

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM  
MARCH 8, 2022  
9:00 AM  
MINUTES**

Commissioners Present: Ricky Jones-Chairman, Bert Boldt, II-Vice-Chairman, Noah Lockley, Joseph Parrish,  
Commissioners Absent: Jessica V. Ward  
Others Present: Michael Shuler-County Attorney, Cortni Bankston-Zoning Administrator

**1. Call To Order**

Chairman Jones called the meeting order.

**2. Prayer and Pledge**

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

**3. Public Comments**

There were no public comments.

**4. Countywide Fire Ban**

Based on Mrs. Pam Brownell's (Emergency Management Director) recommendation, Chairman Jones enacted a countywide fire ban on Saturday, March 5, 2022. The Board will need to ratify the Chairman's action and consider extending the countywide fire ban until Tuesday, March 15, 2022. The Board may decide to extend the countywide fire ban on March 15th unless conditions improve before then.

Board action to ratify the Chairman's decision to enact a county-wide fire ban on Saturday, March 5, 2022.

Board action to extend the county-wide fire ban until Tuesday, March 15, 2022, unless conditions improve before then.

**On a motion by Commissioner Parrish, seconded by Commissioner Lockley and Commissioner Boldt, to ratify the Chairman's decision to enact a county-wide fire ban on Saturday, March 5, 2022, and to extend the county-wide fire ban until Tuesday, March 15, 2022, unless conditions improve before then.**

Commissioner Lockley asked for clarification on the ban and how it pertains specifically to outdoor cooking. Attorney Shuler asked Mrs. Brownell from Emergency Management to give a factual foundation for the initial ban and the extension of the ban. Mrs. Brownell said the Bertha Swamp Road fire has burned 14,132 acres to date and it is currently 10% contained. The two fires in Panama City have burned 1,200 acres and are only 40-45% contained. We are expecting some rain on Wednesday through the weekend with possibly 4-6 inches but with the wind. Initially, we kept putting out information telling people not to burn, then we got reports about people in Lanark having open

fires. Mrs. Brownell said that she talked to Chairman Jones, and they reached the conclusion that the County should enact and extend a burn ban. Attorney Shuler asked Mrs. Brownell to address Commissioner Lockley's question regarding cooking grills. Mrs. Brownell said it bans open burning except for preparing food. If contractors are going to do large burns, they will need to get a permit and a fire watch. Commissioner Parrish said he was looking at the news that the governor's executive order included Liberty County but did not include Franklin. He said that he feels it is important for the Board to enact this ban. **Motion carried 4-0.**

## **FRANKLIN COUNTY EMERGENCY DECLARATION ORDER 22-01 AN ORDER AND DECLARATION REGARDING OPEN BURNING**

**WHEREAS**, in accordance with Chapter 252, Florida Statutes, authorizing political subdivisions to take whatever prudent actions is necessary to ensure the health, safety, and welfare of the community; and

**WHEREAS**, Chapter 252, Florida Statutes authorizes political subdivisions to take all necessary action and issue any necessary orders to protect human life; and

**WHEREAS** Franklin County hereby adopts Emergency Order 22-01 in order to take actions that continue to be necessary to protect the public; and

**WHEREAS**, based on current conditions, the Director of Emergency Management recommends that the Board ban the burning of debris and trash.

### **NOW, THEREFORE, BE IT ORDERED THAT THE FOLLOWING IS PROHIBITED IN Franklin COUNTY, FLORIDA:**

1. Open burning, except (a) outdoor grills used in preparing food; and (b) commercial land clearing where on-site inspection and approval has been granted by the Florida Forest Service, on a case-by-case basis, and it is determined that there will be sufficient fire suppression equipment and personnel on-site.
2. The sale, use, and/or discharge of items listed in Florida Statute 791.01(4)(fireworks) using explosive or combustible compounds.
3. The use or discharge of flares.
4. The use of outdoor burning devices, excluding attended and monitored barbeque or
5. Any otherwise lawful outdoor burning, such as lawn, debris, or trash burning.
6. The parking of vehicles with catalytic converters in high grassy areas.
7. The disposal of matches or cigarettes, etc., except in proper disposal containers.

Exception. The use of an air curtain incinerator is allowed for the combustion of land clearing debris or storm-related natural vegetative debris, provided the

incinerator has a Florida Department of Environmental Protection air permit or has been exempted from air permitting by the Florida Department of Environmental Protection. If an air curtain incinerator has been exempted from air permitting by the Florida Department of Environmental Protection, prior authorization to use the incinerator must be obtained from the Florida Forest Service. Prior to use of the air curtain incinerator, the user shall notify Franklin County Emergency Services of the date and time of the burn.

Any person violating this Order or any person who willfully fails or refuse to comply with the order or orders of any duly authorized law enforcement officer or personnel charged with the responsibility for the enforcement of such Order shall, upon conviction, therefore, be punished in accordance with Florida Statutes Section 252.50. If any provision of this Order is invalidated by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of the Order, which shall continue to have the full force and effect of law. The Order shall remain in effect during the local state of emergency unless otherwise modified or rescinded. The local state of emergency and burn ban declared on March 5, 2022, at 7:32 PM (ET), is hereby ratified and, furthermore, the declaration of emergency and burn ban is hereby extended for an additional 7-day period pursuant to F.S. 252.38(3)(5). Unless extended a second time, this declaration of emergency and burn ban shall automatically expire on March 15, 2022, at 9:00 A.M. (ET). This Order shall be filed in the office of the Clerk of Court immediately following its adoption. Adopted this 8th day of March 2022.

Commissioner Parrish asked Mrs. Brownell to notify Channel 13 of the ban in order to help alert all of our constituents. Attorney Shuler noted that once the order is signed it will need to be placed on file with the Clerk of Court in order to be effective.

#### **5. Commissioners' Comments**

There were no further Commissioners' comments.

#### **6. Adjournment**

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

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**Ricky Jones – Chairman**

**Attest:**

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**Michele Maxwell – Clerk of Courts**