

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX, COMMISSION MEETING ROOM
MAY 3, 2022
9:00 AM
MINUTES**

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

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

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) Approval of Minutes

a) FCBCC Regular Meeting 4/19/2022

On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board approved the minutes from the FCBCC Regular Meeting on 4/19/2022. Motion carried 5-0.

4) Payment of County Bills

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 County Bills. Motion carried 5-0.

5) Awards and Recognitions

a. Weems CEO – David Walker – Hospital Week Proclamation

Mr. Walker presented the following proclamation to the Board. Mr. Walker gave special recognition to Ms. Lily Mills for her 50 years of service to the hospital.

WHEREAS, National Hospital Day was first observed on May 12, 1921, to boost citizens' confidence in hospitals following the 1918 Spanish influenza pandemic. In 1953, National Hospital Day expanded to National Hospital Week allowing hospitals additional time to educate the public about medical care; and

WHEREAS George E. Weems Memorial Hospital was built in 1959, allowing the hospital and its employees to serve Franklin County for over 63 years; and

WHEREAS those who serve in the Weems organization have a mission to improve the health status of the residents and visitors of Franklin County by providing quality, compassionate, cost-effective, and convenient healthcare through community leadership and in collaboration with other healthcare organizations which serve our communities; and

WHEREAS National Hospital Week is May 8-14, 2022, and this year's official theme is

WE ARE  HEALTHCARE; and

WHEREAS National Hospital Week is an opportunity to recognize employees working within the entire George E Weems Hospital organization, which includes, the Hospital, Weems Medical Centers, and Franklin County EMS; and

WHEREAS the COVID-19 pandemic showed the tireless dedication and selflessness of those employees working within all healthcare fields, and truly earned them the title of “essential workers”; and

NOW THEREFORE we, the Franklin County, Florida Board of County Commissioners do hereby proclaim May 8-14, 2022, National Hospital Week, encouraging each resident of and visitor to Franklin County, to express their gratitude and support to the employees for their selfless service to our community during these ever-changing times.

On a motion by Commissioner Parrish, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, the Board ratified the Hospital Week Proclamation. Motion carried 5-0.

6) Public Comments

Mr. Gordon Hunter spoke on behalf of the Friends of the Apalachicola Regional Airport. He submitted six proposals to the Board for various things.

Mr. Chris Crosby spoke regarding the Lanark fire department. He provided the Board with a copy of the county's ordinance on fire departments and urged them to step in to fix the issue.

Ms. Debi Jordan spoke regarding the St. James fire department. She wanted to make the Board aware of an incident where someone tried to put a trespass on her for the fire department property.

Constitutional Officers

7) Superintendent of Schools – Mr. Steve Lanier – ½ Cent Sales Tax

Superintendent Lanier presented the Board with a request to approve the resolution allowing them to place the referendum question concerning whether the school board of Franklin County, Florida should be authorized to levy a discretionary sales surtax of one-half percent (0.5%) pursuant to Section 212.055(6), Florida Statutes, known as the “School Capital Outlay Surtax” for a twenty (20) year period; and providing an effective date. He noted that they plan to hold a series of town hall meetings to get input from the public.

Franklin County, Florida Surtax Referendum for School Capital Outlay Projects (Half-Cent Sales Tax Justification)

The Franklin County Florida Surtax Referendum for School Capital Outlay Projects will generate an estimated additional \$1.3 million annually for the Franklin County School District, or \$26 million in a 20-year period. Currently, there are 25 School Districts in Florida that have a half-cent sales tax. Local districts are Bay, Leon, Calhoun, Jackson, and Washington. Wakulla is attempting to get it on their ballot for November 2022. Residents, tourists, and people passing through the county help pay with a sales tax, including the thousands of tourists who visit our county each year. That way, the burden doesn’t fall solely on homeowners or residents of Franklin County. The main goal of this request to approve a half-cent sales tax is to upgrade schools through repairs and modernization, to keep schools safe and continue to promote a conducive learning environment, to improve technology, and to replace existing or build new classrooms and share with charter schools for their allowable uses. With the half-cent sales tax, the school district can raise a significant amount of money in a short period of time, meaning we could pay for projects and improvements as we go.

The half-cent sales tax can only be used for capital projects including facilities maintenance, renovations, and construction, new school buses, and security and technology improvements such as:

- New Construction
- Classrooms such as prekindergarten and alternative
- Transportation Facility
- School and Campus Improvements and Renovations
- HVAC upgrades and replacements
- Automated lighting control upgrades
- Lighting conversion and improvements
- Paving of parking lots (football field, welding building) and pavement repairs for improved parking and traffic circulation
- Addition and upgrades to outdoor physical education areas and playgrounds
- Playground Equipment
- Replacement/New Athletic fields and Track resurfacing
- Lighting replacement and upgrades

- Roof repairs and maintenance
- Maintenance facilities upgrades
- New school bus fleet
- School Safety and Security Enhancements
- Upgraded fire alarms and intrusion alarms
- Cameras and video surveillance
- Automated door lock systems
- Upgraded doors and windows
- School Visitor Check in Management Systems
- Upgraded security and data communication systems
- Technology to create and maintain future-ready schools.
- Wireless communication
- Upgraded Classroom and School Technology and project-based enhancements for flexible learning environments
- Future e-learning programs such as eSports
- Classroom Teaching Panels
- Student Window devices and Chromebooks
- Teacher laptops
- Student technology lap computers
- Staff desktops, laptops, and monitors
- Conference and Boardrooms audio/visuals
- Network infrastructure
- Switches and firewall licenses
- Network security
- Off-site backups
- Phone System
- Maintain and upgrade student devices
- New school bus fleet
- Apalachicola Bay Charter School upgrades and improvements

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, FLORIDA PLACING ON THE NOVEMBER 8, 2022, GENERAL ELECTION BALLOT THE REFERENDUM QUESTION CONCERNING WHETHER THE SCHOOL BOARD OF FRANKLIN COUNTY, FLORIDA SHOULD BE AUTHORIZED TO LEVY A DISCRETIONARY SALES SURTAX OF ONE-HALF PERCENT (0.5%) PURSUANT TO SECTION 212.055(6), FLORIDA STATUTES, KNOWN AS THE "SCHOOL CAPITAL OUTLAY SURTAX" FOR A TWENTY (20) YEAR PERIOD; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 212.055(6), Florida Statutes, authorizes the school board in each county to levy, by resolution to take effect upon approval by a majority vote of the electors of the county voting in a referendum, a discretionary sales surtax at a rate not to exceed one-half percent (0.5%) known as the "School Capital Outlay Surtax;" and

WHEREAS, pursuant to Section 212.055(6), Florida Statutes, on April 28, 2022, The School Board of Franklin County, Florida (the "School Board") adopted a resolution (the "Referendum Resolution") to levy a discretionary sales surtax of one-half percent (0.5%) for a twenty (20) year period, commencing January 1, 2023; and

WHEREAS, Section 212.055(6)(b), Florida Statutes, requires the Board of County Commissioners of Franklin County, Florida (the "County Commission"), as the governing body of Franklin County, Florida (the "County"), place the School Board's referendum question on the ballot; and

WHEREAS, the School Board has presented the Referendum Resolution to the County, which among other things, requests the County Commission place the referendum question concerning the School Board's levy of the one-half percent (0.5%) discretionary sales surtax on the November 8, 2022, general election ballot.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Franklin County, Florida:

SECTION 1. The above recitals are incorporated into the body of this Resolution and such recitals are adopted as findings of fact.

SECTION 2. Pursuant to Section 212.055(6)(b), Florida Statutes, the referendum question concerning the School Board's levy of the one-half percent (0.5%) discretionary sales surtax in accordance with the Referendum Resolution, attached hereto as Exhibit A, is hereby placed on the November 8, 2022, general election ballot.

SECTION 3. The County Clerk is hereby directed to send a certified copy of this Resolution to the Supervisor of Elections of Franklin County, Florida.

SECTION 4. This Resolution shall be effective upon adoption.

Commissioner Ward confirmed with Superintendent Lanier that this would also benefit the Apalachicola Bay Charter School. Superintendent Lanier said that the charter school would receive around \$300-350 thousand. Commissioner Lockley asked Superintendent Lanier why the term was only for twenty years. Superintendent Lanier said for the projects that they have planned they feel the twenty years would be beneficial. Commissioner Lockley said he is for it, but schools are going to be around forever. He said that it seems it should be for a longer period because we are playing

catch up.

On a motion by Commissioner Lockley, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, the Board approved the resolution in regard to the one-half percent sales surtax. Motion carried 5-0.

Department Directors Reports

8) Superintendent of Roads and Bridges – Howard Nabors

Mr. Nabors had no action items for the Board. Chairman Jones said that he will be getting in touch with Mr. Nabors regarding some additional signage. Commissioner Ward thanked Mr. Nabors for fixing the issue at Vrooman Park. Chairman Jones thanked Mr. Nabors for all he and his employees do for the county.

9) Solid Waste Director – Fonda Davis

Mr. Davis had no action items for the Board. Chairman Jones asked Mr. Davis if he had an update on the timeline for the recertification/permit for the landfill. Mr. Davis said he is still working on it and hopes to have it in another week. Chairman Jones thanked Mr. Davis for all he and his employees do for the county.

10) Emergency Management Director – Pam Brownell

Mrs. Brownell had no action items for the Board. Chairman Jones asked Mrs. Brownell to remind the public when the build a bucket event will be held. Mrs. Brownell said that it will be held on the 21st of May. Chairman Jones thanked Mrs. Brownell for everything her office does to help our county be prepared.

11) Extension Office Director – Erik Lovestrand

Mr. Lovestrand had no action items for the Board. Chairman Jones thanked Mr. Lovestrand and his team for everything they do at IFAS.

12) Library Director – Whitney Roundtree

Mrs. Roundtree had no action items for the Board. Mrs. Roundtree updated the Board on the upcoming events at the library.

Other Reports

13) Zoning Administrator – Cortni Bankston – PZA Appointment

On a motion by Commissioner Lockley, seconded by Commissioner Boldt, to approve the appointment of Marzetta Davis as Alternate Board member for District 3 to the PZA Board. Motion carried 5-0.

14) Interim Airport Manager – Ted Mosteller

Mr. Moron presented the following items from his report.

a. Action Item: Airport PAPI Lights Repair

As Mr. Ted Mosteller reported, there has been an ongoing issue with the PAPI lights at the airport. Mr. John Collins (AVCON) contacted Mr. Marty Bennett of TCA Electrical Contractors, who installed the lights, to request a service/repair call. Mr. Bennett was at the airport yesterday and has confirmed that the total cost to repair the PAPI lights is \$900 for parts plus his hourly and trip charge. I authorized up to \$2000 for these repairs. You will be informed if the repairs exceed the \$2000 amount.

Board action to ratify the authorization of \$2000 for repairs to the PAPI lights at the airport.

On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, the Board ratified the authorization of \$2000 for repairs to the PAPI lights at the airport. Motion carried 5-0.

b. Action Item: Airport Grants Extension & Resolutions

Earlier this year the Board approved an Amendment of the Extension of Public Transportation Grant Agreement to take advantage of the opportunity to combine the use of FDOT funds and FAA funds for an apron rehabilitation project. Today, I am asking for approval of another Amendment of the Extension of Public Transportation Grant Agreement along with resolutions for each agreement for this project.

Board action to authorize the Chairman's signature on the Amendment of Extension of Public Transportation Grant Agreement along with the required resolutions.

On a motion by Commissioner Lockley, seconded by Commissioner Parrish, and by a unanimous vote of the Board present, the Board authorized the Chairman's signature on the Amendment of Extension of Public Transportation Grant Agreement along with the required resolutions. Motion carried 5-0.

c. Discussion/Action Item: Airport Inspection Update

As the Board is aware on April 19, 2022, Mr. Ted Mosteller accompanied FDOT representatives for the airport licensing inspection. Mr. Mosteller's report includes some of the deficiencies found during the inspection. The two most important deficiencies are the temporary closing of Runway 18 approach due to vegetation obstacles in 18's approach and the other is approximately 10 feet high brush vegetation around the north edge of runway 32 approach. Another issue that had to be addressed was a sink hole on the north end of runway 06/24 that required fill and grading. On Friday, Mr. Mosteller, John Collins (AVCON), and I met to discuss solutions to these issues. We

decided that Mr. Mosteller would work with the Road Department and Centric maintenance staff to address the removal of about 20 -30ft of the 10ft high vegetation, around the north end of runway 32 and have the sinkhole on the north end of runway 06/24 filled and graded. Mr. Collins suggested using the FDOT \$150,000 Obstruction Removal grant to remove and clear the vegetation obstacle around Runway 18 approach, which would start in late July and should be completed in early September, reopening that approach. In addition, there is enough funding in this grant to allow AVCON to inventory all trees and other vegetation within the airport boundaries for removal. Once that inventory is completed, the Board could direct AVCON to request FDOT to reallocate some of Phase 2 funding to remove all inventoried trees and vegetation inside of the airport boundary. Phase 2 funding will be available in July of 2022. If the Board is agreeable to this plan, I am requesting approval of Task Order #8 authorizing AVCON to proceed with the clearance of vegetation obstacles blocking runway 18 approach and the inventory for removal of all other trees and vegetation.

Board action to approve Task Order #8.

On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board approved Task Order #8. Commissioner Ward reiterated that this needs to be done as soon as possible. Mr. Moron said they are going to make that a priority and then do inventory. Commissioner Lockley asked why we have to get approval for AVCON to do this. Mr. Moron said they are managing the money and the grants. They don't have the money and we have to give them the approval to spend the money. Mr. Moron said it should have been the past airport manager's job. The airport manager should know what FAA is going to tell you. Mr. Mosteller said he has been pushing for this for about a year now. Mr. Moron said we are lucky because we have the money to fix it. **Motion carried 5-0.**

Mr. Moron said when Mr. Mosteller was trying to clear the other brush, he found another piece of equipment that needed to be fixed. We will bring this to you at another meeting but asked the Board to direct Mr. Mosteller, himself, and Mrs. Griffith to create a capital improvement plan for equipment at the airport. Chairman Jones said he believes that would be a good idea. As we get closer to budget time, we can develop a plan, so that we as a board and the public can be aware. Mr. Moron said that will give us an opportunity to work with AVCON to see what FAA funds we can rely on and what will have to pay for. Mr. Mosteller said the blades for the brown tree cutter are on backorder because of the steel shortage. We did manage to use forklifts on the big tractor. All that brush is down. The sinkhole has been filled up and leveled out. Commissioner Boldt noted that we have prioritized the removal of all vegetation, would it be possible within descending order, to begin with that survey and complete those items. Mr. Mosteller said he will forward a copy of the inspection to the Board and the Clerk. Mr. Mosteller said the storm sewage pipes are leaking and causing sinkholes.

Presentations and Requests

15) Eastpoint Water and Sewer District Administrator – Mr. Billy Fuentes – Letter of Support

Mr. Fuentes presented the request to the Board for their support to maintain and re-establish the Eastpoint Water and Sewer District in Franklin County, FL. Commissioner Parrish noted that it is a well-written letter, and he is in support of helping the Eastpoint Water and Sewer District. Commissioner Boldt said that he sees this as a strong foundation for commercial opportunity. Chairman Jones said that he is supportive of the letter of support, but he will be abstaining from the vote because he also serves on the EPWSD board as the current vice-chairman. **On a motion by Commissioner Parrish, seconded by Commissioner Lockley, to approve the letter of support to Senator Ausley and Representative Shoaf. Motion carried 4-0, Chairman Jones abstained.**

16) PanCare – Justin Perse – Starting Point Program

Mr. Perse spoke to the Board regarding the Starting Point Program through PanCare. It is an Opioid Use Disorder Recovery Management Program. He explained the program as a way to connect citizens in rural communities with resources that they might not know exist to help them fight opioid, substance, and alcohol abuse disorders. He said their goal is to link them with the resources to have a successful life. The program provides wrap-around support through Case Management, Linkage to Care, Motivational Coaching, and Resource Identification to promote lasting success for participants age 13+ and their families. The program currently serves Calhoun, Franklin, Gulf, Jackson, Liberty, and Washington Counties. Chairman Jones thanked Mr. Perse for his time.

The Board recessed at 10:06 a.m. and reconvened at 10:15 a.m.

The Board moved to the following item on the agenda at this time.

RFP/RFQ/Bid Opening

20) St. George Island Fishing Pier Road Repairs – Sealed Bids

Mrs. Griffith and Mr. Moron opened the bids received for the projects as follows.

CWR Contracting, Inc.
3372 Capital Circle NE
Tallahassee, FL 32308
Bid Amount: \$220,463
Bid Bond: Yes

North Florida Construction, Inc.
P.O. Box 129

Clarksville, FL 32430
Bid Amount: \$114,019
Bid Bond: Yes

Pigott Asphalt and Sitework, LLC
12 Asphalt Way
Crawfordville, FL 32327
Bid Amount: \$97,260.25
Bid Bond: Yes

On a motion by Commissioner Lockley, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board authorized releasing the bids to Dewberry for a recommendation. Motion carried 5-0.

21) Apalachicola Regional Airport Rehabilitation – Sealed Bids

Pettibone Concrete Construction, Inc.
1621 Transmitter Road
Panama City, FL 32404
Base Bid Amount: \$240,593.25
Alternate Bid #1: \$287,821.50
Alternate Bid #2: \$268,602
Alternate Bid #3: \$225,192.50
Bid Bond: Yes

On a motion by Commissioner Lockley authorizing the bid to be released to AVCON for a recommendation. Commissioner Lockley inquired as to what the alternate bids were. Mrs. Griffith explained that these were additional projects that we would like to get done in the future should funding become available. They will not have to go back out for bids. Commissioner Lockley asked if the bids will be good as prices go up. Mr. Moron said that is a good question and he will ask John. **Motion seconded by Commissioner Parrish and Commissioner Boldt.** Commissioner Lockley said that he would like to know if the bids are locked in or not. Mr. Moron with direction from the Board will check in to that and report back. **Motion carried 5-0.** Mrs. Griffith noted that a pre-bid conference was held, and it is okay with FAA that we only received one bid.

Mr. Moron presented the following items from his report at this time.

Discussion/Action Item: Economic Development

At your last meeting, one of the items on my report provided information on a meeting with Triumph representatives and the Chairman, and county staff. One of the TRIUMPH's recommendations was the creation of the Local Technology Planning Team. I decided to postpone

that discussion and the appointment of members until the May 17th meeting, due to the length of today's agenda. Another TRIUMPH recommendation for the Board to consider is Economic Development for the county. We are one of the few counties that do not have either a staff member or consultant providing Economic Development services, which puts the county at a disadvantage. Based on our size and limited budget, I believe we would be better served with a consultant rather than a new staff member. Having someone in this role would allow for the possibility of job creation, a more diverse economy, and better coordination with state offices and agencies such as Opportunity Florida, Duke Energy, etc. Today, I am asking the Board to discuss this matter and perhaps add it as an item to discuss during the budget. Board discussion and possible action.

Chairman Jones noted that this is definitely something that we have been looking into. The issue that he sees is that we continue to have challenges with volunteer boards. He said that he was speaking with some at the Hemp Summit from the Economic Planning Council, and other counties have resorted to hiring consultants. He said that Wakulla has a hired consultant and they have seen pretty significant resources increased. Commissioner Boldt said this is very important to have someone who specializes in this area. Commissioner Lockley said that we are behind in economic development, and we are losing a lot of people coming in here to open businesses. He said that we have to have someone looking at all of this and contacting these people. We are in a bad area because of the highway situation, we don't have a four-lane. The only thing that we have here is water and the airport, both of them should be making money come in. He said that Carrabelle has deep water, and could be used to haul things in. He said that we need an office, not a consultant. We need someone here every day so that we can keep an eye on them, and see what they are doing, but we will have to pay for it. He said if we get a return on our money, it will be worth it. We should be able to get some turnaround to put some businesses in here. He said this place is going to grow one day, they say 1000 people a day are moving to Florida. We are going to need something in here to make it work. The Board agreed that they would like to discuss this at budget time. Mr. Moron suggested having Mrs. Griffith come up with various options to present to the Board.

Informational Item: HB 53 Update

I am still working with the State's Office of Economic & Demographic Research (EDR) on this matter. Where an immediate waiver is unlikely currently, I am investigating some possible cost-saving options regarding the report.

Informational Item: Northwest Florida Water Management Meeting

Inform the Board that the Northwest Florida Water Management District will have its next Governing Board meeting here in your meeting room on Thursday, May 12, 2022, at 1 p.m. (ET).

Commissioner Ward said that she had been contacted by several people that have private roads that need to be repaired. **Commissioner Ward made a motion to schedule a workshop to discuss the requirements and what the process would be for the county to take over these roads. Seconded by Commissioner Lockley.** Commissioner Lockley said that we have been

through this before. Mr. Moron noted that there are certain standards that the roads have to be brought to. Commissioner Ward said she feels it is worth a shot to hold a workshop to figure it all out. Chairman Jones said that discussing the standards is a good idea. Commissioner Boldt asked if they would like to enhance this workshop and discuss respecting the right of way. Chairman Jones noted that these are two separate issues and not appropriate to combine. **Motion carried 5-0.**

Time Certain Items

17) Alligator Point Water Resources District – Referendum 10:30 a.m. (ET)

BALLOT TITLE: REFERENDUM EXPANDING DISTRICT BOUNDARIES FOR THE ALLIGATOR POINT WATER RESOURCES DISTRICT (“APWRD”) OF FRANKLIN COUNTY FLORIDA.

SUMMARY: APWRD IS AN INDEPENDENT SPECIAL DISTRICT, WHOSE BOUNDARIES WERE CODIFIED IN CHAPTER 2005-351, LAWS OF FLORIDA. HB 1491 WAS ADOPTED BY THE FLORIDA HOUSE AND SENATE AND SIGNED BY THE GOVERNOR ON _____. THE REFERENDUM MAJORITY VOTE OF REGISTERED VOTERS IS REQUIRED BY THE ABOVE LEGISLATION. THE PURPOSE OF THE SPECIAL ACT AND REFERENDUM IS TO AUTHORIZE EXPANDING THE DISTRICT BOUNDARIES TO INCLUDE ALL AREAS CURRENTLY OUTSIDE THE DISTRICT WHICH ARE RECEIVING SERVICES FROM THE DISTRICT. AFTER APPROVAL, THE BOARD WILL ELIMINATE THE SURCHARGE CURRENTLY PAID BY THOSE CITIZENS WHO THEREAFTER WILL BE SUBJECT TO THE LIMITED AD VALOREM TAX AUTHORITY TO BE ASSESSED EQUALLY AMONG ALL CUSTOMERS.

A “yes” vote means approval of the request for APWRD to expand its district boundaries A “no” vote means rejection of the request for APWRD to expand its district boundaries.

REQUEST: Shall the district expand to include residents that receive services but are outside of the pre-existing district? If approved, the expansion of the district will eliminate surcharges and will provide an equitable sharing of capital improvement costs. If approved, Alligator Point Water Resources District will expand the district’s legal boundaries to incorporate all areas it currently services beginning on _____.

Attorney Rob Mowery for the Alligator Point Water Resources District presented the above-referenced request for a referendum to the Board. He noted that expanding the district would be beneficial to everyone. Chairman Jones inquired as to who would be voting on this. Attorney Mowery said that only those affected by and live in the district. Commissioner Parrish asked who would cover the costs. Attorney Mowery said the costs would be covered by the district.

RESOLUTION OF THE COUNTY COMMISSION OF FRANKLIN COUNTY

**AUTHORIZING VOTING ON REFERENDUM BY MAIL-IN BALLOT ELECTION,
PROVIDED FOR IN CHAPTER 101, FLORIDA STATUTES**

WHEREAS Alligator Point Water Resource District Board of Directors (“Board”) adopted Resolution # 2022 - ____ on January 16, 2021, authorizing proceeding through the Florida Legislature, expanding the district’s geographic boundaries; and,

WHEREAS, the Franklin County Commission on June 1, 2021, 2022, adopted a resolution supporting the Board seeking passage of a special act to expand the district boundaries; and,

WHEREAS, a bill was filed with the Florida Legislature, CS/HB 1491 (2022), expanding the district as provided; and,

WHEREAS, on March 10, 2022, the Florida Legislature passed CS/HB 1491 (2022), expanding the geographical boundaries of the Alligator Point Water Resource District, to include customers outside the previous boundaries; and,

WHEREAS the Bill is before the Governor of the State of Florida to be signed and,

WHEREAS the act requires the Board to have final approval by referendum vote of electors who live outside of the current District, but reside in the expanded area; and

WHEREAS, in discussions with the Franklin County Supervisor of Elections, it has been determined that a vote on the referendum by mail-in ballot would be the most appropriate means to conduct said election.

NOW, WHEREFORE, be it resolved by the County Commissioner of Franklin County:

1. The above recitations are deemed true and correct.
2. The Franklin County Commissioner hereby authorizes, adopts, and endorses the referendum election to be conducted by mail-in ballot in cooperation with the Franklin County Supervisor of Elections, as authorized by Chapter 101.6103, Florida Statutes.

PASSED AND ADOPTED this 3rd day May 2022.

On a motion by Commissioner Lockley, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, the Board approved the above resolution for Alligator Point Water Resources District expansion. Motion carried 5-0.

Mrs. Erin Griffith presented the following items from her report at this time.

1. BOARD ACTION: RESTORE St. George Island Storm Water Drainage Project No-Cost Time Extension to Treasury

County staff is requesting approval from the Board to submit a No-Cost Time Extension Amendment to Treasury via Grantsolutions to extend the original Grant Award Agreement performance period (May 6, 2021 – May 5, 2022) an additional (12) months to end on May 5, 2023, to allow for the Florida Department of Transportation (FDOT) to provide guidance as to the County’s maintenance responsibilities on the roads and retention ponds affected by the construction activities in the St. George Island Storm Water Drainage Project. If the scope of work is completed prior to the end of the newly proposed grant performance period, Franklin County can opt to close out the Grant Award Agreement early and submit a new grant application for the construction phase of the SGI Stormwater Improvements Project. The Supplemental Narrative to the application is attached.

Board action to approve the submittal of a No-Cost Time Extension Amendment to Treasury for the St. George Island Storm Water Drainage Project.

On a motion by Commissioner Parrish, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board approved the submittal of a No-Cost Time Extension Amendment to Treasury for the St. George Island Storm Water Drainage Project. Motion carried 5-0.

2. BOARD ACTION: Award CEI Contract CR30A SCOP Resurfacing Project Highway 98 to 13 Mile Road

At the September 21, 2022, meeting, the Board approved the contract with Southeastern Consulting Engineers, for the construction, engineering, and inspection of the SCOP CR30A Resurfacing Project. Originally the project included the construction engineering and inspection services for approximately 5.26 miles of roadway. This revised agreement matches the reduced grant scope of 3.496 miles of roadway.

Board action to approve and authorize the chairman to sign the revised contract with Southeastern Consulting Engineers reflecting 3.496 miles of roadway for the SCOP CR30A Resurfacing Project.

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, the Board approved and authorized the chairman to sign the revised contract with Southeastern Consulting Engineers reflecting 3.496 miles of roadway for the SCOP CR30A Resurfacing Project. Motion carried 4-0, Commissioner Lockley stepped out.

3. BOARD ACTION: FEMA C30 Washout Repairs No-Cost Time Extension Change Order

Attached is a No-Cost Time Extension Change Order for Pigott Asphalt and Sitework for the FEMA C30 Washout Repairs. This project is mostly complete at this time. Dewberry Engineers is requesting an additional 30 days to allow for permanent stabilization of the side slopes (grassing to become established) before the project closeout.

Board action to approve and authorize the chairman to sign the attached no-cost time extension change order for Pigott Asphalt and Sitework.

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, the Board approved and authorized the chairman to sign the attached no-cost time extension change order for Pigott Asphalt and Sitework. Motion carried 5-0.

**18) Franklin County/City of Carrabelle Temporary Fire & Rescue Service Agreement
10:45 a.m. (ET)**

Attorney Shuler explained the terms of the agreement. An interlocal agreement providing for the City of Carrabelle's volunteer fire department to provide primary fire and rescue services for the Lanark St. James Fire District is attached for your consideration. The agreement speaks for itself, however, some of the highlights are as follows:

- a. Agreement runs until 12/31/22 and auto-renews each year unless terminated with 30 days' notice.
- b. Lanark St. James MSBU funds will pay for fire and rescue services provided by Carrabelle, as follows: \$160 for personnel service per call. \$90 per truck per call.
- c. Lanark St James MSBU funds are only to be spent for services in that district, except that if the Carrabelle equipment is damaged enroute to a call or while on a call or returning from a call in Lanark St James, then its funds will pay for the repair if insurance does not.
- d. Each party will indemnify the other in the event of negligent acts or omissions and for incidents while in Lanark St. James.

Chairman Jones said to clarify, that this agreement is for fire and emergency services. Attorney Shuler confirmed and noted it also included life flight services. Chairman Jones said that from past meetings the Board's directive was to get through this spot. Commissioner Lockley asked if the price was per call or per hour. Attorney Shuler said it is per call. Commissioner Parrish noted there was a hanging paragraph in the agreement and Attorney Shuler said it will be removed. Commissioner Parrish said he believes this to be our best option at this time and believes the prices are reasonable. **Commissioner Parrish made a motion to approve the County/City of Carrabelle Temporary Fire & Rescue Service Agreement. Commissioner Lockley and Commissioner Boldt seconded.** Commissioner Lockley said that we have to do what we can to keep the community safe. **Motion carried 5-0.**

Mrs. Griffith presented the following from her report at this time.

4. BOARD ACTION: E911 Grant Application – Retroactive Approval of Chairman’s Signature

Attached to this report is the E911 Grant Application as prepared by the E911 Coordinator Renee Brannan. This is a tri-county grant program that will pay for the hardware portion (\$26,703.46) of the upgraded tri-county 911 system located at the dispatch office and five years of training and maintenance. The application was due by April 30th and the chairman signed in time for the due date.

Board action to retroactively approve the Chairman’s signature on the attached grant agreement.

On a motion by Commissioner Ward, seconded by Commissioner Parrish, and by a unanimous vote of the Board present, the Board retroactively approved the Chairman’s signature on the attached grant agreement. Motion carried 5-0.

5. BOARD ACTION: Armory Sprinkler System Project – Reduced scope and bid, match funding request

At your April 5th meeting, the construction bids for the Armory Sprinkler System Project were opened and the low bid, \$969,000 from Cook Brothers Inc., was more than twice the anticipated construction cost from one year ago. The county has received two grants from the State Fire Marshall’s office totaling \$350,000 and \$86,277 in insurance proceeds to go towards the cost of this project. Gilchrist, Ross Crowe Architects began working on value-engineered scope changes for the project and the changes reduced the proposed construction cost from Cook Brothers, Inc. by \$282,000 to \$687,000. Fort Coombs Armory in its capacity as a designated convention center does fit within the allowable use of tourist development sales tax proceeds per Florida Statutes and the Tourist Development Council had originally agreed to provide the \$124,996 match needed for the project based on the original construction cost estimate. As construction costs have rapidly escalated, the match now (even with the reduced project scope) would be \$396,334. Does the BOCC wish to request that the additional match funds of \$271,338 be paid by the TDC for this project? The Tourist Development Council is in the process of transitioning into managing the bookings, maintaining the location calendar, and handling the promotion of the county location. As a destination venue, Historic Fort Coombs Armory fosters tourism and travel to the county.

Project Expenses		Project Revenues	
EMO Architects Preliminary Design	\$70,000	State Fire Marshall Funds for Design Grant	\$100,000
Gilchrist, Ross, Crowe Final Design, Implementation, Bid	\$50,273	State Fire Marshall Funds for Construction	\$250,000
Construction Cost Estimate	\$687,000	Armory Insurance Proceeds	\$86,277

Gilchrist, Ross, Crowe CEI Task Estimate	\$25,338	Total Revenues	\$436,277
Total Costs	\$832,611	Unfunded Project Match	\$396,334

Chairman Jones noted that when we were talking about increasing the lodging tax percentage, the whole reason was having the money to set aside for infrastructure. He said that the money is there, and he wanted the Board to be aware that it is.

On a motion by Commissioner Lockley, seconded by Commissioner Parrish, and by a unanimous vote of the Board present, the Board approved to request that the additional match funds of \$271,338 be paid by the TDC for this project. Motion carried 5-0.

6. BOARD ACTION: Budget Request Letters

Franklin County is beginning preparations for the fiscal year 2022/2023 Budget. All budget requests must be submitted by June 15, 2022. I have prepared the attached draft budget request letter with the following instructions: “At the direction of the Board, please keep your request to the minimum that your department can operate while providing the same level of services. Please be aware, that it is unknown at this time what the long-term financial impact will be on the county budget from supply chain delays and inflation. The upcoming budget will also include the year two implementation of the five-year pay plan as developed by Evergreen Solution. The five-year plan offered a statistical peer-data-based solution to address wage disparity, market value discrepancies, some wage compression issues, and a gradual escalation in base salaries to meet the looming \$15.00 minimum wage mandate in 2026. If your department has any long-term capital improvement needs (repairs, capital outlay, or improvements in excess of \$15,000), please outline those needs separately from the budget request on the supplemental capital improvement plan form. A copy of last year’s form is attached.”

Board action to authorize sending the budget request letters as drafted or with any changes/additional instructions.

Mr. Moron noted that they are asking each department to provide their operational budget along with a separate list of equipment needs.

On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board authorized sending the budget request letters as drafted. Motion carried 5-0.

Chairman Jones said that it has come to his attention that when the original pay plan with EverGreen was drafted, it is either mechanic or supervisor. Most of our mechanics are senior

mechanics that have adequate training and do not require supervision. He requested that EverGreen be contacted to see if there can be another layer added. Commissioner Ward agreed and said she will get with Mrs. Griffith after the meeting and before the budget. Mr. Moron noted that EverGreen recommended a higher plan, but the Board was not ready to do that at the time. They presented the lower plan with a gradual increase.

7. BOARD INFORMATION: Miscellaneous Project Updates

Island View Park: awaiting response from FEMA as it pertains to being able to move forward with awarding a construction bid when only one was received for a project which was properly advertised. Formal direction from FEMA is needed by the next meeting as bid was only valid for (60) days.

CDBG-MIT Program Applications: proposed projects mentioned at the last meeting were vetted by program staff: window replacement at Weems Hospital, courthouse roof replacement and structural sealant, jail dispatch improvements, construction of a new EOC, and construction or acquisition of a new office for the Supervisor of Elections. Of all of the concepts submitted to the State, only the replacement of the windows at Weems Memorial Hospital met the funding and use requirements for the program as a critical facility that was not deemed general government use.

Public Hearings

19) Adoption of a County Ordinance – Code Enforcement 11:00 a.m. (ET)

Attorney Shuler presented the draft ordinance to the Board. The draft of the proposed Code Enforcement Ordinance was attached to the agenda. If adopted, it would provide that the county can proceed with code enforcement using a special magistrate. If adopted, the ordinance will provide a method for the due processing of alleged violations before a special magistrate, who will determine whether the alleged violation occurred or not. If the special master finds a violation, then penalties are imposed and can result in liens being placed upon the property. If the Board adopts the ordinance, Attorney Shuler will proceed with advertising for the services of a special master.

Commissioner Ward said she would like to look at getting a code enforcement officer who would be proactive vs reactive when the budget comes up. Chairman Jones said if we enact this ordinance said that he would assume there would be a budgetary item coming up. Chairman Jones called for public comments.

Mr. Patrick Bailey spoke to the Board in favor of having a code enforcement officer and enforcing code enforcement, especially in regard to endangered species. Mr. Paul Rigermeier asked what the qualifications for the special magistrate would be. Ms. Joyce Estes said they have a magnitude of code problems in Eastpoint. She requested a copy of the written guidelines. She suggested a five-year plan that you take a little bit at a time. Mrs. Mel Kelly asked who would appoint the

magistrate and to whom the magistrate is responsible. Will the magistrate be a full-time employee, paid on retainer or as needed? What will the qualifications be Who determines when the magistrate's responsibility begins? Will there be an opportunity for arbitration?

Attorney Shuler said as far as the qualifications of the special master, it would be someone trained in the law, who understands the due process, and who can interrupt county codes and statutes. He said that he would post the notice on the county attorney chat room broadcast statewide. It is the same job description that other counties have used. They would not be a full-time employee but contract worker with an hourly rate. The special master does not report to anyone. If someone doesn't like a decision, they could take it before the judge. When there is an initial violation, the code enforcer would issue a warning for an initial violation. If the violation is not corrected, then a citation is issued, and the code enforcement officer would call for a hearing. The hearing can be conducted by myself as the County's attorney or by administrative county staff. Who selects the special master is determined in the ordinance: It can be either the Board or the Board could delegate that authority to the board attorney? It doesn't have to be the same person every time, but I think it would be beneficial because you want someone familiar with the county. He said that his suspicion is that no one outside of a certain fairly refined geographic bubble would not want to travel to Franklin County nor would we want to pay them to come. The county would be responsible to record the hearing and make sure due process is complied with. Chairman Jones said this is just a first step in the process and procedure. Attorney Shuler said there is another county that has adopted an ordinance but never has gotten through the point of deciding on who the enforcement would be. This is the first step in a multi-step process.

Commissioner Ward made a motion to adopt the Code Enforcement ordinance as presented, seconded by Commissioner Boldt. Commissioner Lockley said that we need to make sure the person hired for this position focuses on all of the codes. Chairman Jones noted that this will be a big job and a lot to work on. Commissioner Boldt said he believes this is a defining time in Franklin County. As Franklin County is growing, I see this effort to improve long-term things such as improving property values and lowering insurance rates. **Motion carried 5-0.**

The Board recessed at 11:27 a.m. and reconvened at 11:39 a.m.

Mr. Chris Doolin from the Small County Coalition spoke to the Board. He said that he had planned to attend the fire marshal's workshop. He said the state fire marshal, Ms. Julius Halas, has been working with the Small County Coalition to come up with programs to help the needs of smaller counties. He pointed out their updated website www.smallcountycoalition.org as a good resource for individuals or citizens interested in government.

RFP/RFQ/Bid Opening

20) St. George Island Fishing Pier Road Repairs – Sealed Bids

Item addressed earlier in the meeting.

21) Apalachicola Regional Airport Rehabilitation – Sealed Bids

Item addressed earlier in the meeting.

County Staff & Attorney Reports

22) Fiscal Manager/Grants Coordinator – Erin Griffith

1. BOARD ACTION: RESTORE St. George Island Storm Water Drainage Project No-Cost Time Extension to Treasury

Item addressed earlier in the meeting.

2. BOARD ACTION: Award CEI Contract CR30A SCOP Resurfacing Project Highway 98 to 13 Mile Road

Item addressed earlier in the meeting.

3. BOARD ACTION: FEMA C30 Washout Repairs No-Cost Time Extension Change Order

Item addressed earlier in the meeting.

4. BOARD ACTION: E911 Grant Application – Retroactive Approval of Chairman’s Signature

Item addressed earlier in the meeting.

5. BOARD ACTION: Armory Sprinkler System Project – Reduced scope and bid, match funding request

Item addressed earlier in the meeting.

6. BOARD ACTION: Budget Request Letters

Item addressed earlier in the meeting.

7. BOARD INFORMATION: Miscellaneous Project Updates

Item addressed earlier in the meeting.

23) County Coordinator – Michael Morón

1. Action Item: Airport PAPI Lights Repair

Item addressed earlier in the meeting.

2. Action Item: Airport Grants Extension & Resolutions

Item addressed earlier in the meeting.

3. Discussion/Action Item: Airport Inspection Update

Item addressed earlier in the meeting.

4. Discussion/Action Item: Economic Development

Item addressed earlier in the meeting.

5. Informational Item: HB 53 Update

Item addressed earlier in the meeting.

6. Informational Item: Northwest Florida Water Management Meeting

Item addressed earlier in the meeting.

24) County Attorney – Michael Shuler

- 1. Action Item: Code Enforcement Ordinance**

Item addressed earlier in the meeting.

- 2. Action Item: Lanark Village Volunteer Fire Department**

Commissioners, I have examined litigation options available to you against the Lanark St James VFD. Since Franklin County's goal is an actively functioning, operational, and responsive fire and rescue service provided by volunteers, I do not find that a court can enter an effective order against

the current VFD in Lanark - St. James to grant such relief. My research shows that a court could compel the VFD to follow its by-laws, hold an election and open its records, but that does not address the goal of having an actively functioning, operational, and responsive fire and rescue service. Instead, I believe that Franklin County is at the point where the Board must decide between whether to continue to wait on the current VFD to reorganize and reconstitute itself (relying on Carrabelle VFD in the meantime) or to start the process of assisting in the formation of a new VFD to provide fire and rescue services for the Lanark -St James Fire and Rescue District. While not intended to be an exhaustive list, the record shows that the current VFD in Lanark-St. James has not been meeting for months, it has failed for weeks to provide any meaningful response to inquiries from your County Coordinator after the Department's failure to respond to a 911 fire call weeks ago, as well as the failure to respond to a car wreck in which a victim was trapped. Most recently, the current Lanark- St. James VFD failed to respond to an air ambulance call and another 911 fire call last week. In short, the missed meeting and repeated failures to respond to 911 calls indicate that it is reasonable to conclude that the Lanark-St. James VFD has ceased using the fire department property for fire and life safety purposes. If the Board decides to begin the process of facilitating the creation of a new VFD for the Lanark -St. James Fire District, I recommend that the Board consider taking action on each of the following items:

1. On a temporary basis, Franklin County directly operates the fire and rescue district in Lanark - St. James through a fire coordinator paid for with MSBU funds from that district.
2. Authorize hiring an independent contractor who is certified as both a firefighter and with the necessary rescue training as a first responder to manage and operate the Lanark-St. James fire and rescue district on your behalf, to include beginning the process of creating a group of volunteers who are ready, willing, and able to provide fire and rescue services through a new non-profit formed by them.
3. Notify the current St. James Lanark Volunteer Fire Department, Inc., that you find that they have ceased using the fire department property for fire and life safety purposes and that you are terminating your agreement to allow them to provide fire and rescue services due to multiple failures to response to 911 calls.
4. Notify St. James Lanark Volunteer Fire Department, Inc., that you demand that they immediately return all MSBU funds in their possession to Franklin County.
5. Send a request to the City of Carrabelle that you have determined that St. James Lanark Volunteer Fire Department, Inc., has ceased using the fire department property for fire and life safety purposes, that you have terminated your agreement with them to provide fire and rescue services and request that the City of Carrabelle convey the fire department property to Franklin County so that you can undertake the process of facilitating the creation of a new volunteer fire fighting and rescue services group for Lanark - St. James.

6. Amend your direction to me to instead request a court order that:
 - a. The fire trucks, brush trucks and other firefighting equipment purchased with MSBU funds are beneficially owned by Franklin County on behalf of the public and are not the private property of the St. James Lanark Volunteer Fire Department, Inc., and transfer title to Franklin County.
 - b. The St. James Lanark Volunteer Fire Department, Inc. account for and return all MSBU funds to Franklin County.
 - c. A written request for the above relief would be delivered and a reasonable time for response provided prior to litigation.

Attorney Shuler noted that Mr. James Putnal has been in contact with him via telephone regarding the letter received about the MSBU funds being suspended at this time. Attorney Shuler said that he asked them to provide accounting information going back to January 2021. Mr. Putnal informed Attorney Shuler that they had held an emergency meeting and appointed him as interim treasurer or secretary. Mr. Putnal indicated that he is working to get the requested information and represented that he will work with the county.

Chairman Jones called for public comments at this time. Ms. Debi Jordan said she did not have a comment at this time. Victoria Hart spoke regarding the agreement with the City of Carrabelle and asked if the Board would be entering into a similar agreement with Alligator Point. She said that they have a petition going around Lanark and have 65 signatures. She said they are going to ask the State Fire Department to come in and tell us what we need to get it back up and running.

Commissioner Boldt noted in his opinion we are done with the existing board and **made a motion to adopt the plan Attorney Shuler has laid out, items 1-6.** Commissioner Lockley said this thing has been going on for too long. The current fire department is not answering calls. It's our job to make sure that the public is safe. He said that he doesn't feel that either group should be involved. Chairman Jones noted that he believes this plan will do that, cause us to hire at arm's length. **Commissioner Ward seconded the motion.** Commissioner Parrish said he agrees with Attorney Shuler's recommendation. He said he believes there needs to be a contract with the new department which lays out the use of the MSBU funds. We have spent enough time trying to work with the current board. He said that he's not saying we need a contract with every fire department because we aren't having any of the issues with the others. He said that the people of Lanark need to get behind the volunteers and let them know that you appreciate them. Don't be so adversarial against someone who is doing a service for you. Mr. Moron said the plan focuses on building the volunteer fire department from the ground up. The community needs to get behind it. Attorney Shuler confirmed the motion was to approve item number two on his report, points 1-6. Commissioner Boldt confirmed. **Motion carried 5-0.**

3. Action Item: Possible Adoption of Emergency Ordinance for Temporary Burn Ban in the Lanark St. James Fire Protection and Rescue Service Unit

A draft emergency ordinance temporarily banning open fires in the Lanark St James Units is

attached for your consideration. In sum, given that the current Volunteer Fire Department in Lanark is not responding, I recommend that the board adopt an emergency ordinance banning open fires in Lanark Village on a temporary basis. I have provided that the ordinance would remain in effect until it is otherwise terminated by the Board. The temporary ordinance will allow outdoor grilling but requires that the fire be monitored at all relevant times and that once cooking is completed, the fire must be extinguished. All other open fires of all kinds will be temporarily banned. If the Board wants to adopt the ordinance, the following motion will be necessary: "The Board has determined that an emergency exists and that the waiver of the usual adoption procedures of this ordinance is required, and the immediate enactment of this ordinance is necessary" Adoption of the ordinance requires a 4/S's vote of the membership, so the ordinance passes if 4 commissioners vote in favor. The ordinance fails if less than 4 commissioners vote for its passage.

Board Action: Discussion and possible adoption of the emergency burn ban in the Lanark St. James Area.

Ms. Debi Jordan stressed the importance of widely publicizing this information. Mr. Moron said he will ask Mrs. Brownell to send it out through the emergency alert system. There were no further public comments.

On a motion by Commissioner Boldt, seconded by Commissioner Lockley, and Commissioner Parrish, and by a unanimous vote of the Board present, the Board has determined that an emergency exists and that the waiver of the usual adoption procedures of this ordinance is required, and the immediate enactment of this ordinance is necessary. Motion carried 5-0.

4. Action Item: Interlocal Agreement between Franklin County and the City of Carrabelle

Item addressed earlier in the meeting.

5. Informational Item: April 21, 2022, letter to the Lanark St. James Volunteer Fire Department Inc.
6. Informational Item: April 28, 2022, title opinion letter to Chairman Jones Regarding Airport Boundary Change
7. Informational Item: Interlocal Agreement between the City of Apalachicola and Franklin County
8. Informational Item: A copy of the Final Judgement in favor of Franklin County in the case against the Long Trust
9. Informational Item: A copy of the Final Judgement in favor of Franklin County in the case against Kenny Reeder

10. Informational Item: A copy of a demand letter to the Bassett's to cease clearance of a 8-foot-wide public beach access owned by Franklin County

Commissioners' Comments & Adjournment

25) Commissioners' Comments

Commissioner Lockley commented about the construction of a new hospital.

26) Adjournment

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

Ricky Jones – Chairman

Attest:

Michele Maxwell – Clerk of Courts