report

Clerk Maxwell had nothing to report to the Board.

## Department Directors Reports

### 8. Superintendent of Roads and Bridges – Howard Nabors

Informational Items:

- a. Detail of Work Performed and Material Hauled by District

Mr. Nabors gave his condolences for the passing of Mr. Joe Ham.

### 9. Solid Waste Director – Fonda Davis

Informational Item:

- a. Right-of-Way Debris Pickup/Recycle Material Hauled Report

Mr. Davis said that his crew had been working all week to clean the beaches due to Red Tide. Chairman Jones thanked Mr. Davis and his staff for going over and beyond the call of duty to ensure that our residents and visitors are safe. Commissioner Lockley asked Attorney Shuler if the Board could recoup any of the expenses associated with Red Tide cleanup. Attorney Shuler said that at the direction of the Board he could send a letter to FWC and DEP noting the expense and risk of the cleanup efforts and request reimbursement. However, there is no guarantee the County will recoup the expenses.

**Commissioner Lockley made a motion to send a letter requesting FWC and DEP reimburse the County for the risk and expense of the cleanup efforts due to Red Tide. Commissioner Boldt seconded the motion. Motion carried 5-0.**

Commissioner Parrish said that he has had constituents contact him about vehicles driving on the bike path at the DW Wilson Park. Mr. Davis said that he has been in contact with Mr. Jason White, and he believes that it needs an overlay. Mr. Davis said that he will check with Mr. White to see if he can beef up the section on the path that gives vehicles access to the concession stand. Mr. Davis said that the gate would have to be locked to keep people from driving on it. He noted that it is quite a haul from the parking lot to the concession stand for those restocking for games. Chairman Jones said that the record amount of rain that we have had over the past few months has probably not helped the issue.

Commissioner Boldt pointed out the connection between the County and FWC working together and that the County began cleanup of the beaches before being officially approved. Chairman Jones said that he had contacted several of the larger vacation rental companies to see if a local state of emergency would help. He said that he was told that since this was an environmental issue, trip insurance would not pay out. Mr. Davis noted that the property owner in Eastpoint who is trying to clean up his property has reached out to Mr. Jason White to schedule a meeting. Mr. White's foreman had a family emergency, and the demolition has been delayed.

### 10. Emergency Management Director – Pam Brownell

Informational Items:

- a. 10/13/21 EOC Staff met with State FDEM Director Kevin Guthrie.
- b. 10/13/21 Completed the IPAWS required monthly test.

- c. 10/18-10/19/21 Jennifer Daniels will be attending the G-235 Emergency Planning Course in Walton County.
- d. EOC Staff are working on completing quarterly reports for our EMPA, EMPG, and EMPG ARPA.
- e. EOC staff continue to update plans and contracts for Franklin County.
- f. EOC Staff continue to update our Kiosks located throughout Franklin County with COVID Information along with Preparedness information for the storm.

**KIOSK LOCATIONS:**

Carrabelle – Franklin County Courthouse Carrabelle Annex Carrabelle Chamber of Commerce  
 Eastpoint – Carquest  
 Apalachicola – Franklin County Emergency Management Apalachicola Chamber of Commerce  
 Apalachicola Post Office

11. Extension Office Director -Erik Lovstrand

**Informational Items:**

*General Extension Activities:*

- a. During this period, the Extension office assisted citizens on topics of reptile ID, weed and plant disease issues, soil samples, and more.
- b. Extension Director participated in the NW District fall faculty meeting via Zoom to coordinate Extension activities/responsibilities with faculty from across our 16-county District.
- c. Extension Director participated in two calls with the Apalachicola Caucus of the ACF Stakeholders group.
- d. Extension Director and Office Manager participated in a UF training regarding fiscal responsibility for fund managers.
- e. UF is again conducting the annual Peanut Butter Challenge to collect peanut butter that is then donated to food shelters around the region.

*Sea Grant Extension:*

- f. The volunteer Scallop Sitter project continues in Franklin, Bay and Gulf Counties, along with the Hurricane Michael marine debris grant. Contractors expect to be on-site in Franklin County in October to begin removing all the vessels that were identified for removal and cleared by FWC to be taken, with owner's permission.
- g. Extension Director participated in a webinar focused on living shoreline design features and efforts to construct them without using plastic mesh bags to contain the oyster shell that is typically used.
- h. Extension Director participated in a listening session hosted by a consulting group that is working on developing guidelines for an insurance program for oyster farmers who experience crop losses.
- i. Extension Director participated in the Community Advisory Board meeting for the Apalachicola Bay System Initiative.

*4-H Youth Development:*

- j. Nothing new to report this week.

*Family and Consumer Sciences:*

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

*Agriculture/Home Horticulture:*

- l. Extension Director coordinated a marine touch tank exhibit to be set up as part of the UF/IFAS Extension exhibits at the Sunbelt Ag Expo in October and at the North Florida Fair in November. Tens of thousands of people attend these two events annually.

Two new, small, raised bed boxes were installed on the front lawn of the Extension office, compliments of our Franklin County Master Gardeners.

### Other Reports

12. Interim Airport Manager – Ted Mosteller

a. FYI: Obstruction Clearance Project (Tree/Vegetation eradication)—to address the deficiencies listed on the latest airport licensing inspection--safety issue.

No update.

b. FYI: Researching—with mogas demands increasing--It would be prudent to include the mogas equipment during the construction of the new fuel farm—however currently other than the card reader and space—mogas is not included in the new fuel farm project.

c. FYI: Jingoli Power lease--Project is still under construction.

d. Action item: Commissioners--the FDOT is requesting updating contact information concerning the airport—no matter how temporary.

“The Florida Department of Transportation (FDOT) still requires updated contact information for Apalachicola Regional-Cleve Randolph Field (AAF). I understand that a replacement airport manager may not have been named yet, but we still need to have someone listed in the interim. This role is especially important as they are the person to update the status of the airport to the State Emergency Operations Center (SEOC) during natural disasters. Additionally, our database still shows William Massey as the point of contact for the sponsor of the airport (Franklin County). When able can the County provide updated contact information for these two roles at the airport?

Thanks in advance for your help. David P. Smith, ACE, CPM  
Airport Inspection and Safety Manager  
Aviation Operations  
Aviation Office

Florida Department of Transportation  
605 Suwannee Street, MS 46

Tallahassee, FL 32399-0450

E-Mail: DavidP.Smith@dot.state.fl.us  
Office Phone: 850-414-4515

Office Fax: 850-414-4508”

ð Action: engineering is working on the Tarmac upgrade Project.

We have a \$600,000 FAA pre-application to be signed—toward this project.

g. FYI: Vault generator repair.

I continue to keep check on the generator--routinely-exercising (running). Ring Power (Clint) has replaced the control panel (9/28/2021). Generator runs—however still have some misc. parts on order. Have not heard back.

h. FYI: Runway 06/24 lighting project—despite the weather--is finally wrapping up. Delivery of PAPI's is due 10/19/21—walk-through to follow their installation.

i. FYI: Consider that Road Departments' mechanic perform much needed servicing/maintenance/repair on airport equipment. (Most equipment is in deplorable condition—stored for the most part outside in the weather since 2013--and has hardly been serviced in years)

Have been in communication with Howard—now crew is very busy catching up and still recuperating from COVID—and there's Red Tide.

j. FYI: Since the GAO issue about paying yourself rent has recently come to light—as your Airport Manager who is charged with compliance with Federal, State, and local regulations—I am researching the GAO (General Accounting Office) /FAA issue of requiring County paying itself fair market rent for non-aviation use of airport facilities. The issue stems from the fact that the Federal Government deeded the airport to the county as an AP-4 airport and has subsequently added financial support of the airport. The county

has signed assurances to maintain the airport as such.

Have no update currently.

k. FYI Addressed last meeting--the issue of FDOT policy of 'T' hanger rent collection process and non-aviation hangar use endangering future grant funds for 'T' hanger, box hanger and hangar construction. I currently have three prospective tenants wanting box hangers and the FBO has some 14 on a list awaiting 'T' hangers. The FDOT requires the county collect the rent funds and the FDOT funded hangers are used for aviation purposes. In response of my enquiring of FDOT about possible hangar grant funds--I quote email from Quinton Williams (FDOT) to Ted 9/08/2021:

Ted,

“The Department will not be able to contribute funds for future hangar development or any upgrades to the fuel farm, as it is our understanding that all revenues generated by the airport go directly to the FBO that resides on the airport. With the FBO being a private entity, it puts the Department in a jeopardizing situation by funding projects that only support that private owned business.

The Florida Public Airport Revenue Use Guide states:

The goal of any airport development grant is to make the airports as self- sustaining as possible and minimize the need for further federal/state assistance. The diversion of airport revenue for non-aviation use limits the effectiveness of grant assistance and jeopardizes the goal of achieving self-sustainability.”

Quinton Williams

D3 Aviation Program Manager

Note: While there is some misunderstanding--Staff is in communication with the FDOT(Quinton) concerning this issue.

Don't have an update as of Thursday.

l. FYI: To reiterate: Some issues addressed or to be resolved/addressed: Airport Manager Duties, etc. report. Update.

Flight Obstruction Clearance—(vegetation) safety issue. New Fuel Farm

Add Mogas

Runway 06/24 lighting up-grade. EOC

EOC electric service. EOC leaking roof Sewer stations/system

Prospective list more than 14 waiting for 'T' hangars. Prospective list--3 ea. tenants requesting a box hangar. Kasper hangar space lease.

Review of leases—(FDOT) including revenue flow and non-aviation use.

Equipment inventory (including repair and maintenance)—much equipment in deplorable condition. Has not been serviced or maintained--working on maintenance arrangements.

ID 5520

New 20' batwing mower on order Shelter for airport equipment.

Building maintenance--Leaking roofs, etc.--Electric service for T hangars. Other T hangar repair/maintenance (rusting door roller tracks, etc.)

Flood water ponding between "T" hangars—drainage situation—limiting access. Flight operations counter

NDB

Security Plan Master Plan

Update contact information to FDOT, FAA, etc. Apron rehabilitation project.

FBO hangar ventilation ceiling fans. FBO hangar floor (original WWII).

Jingoli Power lease.

Issue NOTAMS as needed.

Questions? /Discussion?

*Mrs. Griffith presented the following items from Mr. Moron's report at this time.*

Action Items

a. Airport Grants: Below are three Florida Department of Transportation's (FDOT) Public Transportation Grant Agreements (PTGA) based on the Board's directive to Mr. John Collins of AVCON. The Board's request was to divide available grant funding between a stormwater and drainage improvement project, an obstruction removal project, and the replacement of the airfield vault backup generator at the Airport. The fourth item is the Federal Aviation Administration (FAA) notification of available funding for the apron rehabilitation project.

i. The first FDOT PTGA is a \$750,000 stormwater and drainage improvement project at the Airport. This project will address underground water infiltration which is compromising the pavement around the inlets to stop continued damage to the concrete apron, water infiltration which is creating voids in the infield, and stormwater runoff that is flowing from the north side of the airport onto private property.

Board action to authorize the Chairman's signature on the \$750,000 PTGA for stormwater and drainage improvement at the Airport.

**On a motion by Commissioner Parrish, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, the Board authorized the Chairman's signature on the \$750,000 PTGA for stormwater and drainage improvement at the Airport. Motion carried 5-0.**

ii. The second \$150,000 Public Transportation Grant Agreement is for obstruction removal at the Airport. As described in the attached map, obstruction (trees) will be removed from Runway Protection Zones (RPZ) and Runway Visibility Zones (RVZ) to maintain the 20:1 approach slope, to enhance safety at the airport, and meet FDOT licensing requirements.

Board action to authorize the Chairman's signature on the \$150,000 PTGA for obstruction removal at the Airport.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward and Commissioner Lockley, and by a unanimous vote of the Board present, the Board authorized the Chairman's signature on the \$150,000 PTGA for obstruction removal at the Airport. Motion carried 5-0.**

Commissioner Parrish inquired as to if the clearance of obstruction is all on airport property, Mr. Mosteller confirmed that it was.

iii. The third Public Transportation Grant Agreement, for \$100,000, is to design and replace the airfield vault backup generator. The existing airfield vault generator is beyond its useful life and in need of replacement. This generator is critical to keeping the airfield lights operational during periods of power outages such as hurricanes. Board action to authorize the Chairman's signature on the \$100,000 PTGA for design and replacement of the airfield vault backup generator.

**On a motion by Commissioner Boldt, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, the Board authorized the Chairman's signature on the \$100,000 PTGA for design and replacement of the airfield vault backup generator. Motion carried 5-0.**

iv. Last week, FAA notified Mr. John Collins (AVCON) that they have \$600,000 they would like to add to the current FDOT funding for the Apron Rehabilitation Project. FDOT has already provided \$1,379,711 for this project, however this will only address 1/3rd of the needed apron rehabilitation. The

formal application will be submitted in April 2022. Board action to authorize the Chairman's signature on the FAA's \$600,000 pre-application for the Apron Rehabilitation Project.

**On a motion by Commissioner Lockley, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, the Board authorized the Chairman's signature on the FAA's \$600,000 pre-application for the Apron Rehabilitation Project. Motion carried 5-0.**

Commissioner Lockley asked if the funding would take care of the entire project. Chairman Jones noted that it will only take care of about 1/3 of the cost.

Chairman Jones clarified that this application submitted by ARPC is like a pre-application. It will have to go through a final application phase, where numbers are refined and more definite. It will have a 20% match but since it will be two to three years before it is completed and started Mr. Collins thought it would be something we could apply to FDOT. There will be approximately \$5-6 million coming down from FDOT to help with the project if it gets approved.

13. Weems CEO – David Walker

Action Items:

a. Franklin County Emergency Medical Service: Franklin County Emergency Medical Service (FCEMS) is seeking the approval to schedule the purchase of an ambulance with base equipment once per year. Currently, we have three primary trucks on the road averaging 60,000 miles per year. This schedule will streamline financial planning and FCEMS ambulance operations. The schedule will be initiated with the purchase of a Ford F350 Diesel with additional medical equipment included. The total price of this purchase is \$305,530.15. The estimated delivery will be 6 to 9 months from the date of order. Upon completion of vehicle registration, EMS plans to retire the 2016 Chevrolet which currently has 216,000 miles.

Motion to approve the yearly purchase of an ambulance with based equipment for Franklin County Emergency Medical Service, starting with the purchase of a Ford F350 Diesel, including medical equipment for the total purchase price of \$305,530.15.

**On a motion by Commissioner Lockley, seconded by Commissioner Boldt and Commissioner Ward, and by a unanimous vote of the Board present, the Board approved the yearly purchase of an ambulance with based equipment for Franklin County Emergency Medical Service, starting with the purchase of a Ford F350 Diesel, including medical equipment for the total purchase price of \$305,530.15.**

Commissioner Parrish asked if the hospital would continue to apply for grants to purchase ambulances. Mr. Walker said that they would continue applying for grants and would bring the additional purchases to the Board for approval. Commissioner Ward said that she believes it is important for us to have adequate equipment to transport our patients especially since we are so rural and must travel to Tallahassee and Panama City. Chairman Jones asked what the average ambulance trip is. Mr. Lewis said that trips average about 44 miles per trip. Mr. Lewis said that a round trip to Tallahassee is 160 miles. Commissioner Boldt asked if the ambulance purchase qualifies for use of funds from the CARES Act funds. Mr. Walker said it does qualify but he said he doesn't know that we want to use these funds on this purchase. The hospital has already purchased an ambulance using the CARES funds. Mr. Lewis let the Board know that the old ambulances with less than 200k miles would be used as backups. **Motion carried 5-0.**



b. The Weems Board of Directors has recommended Mrs. Delores Croom to fill the vacant At-Large Hospital Board seat. Mrs. Croom is a long-time resident of Franklin County and lives in Apalachicola.

Board action to appoint Mrs. Delores Croom to the At-Large Hospital Board seat.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, the Board appointed Mrs. Delores Croom to the At-Large Hospital Board seat. Motion carried 5-0.**

Mr. Walker introduced the new finance director for the hospital, Ms. Susan Daniels.

*The Board addressed the Planning and Zoning Report at this time.*

### **Planning and Zoning Reports**

#### 16. Critical Shoreline Applications

##### a. 39 Carousel Terrace

Consideration of a request to construct two dock additions to an existing dock: 108 square foot dock, a 160 square foot terminal platform, a 30 square foot staircase, and one 18 square foot jet ski lift. Property is described as Unit, 1 Lot 1, 39 Carousel Terrace, Alligator Point, Franklin County, Florida. Request submitted by Gene Strickland, agent for William Hackney, applicant. State Exemption has been received. Application will be contingent upon Federal Permit or Exemption. Board recommended approval contingent upon Federal Permit or Exemption

*BOARD ACTION: Approve, Table, or Deny*

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board approved the Critical Shoreline Application to construct two dock additions to an existing dock: 108 square foot dock, a 160 square foot terminal platform, a 30 square foot staircase, and one 18 square foot jet ski lift. Property is described as Unit, 1 Lot 1, 39 Carousel Terrace, Alligator Point, Franklin County, Florida. Motion carried 5-0.**

##### b. 19 Carousel Terrace

Consideration of a request to construct a 6'x30' single family dock with a 12'x24' Slip with Lift, a 102 Linear Foot retaining seawall, and a floating turbidity barrier. Property is described as Lot 9, Holiday Beach, 19 Carousel Terrace, Alligator Point, Franklin County, Florida. Request submitted by Docks 4 Less, agent for Ryan Lawson, applicant. State Exemption has been received. Application will be contingent upon Federal Permit or Exemption. **Board recommended approval contingent upon Federal permit or exemption and contingent upon revised site plan with dock meeting the 25 ft setback requirement**

*BOARD ACTION: Approve, Table, or Deny*

**On a motion by Commissioner Boldt, seconded by Commissioner Lockley, to approve.**

Chairman Jones questioned what else would be done to make sure that they are meeting the site plan requirements. Mrs. Bankston said it would be only the site plan. Chairman Jones asked if we have a procedure in place to make sure that the revisions are made. Mrs. Bankston said that she would have to work with Mr. Steve on that. She said the Board is welcome to table until the final site plan is presented.

**Commissioner Boldt rescinded his motion to approve. Commissioner Boldt made a motion to table.**

Chairman Jones asked would this need to be sent back to P&Z for approval of the revised site plan. Attorney Shuler said that would be the preferred process, ask them to make the revisions, and send back to P& Z for review. Upon P&Zs approval it will be sent back to the Board after the revisions have been made. **Commissioner Ward seconded the motion. Motion carried 4-0**, Commissioner Lockley stepped out.

17. Preliminary Plat Applications

a. Miller's Landing

Consideration of a request for Preliminary Sketch Plat approval of a 2.01-acre parcel of land lying in Section 12, Township 7 South, Range 4 West, Lanark Village, Franklin County, Florida. The subdivision will be named "Miller's Landing" and will consist of 6 Lots meeting the minimum requirement of 14,000 sq feet each for R- 1A Zoning. Request submitted by Melinda Carroll and Vicki Williams, applicants.

Board recommended approval

*BOARD ACTION: Approve, Table, or Deny*

Commissioner Ward questioned when subdivisions are created do the applicants have to create correct drainage. Attorney Shuler said for commercial property they are required but he is not sure what Mr. Curenton requires for residential. Chairman Jones reminded the Board that this is a preliminary plat application. Commissioner Parrish said that the applicants should have water, sewer, and storm water management but the box is not checked. How is this going to be handled? Mrs. Bankston said that she believes they are working on the water and sewer and Mr. Curenton should have more information. Chairman Jones said that they would need this information before they come back with a final plat. Attorney Shuler said that he would recommend a motion to table to allow applicants to provide answers to the Board's questions.

**Commissioner Boldt made a motion to table the request to allow applicant time to provide the information requested by the Board. Commissioner Ward seconded the motion.**

Commissioner Lockley asked for clarification. Chairman Jones said the applicants did not check the box about potable water and storm water management. The Board was requesting more information from the applicant.

Commissioner Lockley said that things should not come before the Board unless they are complete. Commissioner Ward said that she like to ensure that as we move forward with new development in the county, that proper drainage is in place. Chairman Jones asked what we are doing to make sure that they follow through with the plans that are submitted to the Board. Commissioner Boldt noted that if development is done correctly, the property is more valuable to the owner.

**Motion carried 5-0.**

The Board recessed at 10:04 a.m. and reconvened at 10:30 a.m.

**Public Hearings 10:30 a.m. (ET)**

14. Private Property Rights 10:30 a.m. (ET)

PRIVATE PROPERTY RIGHTS

PROPOSED AMENDMENT TO THE FRANKLIN COUNTY COMPREHENSIVE PLAN REQUIRED BY CHAPTER 163.3177(6)(i), FLORIDA STATUTES

A public hearing on the proposed amendment will be held on Tuesday, October 19, 2021, at 10:30 a.m. at the County Commission meeting room in the Franklin County Courthouse Annex, 34 Forbes Street, Apalachicola, Florida. More information can be obtained, and the proposed changes may be inspected at the Franklin County Planning Department, 34 Forbes Street, Suite 1, Apalachicola, Florida 32320 (telephone 850-653-9783).

Mr. Curenton presented the amendment to the Board confirming that it has been advertised as required and has been on file for at least ten days at the Clerk's office for public view. Mr. Curenton said the amendment would satisfy the State's requirement. The State passed a law requiring the private property rights provision be added into the ordinance. The State presented proposed language to be adopted. The ordinance will be transmitted to the State for their review and then back to the Board for final approval.

Chairman Jones asked if the land use changes following this item would need to be tabled until after the amendment is adopted. Mr. Curenton said the following items are small scale changes that don't have to go to the State for approval. Commissioner Parrish asked about mineral rights and if the amendment excluding property owners retaining them. Mr. Curenton said that the amendment does not change any land ownership.

Chairman Jones called for public comment in the boardroom and online. Mr. Mike Thornburg called into the meeting but had difficulty with his audio. Attorney Shuler said the vote would need to adopt the ordinance as proposed and submit to the State for approval.

**On a motion by Commissioner Ward, seconded by Commissioner Boldt, to adopt the ordinance as proposed and submit to the State for approval.**

Commissioner Lockley asked if the Board could procedurally move forward with a vote, with a public caller not able to give his public comments. Attorney Shuler asked Mrs. Bankston to reach out to the public caller again. Mrs. Bankston stated the call-in number for the caller to call into. Attorney Shuler asked Mrs. Bankston to repeat, which she did.

Mr. Thornburg called into the meeting by telephone. Mr. Thornburg wanted to speak on the private land use change and will stay on for that item. No comment on the comprehensive plan amendment. **Motion carried 5-0.**

15. Land Use Change 5.9 +/- Acre Parcel 10:30 a.m. (ET)

AN ORDINANCE AMENDING THE FRANKLIN COUNTY COMPREHENSIVE PLAN TO CHANGE THE PERMITTED USE OF A 5.9 +/- ACRE PARCEL OF LAND IN SECTION 36, TOWNSHIP 8 SOUTH, RANGE 7 WEST, FROM COMMERCIAL TO RESIDENTIAL.

Attorney Shuler inquired as to where the property is located. Mrs. Bankston said the property is in Eastpoint on Bayshore Drive and Highway 98. Chairman Jones noted that the way it looks, the property does not have access to Bayshore Drive. Attorney Shuler confirmed the hearing had been publicly advertised as required. Chairman Jones called for public comment.

Mr. Thornburg spoke in opposition of the land use change from commercial to residential. He urged the Board to wait for the feasibility study results to come back. He noted the limited commercial property in Eastpoint and how it may affect future businesses from relocating here.

Commissioner Boldt said that Mr. Thornburg had a very compelling argument. He said that this request seems to be disobeying the comprehensive plan and seems to be spot zoning.

Mrs. Bankston read the proposed ordinance. Chairman Jones noted that in the last couple of months there was a request in Commissioner Boldt's district for a similar rezoning. Chairman Jones said that we do need work forced housing and elaborated on the meaning of such. He said that work forced housing was not investment property. He said that he doesn't know if Eastpoint wants to see this particular use on this property.

Chairman Jones called for public comments.

Mrs. Amy Crosby spoke to the Board in opposition of the rezoning noting that there are two subdivisions in Eastpoint that are underdeveloped and one that isn't developed at all. She said that she feels we should develop those first.

Mr. Dan Garlick said that the issue is the landowner is a large employer and he has employees who can't afford housing in the current subdivisions. The prices in the subdivision are substantially higher and not affordable for the working class. Mr. Garlick addressed Commissioner Boldt's comment regarding spot zoning. He said that it is a little bit different for this property due to the access is only 60 feet. It is not ideal for commercial use due to the location. He said that the maximum proposed density is 39 homes. Commissioner Parrish said that he felt it was too much density for the property. He said that he is worried about commercial and residential compatibility. Commissioner Lockley spoke and said that he doesn't believe in telling people what to do with their property. Commissioner Ward said that she personally doesn't think this is an ideal location for work forced housing.

**Commissioner Ward made a motion to deny the request. Commissioner Boldt seconded the motion.**

Mr. Garlick asked to withdraw the request at this time. Chairman Jones confirmed. Mr. Garlick said he believes that the Commissioners are missing out on an opportunity, Commissioner Lockley agreed. Attorney Shuler asked if there were any other comments from the Board and confirmed that Mr. Garlick had withdrawn his request. Commissioner Parrish said that no one had told him what these houses are going to cost, nor given a description of what the plan is. Mr. Garlick presented the preliminary plan to the Board for review. Attorney Shuler noted that R-7 does not permit trailers. Mr. Garlick asked if he could rescind his withdrawal and ask the Board to table for him to provide the site plan for the Board to review. Attorney Shuler said that if he rescinded his withdrawal the Board would be in the middle of a vote. Attorney Shuler said there has been a lot of discussion but no Board action at this time and he feels the applicant can rescind the withdrawal.

**Commissioner Ward rescinded her motion to deny the request to give Mr. Garlick and the applicant an opportunity to bring back a site plan for the Board's review. Motion seconded by Commissioner Boldt. Motion carried 5-0.**

Attorney Shuler said that readvertising the hearing would be appropriate for a specific date of December 21<sup>st</sup>.

**Commissioner Lockley made a motion to table the item until the December 21<sup>st</sup> meeting which will be readvertised in the newspaper. Motion seconded by Commissioner Ward. Motion carried 5-0.**

16. Zoning Change Request 5.9 +/- Acre Parcel 10:35 a.m. (ET)

AN ORDINANCE REZONING 5.9 +/- ACRES OF LAND IN SECTION 36, TOWNSHIP 8 SOUTH, RANGE 7 WEST, FROM C-2 COMMERCIAL BUSINESS DISTRICT TO R-& MULTI-FAMILY HIGH DENSITY DISTRICT.

*See item listed above.*

## Planning and Zoning Reports

### *All items addressed earlier in the meeting.*

#### 16. Critical Shoreline Applications

##### a. 39 Carousel Terrace

Consideration of a request to construct two dock additions to an existing dock: 108 square foot dock, a 160 square foot terminal platform, a 30 square foot staircase, and one 18 square foot jet ski lift. Property is described as Unit, 1 Lot 1, 39 Carousel Terrace, Alligator Point, Franklin County, Florida. Request submitted by Gene Strickland, agent for William Hackney, applicant. State Exemption has been received. Application will be contingent upon Federal Permit or Exemption. Board recommended approval contingent upon Federal Permit or Exemption

*BOARD ACTION: Approve, Table, or Deny*

##### b. 19 Carousel Terrace

Consideration of a request to construct a 6'x30' single family dock with a 12'x24' Slip with Lift, a 102 Linear Foot retaining seawall, and a floating turbidity barrier. Property is described as Lot 9, Holiday Beach, 19 Carousel Terrace, Alligator Point, Franklin County, Florida. Request submitted by Docks 4 Less, agent for Ryan Lawson, applicant. State Exemption has been received. Application will be contingent upon Federal Permit or Exemption. **Board recommended approval contingent upon Federal permit or exemption and contingent upon revised site plan with dock meeting the 25 ft setback requirement**

*BOARD ACTION: Approve, Table, or Deny*

#### 17. Preliminary Plat Applications

##### a. Miller's Landing

Consideration of a request for Preliminary Sketch Plat approval of a 2.01-acre parcel of land lying in Section 12, Township 7 South, Range 4 West, Lanark Village, Franklin County, Florida. The subdivision will be named "Miller's Landing" and will consist of 6 Lots meeting the minimum requirement of 14,000 sq feet each for R- 1A Zoning. Request submitted by Melinda Carroll and Vicki Williams, applicants.

Board recommended approval

*BOARD ACTION: Approve, Table, or Deny*

Commissioner Ward questioned when subdivisions are created do the applicants have to create correct drainage. Attorney Shuler said for commercial property they are required but he is not sure what Mr. Curenton requires for residential. Chairman Jones reminded the Board that this is a preliminary plat application. Commissioner Parrish said that the applicants should have water, sewer, and storm water management but the box is not checked. How is this going to be handled? Mrs. Bankston said that she believes they are working on the water and sewer and Mr. Curenton should have more information. Chairman Jones said that they would need this information before they come back with a final plat. Attorney Shuler said that he would recommend a motion to table to allow applicants to provide answers to the Board's questions.

19. Zoning Administrator Report

FLORIDA RECREATIONAL DEVELOPMENT ASSISTANCE PROGRAM (FRDAP):

1. SGI PLAYGROUND IMPROVEMENTS AT LIGHTHOUSE PARK

Inclusive Playground with Surfacing and Shade, \$200,000 Grant Application

In recent years the county has replaced existing restrooms with an enlarged, code-compliant facility; replaced picnic tables and benches; and added mobi-mats from the east side parking lot to the beach. The proposed playground improvements will lie southeast of the lighthouse and will be located landward of the coastal construction control line. The improvements will be designed specific to our area by including play equipment representing some of the area's popular native species, such as sea turtles and dolphin. Signage will educate the public on coastal ecosystems and include a rip tide warning system. Surfacing will provide a cool, pest free surface for children. Shade will protect against dangerous U-V rays while cooling the ambient temperature. Nearby seating will enable caregivers to remain close to children at play.

The existing deteriorated playground sits seaward of the coastal construction control line and has served the area for years with minimal play equipment, no surfacing beyond natural sand and native grass, no shade, and no nearby seating for adults. The area is currently not accessible for wheelchairs or carriages and contains no inclusive equipment. The county will remove and demolish the existing playground equipment should the new playground be funded.

It is important to Franklin County to provide facilities that are inclusive for all ages and physical abilities of park users. Inclusive recreational facilities encourage physical activity and provide access to a healthy outdoor lifestyle for residents and visitors alike.

Requesting comments, input, and recommendation to move forward from Planning Members

2. VROOMAN PARK BALLFIELD IMPROVEMENTS

Renovation of two primary baseball fields (including drainage improvements for those fields and replacement of all fencing), the addition of an accessibility enhanced sidewalk connecting the parking area to the concession area and dugouts, and renovation of batting cage, \$200,000 Grant Application

Vrooman Park is a popular sports facility in Eastpoint. The sports complex offers three lighted baseball fields, one T-ball field, a concession stand, dugouts, restrooms, basketball court, walking path and a playground.

Over five years ago, the county received a \$50,000 FRDAP grant to add the T-ball field and improve the playground and pavilion. The Park fields are difficult to play on at this time due to the fields staying wet caused by improper drainage. The county's engineer has recommended that the two primary fields be elevated by about 6" which would entail a substantial amount of fill, sod, and clay, replacement of the irrigation system for the two fields, replacement of the perimeter fencing with drainage improvements (whether swales or French drains) along the exterior perimeter between the fencing and the path around the park and access path to the dugouts and concession area.

Renovation of the batting cage and dugouts are also included with this grant application as the concrete block structures are at the end of useful life and in need a full roof replacement. A facility enhancement that is badly needed at this location is a 6' access sidewalk for those with mobility impairments to be able to access the park facilities, restrooms are at the back of the Concession Building and the bleachers between the fields are inaccessible by wheelchair or carriage.

The county has applied for a FRDAP grant to assist in remediation of the issues mentioned above – the park is a core component of the county’s recreational sports facilities, and the field and accessibility improvements will continue to aid in getting children and families outdoors and to remain physically active.

### County Staff & Attorney Reports

20. Fiscal Manager/Grants Coordinator – Erin Griffith

a. BOARD ACTION: Resolution accepting Supplemental Agreement LAP CR370 Alligator Drive Multi-Use Path Project

At your last meeting, the Board approved and authorized the chairman to sign the supplemental grant award from the Florida Department of Transportation to fund the project cost overage from the bid opening for the LAP CR370 Alligator Drive Multi-Use Path Project. The formal acceptance process also required that the Board adopt a resolution to reflect the new total grant awards of \$533,401.

Board action to adopt the attached resolution accepting the supplemental agreement and authorizing the chairman to sign.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board adopted the attached resolution accepting the supplemental agreement and authorizing the Chairman to sign. Motion carried 5-0.**

### FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS

### RESOLUTION

WHEREAS, the Florida Department of Transportation has proposed to enter a Local Agency Program (LAP) Supplemental Agreement with the Franklin County Board of County Commissioners to increase the funding for the multi-use path on County Road 370 (Alligator Drive) from Tom Roberts Road to Gulf Shore Boulevard, and

WHEREAS the Florida Department of Transportation requires Franklin County to submit a resolution authorizing the chairman to sign the LAP Supplemental Agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS that the Local Agency Program Supplemental Agreement #1 (FPN 429854-2-58-01 and FPN 429854-2-68-01) between the Florida Department of Transportation and the Franklin County Board of County Commissioners to increase the funding for the project from \$369,773 to \$533,401 is hereby approved and the Chairman of the Board is hereby authorized to sign the LAP Supplemental Agreement #1.

Done this 19th day of October 2021, at a regular meeting of the Franklin County Board of County Commissioners at Apalachicola, Florida.

b. BOARD ACTION: LAP CR370 Alligator Drive Multi-Use Path Project Notice of Award CEI – AECOM

At the June 1st meeting, the Board authorized staff to proceed with negotiations with AECOM Technical Services the top ranked firm during the RFQ process for construction, engineering, and inspection services. Now that this project is fully funded, the Board can proceed with issuing a notice of award.

Board action to accept the cost estimate and authorize the chairman to sign the attached notice of award to AECOM Technical Services, Inc.

**On a motion by Commissioner Boldt, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, the Board accepted the cost estimate and authorized the Chairman to sign the attached notice of award to AECOM Technical Services, Inc. Motion carried 5-0.**

c. BOARD ACTION: LAP CR370 Alligator Drive Notice of Award Construction – Pigott

At the August 24th meeting, the Board opened bids for the construction portion of the LAP CR370 Alligator Drive Multi-Use Path Project. Pigott Asphalt and Sitework, LLC was the lowest, responsive bidder for the project at \$479,678. Now that this project is fully-funded, the Board can proceed with issuing a notice of award.

Board action to approve and authorize the chairman to sign the attached notice of award to Pigott Asphalt and Sitework, LLC.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board approved and authorized the Chairman to sign the attached notice of award to Pigott Asphalt and Sitework, LLC. Motion carried 5-0.**

d. BOARD ACTION: Design Contracts CR67 Projects – Dewberry

At the September 21, 2021, meeting, the Board authorized staff to negotiate with county engineer Dewberry and Associates to provide design services for the two CR67 Small County Road Assistance Projects (SCRAP) through the Florida Department of transportation. The attached proposal for phase II is for the design of the road section from the Crooked River Bridge to State Forest Road 166 for \$153,610. The attached proposal for phase III is for the design from State Forest Road 166 to State Forest Road 172 for \$142,069.

Board action to approve the attached proposals and authorize the chairman to sign the agreements.

**On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board approved the attached proposals and authorized the Chairman to sign the agreements. Motion carried 5-0.**

e. BOARD ACTION: Authorization to advertise for construction bids CR30A Widening and Resurfacing Project

The Small County Outreach Program's (SCOP) CR30A 5.3 mile widening and resurfacing project from US Highway 98 to the entrance of 13 Mile Oyster House is now ready to proceed with advertising for bids. The project will include restriping, shoulder stabilization, culvert extensions and 5' paved shoulders on the side of the road.

Board action to authorize advertising for bids for the CR30A widening and resurfacing project.

**On a motion by Commissioner Parrish, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, the Board authorized advertising for bids for the CR30A widening and resurfacing project. Motion carried 5-0.**

f. BOARD ACTION: Authorize purchase of ADA Voting Equipment for Supervisor of Elections



As part of the Franklin County Budget process, the Supervisor of Election included a request for ADA voting equipment as an urgent need within one year on the capital improvements schedule for her office. The ADA compliant equipment must be in place in 2022. In the Supervisor's budget allocation, only the operating expense relative to the ADA equipment was included. As this was a large capital outlay item, it is best for the Board to purchase this equipment outright from the capital outlay fund in lieu of increasing the annual budget allocation to the Supervisor's Office for the equipment. Board action to approve the payment of the attached sales agreement for ADA accessible voting equipment from sole source provider Elections Systems Software from the Capital Outlay Fund.

**On a motion by Commissioner Lockley, seconded by Commissioner Parrish, and by a unanimous vote of the Board present, the Board approved the payment of the attached sales agreement for ADA accessible voting equipment from sole source provider Elections Systems Software from the Capital Outlay Fund. Motion carried 5-0.**

Chairman Jones noted that this is the way we should be making purchases and not added to the budget each year.

21. County Coordinator – Michael Moròn

#### Action Items

a. Airport Grants: Below are three Florida Department of Transportation's (FDOT) Public Transportation Grant Agreements (PTGA) based on the Board's directive to Mr. John Collins of AVCON. The Board's request was to divide available grant funding between a stormwater and drainage improvement project, an obstruction removal project, and the replacement of the airfield vault backup generator at the Airport. The fourth item is the Federal Aviation Administration (FAA) notification of available funding for the apron rehabilitation project.

#### *Item addressed earlier in the meeting.*

i. The first FDOT PTGA is a \$750,000 stormwater and drainage improvement project at the Airport. This project will address underground water infiltration which is compromising the pavement around the inlets to stop continued damage to the concrete apron, water infiltration which is creating voids in the infield, and stormwater runoff that is flowing from the north side of the airport onto private property.

Board action to authorize the Chairman's signature on the \$750,000 PTGA for stormwater and drainage improvement at the Airport.

#### *Item addressed earlier in the meeting.*

ii. The second \$150,000 Public Transportation Grant Agreement is for obstruction removal at the Airport. As described in the attached map, obstruction (trees) will be removed from Runway Protection Zones (RPZ) and Runway Visibility Zones (RVZ) to maintain the 20:1 approach slope, to enhance safety at the airport, and meet FDOT licensing requirements.

Board action to authorize the Chairman's signature on the \$150,000 PTGA for obstruction removal at the Airport.

#### *Item addressed earlier in the meeting.*

iii. The third Public Transportation Grant Agreement, for \$100,000, is to design and replace the airfield vault backup generator. The existing airfield vault generator is beyond its useful life and in need of

replacement. This generator is critical to keeping the airfield lights operational during periods of power outages such as hurricanes. Board action to authorize the Chairman's signature on the \$100,000 PTGA for design and replacement of the airfield vault backup generator.

***Item addressed earlier in the meeting.***

iv. Last week, FAA notified Mr. John Collins (AVCON) that they have \$600,000 they would like to add to the current FDOT funding for the Apron Rehabilitation Project. FDOT has already provided \$1,379,711 for this project, however this will only address 1/3rd of the needed apron rehabilitation. The formal application will be submitted in April 2022. Board action to authorize the Chairman's signature on the FAA's \$600,000 pre-application for the Apron Rehabilitation Project.

***Item addressed earlier in the meeting.***

b. Legislative Funding Requests: Recently, the Board discussed submitting a legislative funding request for construction of a new Emergency Operation Center for this legislative session. At your last meeting, Michael informed the Board that Senator Ausley recently visited Weems and indicated support for a new facility at Weems. Based on a discussion with Mr. David Walker (Weems CEO), Michael was able to confirm that Senator Ausley would support a legislative funding request. Knowing that, Michael requested that Mrs. Traci Buzbee start the process of creating two applications for legislative funding, the first would be a \$2.5 million request for a new Emergency Operation Center and the other would be a \$7 million request for a new facility at Weems. The applications are due to Senator Ausley and Representative Shoaf's offices by November 1st. If the Board has additional funding request, Mrs. Buzbee would need some direction today, so that the application could be prepared and submitted prior to the November 1st deadline. Franklin County's Legislative Delegation meeting is scheduled for Wednesday, November 10 at 5:00 pm here in your meeting room.

Board action to authorize Mrs. Traci Buzbee to prepare and submit legislative funding requests for \$2.5 million for a new Emergency Operation Center, \$7 million for a new facility at Weems, and any other requests the Board may decide on this morning.

**On a motion by Commissioner Lockley, seconded by Commissioner Parrish, to authorize Mrs. Traci Buzbee to prepare and submit legislative funding requests for \$2.5 million for a new Emergency Operation Center, \$7 million for a new facility at Weems.**

Chairman Jones asked if it would be beneficial if Senator Ausley supported our FRDAP. Mrs. Griffith said that we can mention that the two grant applications have been submitted and see if they can assist with getting them pushed through.

**Commissioner Lockley amended his motion to include the FRDAP grants, Commissioner Parrish seconded. Motion carried 5-0.**

c. FWC Executive Order: Attached is an FWC Executive Order sent to Michael from FWC's Northwest Regional Director, Mr. Billy Sermon. This EO is intended to assist the County if additional cleanup measures are needed. It also temporarily suspends bag and size limits, season and area closures, and selected methods of take for certain species of dead marine organisms.

Board discussion and possible direction.

Informational Items

d. TDC Report: From John Solomon “The July 2021 collections were \$551,473.69 This is the first month of the 3% collections rate. The previous year’s collections were \$253,488.28.” The report is attached to my report.

e. Mikel Clark’s Letter: Mr. Mikel Clark sent a letter thanking the Board and other County agencies for what was done to help and assist a family member involved in an accident in the County.

f. Forestry Annual Report: Attached, for your review, is Florida Forest Service’s Annual Report to the Board of County Commissioners

Commissioner Lockley asked if the employees were wearing respirators while cleaning up from the Red Tide. Chairman Jones said he believed they were limiting to an hour at a time exposure. Chairman Jones asked Mrs. Griffith to clarify what is being done and report back to the Board. Commissioner Lockley said the employees should be wearing some type of protection.

Commissioner Boldt said that he would like Franklin County to consider being the lead entity for the Florida Hemp Fiber Innovation Project. Chairman Jones noted that ARPC is waiting for answers to questions regarding the project before proceeding. Commissioner Lockley noted the lack of housing.

Commissioner Boldt expressed his opinion that the Board should consider building the new EOC on Highway 65 near the sheriff’s department. Chairman Jones reminded Commissioner Boldt that the Board had voted to build the EOC at the airport. He advised Commissioner Boldt that if he wanted to bring this item back before the Board with new information, he would need to request it be added to an agenda.

## 22. County Attorney – Michael Shuler

Attorney Shuler requested the Board authorize him to investigate the recent amendments to the FEMA Elevation map. The proposed map would adversely affect both airports. Presently all buildings and hangars are outside the flood plain, under the proposed changes all would be in a flood plain. This is a time sensitive issue as we only have 90 days to challenge. Attorney Shuler requested permission to investigate the matter and report back to the Board with one or more firms to fight the updates.

Commissioner Parrish said that the Board need to get a firm on board to establish a case for us before the 90 days is up. He said that he believes it will be detrimental to the airport regarding obtaining future grants and funding.

**Commissioner Parrish made a motion to direct Attorney Shuler to move forward and bring information back to the Board at the next Board meeting as far as firms go and what the cost will be to defend the Board in this action. Seconded by Commissioner Lockley.**

Commissioner Lockley said that he didn’t understand the reasoning of the changes, and the airport was built back in the war. **Motion carried 5-0.**

Commented on record 2 500-year floods, Category 5 hurricane and the airport didn’t flood.

Attorney Shuler asked the Board if they had any questions regarding the update on the straw ballot, opioid settlement funds or Carrabelle Beach flag system. There were no questions from the Board. Commissioner Parrish said that he was not in favor of the straw ballot for St. George Island. He said that everyone he has talked to is not in favor of the incorporation. Chairman Jones asked if there had to be a certain population to incorporate. Attorney Shuler said there are certain requirements. He previously provided this information to the Board.

s.165.061(1)(b) requires that SGI have a minimum population of 1500 persons. According to the 2020 census, SGI has 990 residents.

s.165.061(1)(c) requires that SGI have a minimum density of 1.5 persons per acres. According to the 2020 census, and varying calculations of the boundaries to be incorporated, SGI does not appear to be anywhere near the required densities.

I've asked Mr. Curenton to review population data and provide a calculation of density which includes all of SGI except for the state park area and it shows .14 persons per acre. If you include all of SGI, the average population drops to .12 persons per acre - nowhere close to the statutory requirement of 1.5 persons per acre. However, this section has a second provision stating that if the population fails to satisfy the density requirements, then incorporation is possible if there are extraordinary conditions requiring incorporation. I did a Westlaw search online and found no cases in which a town was incorporated using the "extraordinary conditions requiring incorporation" provision of the statute.

### **Commissioners' Comments & Adjournment**

#### 22. Commissioners' Comments

Commissioner Ward reminded the Commissioners of the ARPC Code Enforcement workshop being held on Wednesday, October 20<sup>th</sup> at 5 pm. The other workshops will be held on November 3<sup>rd</sup>, 10<sup>th</sup>, and 17<sup>th</sup> and December 1<sup>st</sup>. Commissioner Parrish asked if they could show up at any of the meetings. Attorney Shuler said they would need to advertise that one or more of the County Commissioners may attend any of the meetings. He reminded the Commissioners of the Sunshine Law and to refrain from speaking amongst themselves at the meetings. County staff will revise the advertisement to include this language. Commissioner Boldt noted that the issues with the Lanark Village fire department are being managed and contained. There were no further Commissioners' comments.

#### 23. Adjournment

There being no further business before the Board, the meeting was adjourned.

---

Ricky Jones – Chairman

Attest:

---

Michele Maxwell – Clerk of Courts