

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX, COMMISSION MEETING ROOM
FEBRUARY 21, 2023
9:00 AM
MINUTES**

Commissioners Present: Ricky Jones-Chairman, Jessica Ward-Vice-Chairman, Cheryl Sanders, Otice Amison, and Noah Lockley

Others Present: Michael Shuler-County Attorney, Michael Moron-County Coordinator, Erin Griffith-Fiscal Manager/Grants Coordinator, and Jessica Gay-Deputy Clerk to the Board

Call to Order

Chairman Jones called the meeting to order.

Invocation and Pledge of Allegiance Approval of the Agenda

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

Chairman Jones stated the following changes to the agenda:

- Add Mrs. Griffith Request: Legislative Appropriations forms.
- Add Attorney Shuler: Amendment to Gander contract.
- Add Mr. Davis Request: \$5k donation to Seahawks Basketball for advance to State expenses.
- Add DOT Causeway discussion/possible action.

On a motion by Commissioner Ward, seconded by Commissioner Sanders, and by a unanimous vote of the Board present, the Board approved the agenda with the changes notated above. Motion carried 5-0.

Approval of Minutes and Payment of County Bills

County Bill List for Payment

Approval of Minutes

- Regular Meeting 2/7/2023

Motion by Commissioner Sanders, seconded by Commissioner Ward to approve.

Commissioner Lockley inquired as to what the payment to Worldwide Technology was for. Mr. Moron said the Board could pull this check from the vote and approve separately once clarification is received.

Commissioner Sanders and Commissioner Ward amended their motions to approve the Payment of County Bills (excluding the Worldwide Technology check) and the meeting minutes from Regular Meeting 2/7/2023. Motion carried 5-0.

Public Comments

Chairman Jones reminded the public to address the Board during public comments. He also reiterated that during the public hearings anyone who would like could speak and there was no need for a public comment card in order to do so.

Ms. Gail Riegelmayr asked the Board for clarification and consistency on how the county post their public notices for meetings. She noted the past couple of notices have been posted in different sections of the paper in different fonts and sizes. She said she knows the State passed HB 7049 that allows counties to use their websites to post notices. She asked for reassurance that the county will continue to post their notices in the newspaper and if not, they will provide adequate notice to the public of any change. Chairman Jones noted that this issue may have been something to do with the publisher and not the county. Attorney Shuler spoke

regarding the issue. He noted the ad he sent to the newspaper was supposed to be published twice in the legal notices. The person who normally handles the ads was out of the office, and someone else handled the first publication. Attorney Shuler noted that state law only requires one publication ten days before the hearing, so the last publication met this requirement. Mr. Moron noted the notices of hearings are also posted on the county's website.

Ms. Lyn Wilder spoke to the Board regarding the creation of a non-profit Keep Franklin County Beautiful. She noted they hosted a meeting with Keep Florida Beautiful and Keep Wakulla County Beautiful. They provided information on how to go about creating Keep Franklin County Beautiful program and becoming an affiliate of Keep America Beautiful. The next steps are to form a nonprofit and applying to become an affiliate of Keep America Beautiful. She said she would be at future Board meetings to update the Board.

Mr. Moron informed the Board he has received clarification on the payment to Worldwide Technology. He said it is a vendor for the State Attorney's office to purchase their IT equipment, their switches, network equipment, etc. **On a motion by Commissioner Lockley, seconded by Commissioner Ward, to approve the payment included in today's bill run to Worldwide Technology.** Commissioner Lockley said he didn't know who they were and likes to be informed. **Motion carried 5-0.**

Presentations and Requests

3. Valentina Webb & Betsy Nofziger – Elder Care Community Council – Senior Services Update & Request

Mr. Moron explained the reason for today's presentation. We have been having issues with Senior Services especially over in Carrabelle. Explain what they are doing and what the plan is.

Ms. Valentina Webb noted that Elder Care Community Council has been a 501c nonprofit organization since 2016. They do believe they are ready to take on the entire county but they want to do it right. She noted 90% of ECCC funds come from fundraising. We have received \$10k from Liberty County since 2019. We spend anywhere from \$2k to \$2400 each time we place a food order. We have been tasked by Liberty County Senior Citizens to serve a portion of the clients in Lanark. We need more financial support to be able to serve countywide. We need a vehicle to be able to take seniors to get groceries. Commissioner Sanders inquired asked how many Carrabelle residents are coming to congregate meals. None at this time due to transportation. Commissioner Sanders said whatever we can do to make it better we need to do it. Everyone needs to be served. These are older people, we are older people, and I would like to know that who ever is taking care of the program is going to respect the elderly. Commissioner Ward said she would personally like to pull the other groups funding. She said ECCC has shown that they are willing and able to provide the services, they just need additional funding. Commissioner Ward noted that the Board gives \$15k to the Area for Agency on Aging and if they are not going to serve our residents, we need to funnel that funding to someone that will. Mr. Moron noted that we actually give more than that. They in turn combine that with some other state and federal funding. Since the senior citizens center is run by a board, what that building was originally built for, we would give them more money to house the folks from the garden club, however they were not interested.

Mr. Moron presented item 9 from his report at this time.

9. Discussion and Possible Action Item: Senior Services

Board discussion and possible action to direct all senior services funding to ECCC to assist them with their plan to provide essential services to the County's elder community. Earlier this morning you heard Elder Care Community Council representatives explain their plans to provide essential services to Franklin County's elder community. ECCC will need additional funds to provide these services to our elder community, so would the Board be in favor of a meeting with Mrs. Lisa Bretz, Mrs. Erin Griffith and I to discuss the possibility of redirecting all senior service funding to ECCC to assist with providing essential services?

Commissioner Ward noted if they get a van they would be able to travel to the east end of the county to take seniors to get groceries. Ms. Webb said yes, they would do that at no charge but they would have to pay someone to drive who understands temperature controls, etc. Ms. Webb noted that additionally one of the things the seniors are missing is a place to go to be together. We want to provide a place for them to come at least opened for four hours per day. Mr. Moron said he needs to set down with Mrs. Bretz and Mrs. Griffith to discuss money and bring back to the Board. Commissioner Sanders asked Mr. Moron to let Val know when he finds out. Commissioner Sanders asked Val to take in consideration they lost two valuable people over there. Commissioner Lockley said the old saying is children are the future but that doesn't mean you throw the old ones out with the trash. We need to help them. Let's try to work out something. **Commissioner Ward made a motion to authorize Mr. Moron to meet with Mrs. Bretz and Mrs. Griffith to discuss the possibility of redirecting all senior service funding to ECCC to assist with providing essential services. Commissioner Amison seconded the motion. Motion carried 5-0.** Commissioner Lockley said it kind of got away from us when we didn't have anyone to take over. ECCC is willing to help do it, let's bring it back to the county. Ms. Webb noted Liberty County has trained them in regards to the shopping and congregate aspect. She said they are hoping to eventually take the whole contract. Chairman Jones said he would much rather have our people taking care of our people and thanked them for everything they have done. Commissioner Ward said the next thing would be to discuss the Garden Club building. Mr. Moron said we will talk about the transfer of the building. He noted Lisa also wants to hold a workshop to keep the seniors involved in what is going on, and said he is sure she will want you all there.

4. Marie Dingman – Summit Professional Services – CDBG Update

Mr. Dennis Dingman presented a PowerPoint outlining the Community Development Block Grant (CDBG) Housing Rehabilitation Program requirements. The PowerPoint included information on owner eligibility, income considered, home eligibility, form of assistance, scope of assistance and the process of the program. Chairman Jones inquired as to the requirement of five rehabs and five replacements. Mr. Dingman said he did not see that in the plan. Chairman Jones asked about home eligibility regarding replacing older mobile homes with site-built homes. Mr. Dingman noted some communities want the option to upgrade manufactured homes with site-built homes due to the increased cost of manufactured homes. Commissioner Lockley inquired about the mobile homes that are not fixable and if the mortgage would carry over to a site-built home. Mr. Dingman noted that the applicant would need to contact their mortgage company to make sure they are aware of what the program is doing before it is done. He said he had never had a mortgage company say no. Commissioner Ward said a lot of the residents who may apply for this program may not be able to afford homeowners insurance. Mr. Dingman said they determine up front how much the homeowner can afford. He said the homeowner assistance program can be adjusted, but in the plan, it says they need to buy insurance. It doesn't specify the length of time the insurance is required. Commissioner Ward asked about people living in RVs, campers and if they would qualify. Mr. Dingman said there are a lot of people living in RVs that are grandfathered in. However, the county does not allow it. The person would have to show us the title, they would have to qualify for the program. We would replace the RV, if it were on property, the county would have to decide whether to provide a manufactured home or site-built home. We have found there tends to be a small gap in cost between a manufactured home and site-built home. Commissioner Ward inquired about the requirement to have the county listed as additional insured. Mr. Dingman said the county would have to be listed, and the purpose of this is for the county to be notified if the owner does not pay the premium. Commissioner Lockley inquired about transferring the property from one person to another once owner has deceased. Mr. Dingman said the program does not allow for paying off existing liens, the state does not step in to take up that obligation. Commissioner Amison inquired about eligibility and if residents inside the city limits were eligible. Mr. Dingman noticed that the state puts out a list of eligible communities and the City of Apalachicola is on there. Mrs. Griffith said the City of Apalachicola would have to apply for their own housing grant. A lot of times they are geared more to water and sewer but if they don't have anything they could apply. Commissioner Sanders said the program got out of hand in 2016. We want to make sure that we can service as many people as we can. Mr. Dingman said this program requires that any violation of code or substandard item, these items have to be done. Mr. Dingman said this program requires that any violation of code or substandard item has to be corrected. It's not like the SHIP program. With this program we have to do everything that is an issue. This includes electrical, sewer, septic issues; a lot of items that will eat up this money really quick. Mr. Dingman said we have to help at least two very low income and three low-income

applicants. Commissioner Ward noted this program will allow for replacements of roofs, appliances, etc. Mr. Dingman noted a lot has been added to this program since 2016 such as lead based paint and asbestos removal. Chairman Jones noted that we may want to reach out to Ms. Webster. Since the announcement of the funds, anyone who has come to me asking about it, I have directed them to Ms. Webster. Commissioner Lockley asked where applicants go to apply. Mr. Dingman noted they do require an original application. Once they receive the application, they begin the process of inspections. Mr. Dingman said when they come before the board to present a list of applications, they will have an estimate of costs. Mr. Moron asked if he could work with Erin to come up with a couple days a week that could come to the county office to receive applications. Mr. Dingman agreed.

Mr. Fonda Davis presented a request to the Board at this time for the Boys Basketball team. Mr. Davis requested the Board approve a \$5,000 donation to the Franklin County Boys Basketball team to help with their travel to the state competition in Lakeland should they advance after today's game. **Commissioner Lockley made a motion to approve the \$5,000 donation and to authorize the Clerk's finance department to issue a manual check. Seconded by Commissioner Ward.** Chairman Jones said he was looking last night and in the last nine years this is the eighth time we have advanced to regionals, and this will be the fourth time we have been in the final four. Chairman Jones noted the Board has made this contribution in the past, possibly in 2019. **Motion carried 5-0.**

The Board recessed at 10:12 a.m. and reconvened at 10:22 a.m. The Board moved to the following public hearing at this time.

7. Amending Critical Shoreline Setback 10:00 a.m. (ET)

NOTICE OF INTENT TO CONSIDER ADOPTION OF A COUNTY ORDINANCE AMENDING ORDINANCE 89-8, AN ORDINANCE REGULATING THE CRITICAL SHORELINE OF FRANKLIN COUNTY, FLORIDA, FOR THE PURPOSE OF REPEALING THE LOCAL SET BACK OF ONSITE SEWAGE DISPOSAL SYSTEMS AND AEROBIC TREATMENT SYSTEMS FROM THE WATERS AND WETLANDS OF FRANKLIN COUNTY, FLORIDA.

Attorney Shuler announced the purpose of today's hearing was for the Board to consider adoption of a county ordinance amending Ordinance 89-8, an ordinance regulating the critical shoreline of Franklin County, Florida, for the purpose of repealing the local set back of onsite sewage disposal systems and aerobic treatment systems from the waters and wetlands of Franklin County, Florida; Revoking all ordinances in conflict; providing for severability and providing for an effective date. The essential purpose would be to eliminate local setbacks for and adopt the state's regulations for setbacks for aerobic systems and septic systems in the county., Attorney Shuler noted for the record this ordinance would not allow for septic tanks to be placed where they are presently ban which includes St. George Island and Alligator Point.

Attorney Shuler announced Ms. Sarah Quaranta and Mr. Brad Addison were present from the Department of Health to give the Board and public a presentation on what the state setbacks provide should the Board decide to adopt those.

Chairman Jones said looking past the emotional issue that this has been, he completely misunderstood what was being presented. At the time we were looking at the difference of 75 feet and 50 feet. He said he can find nowhere in the DEP manual where there is any setback to wetlands with the State. Chairman Jones stated he will be voting no today and will ask his fellow board members to do also.

Ms. Sarah Quaranta which serves as the health officer for the Florida Department of Health for Gulf and Franklin. We created a cheat sheet of the State rule guidance for setbacks. We have Zach Hodges our Environmental health manager and Brad Addison our Lead Specialist. Mr. Addison spoke to the Board about the spreadsheet provided and inserted below.

SURFACE WATER SETBACKS TO AN ONSITE SEWAGE TREATMENT & DISPOSAL SYSTEM (OSTDS)

OSTDS Treatment Type (NEW)

OSTDS Surface Water Setback	Septic Tank	ATU	Secondary Treatment	Advanced Secondary	Advanced Wastewater
Lots Platted before 1/1/1972*	50ft	50ft	50ft	50ft	25ft
	* F.S.381.0065(4)(g)2 - Permits; Installation; Conditions				
Lots Platted 1/1/1972 and after*	75ft	75ft	65ft	50ft	25ft
	* F.S.381.0065(4)(g)1 - Permits; Installation; Conditions				

OSTDS Treatment Type (REPAIR)

OSTDS Surface Water Setback	Septic Tank	ATU	Secondary Treatment	Advanced Secondary	Advanced Wastewater
Permit Date of Original System Prior to 1/1/1972*	Greatest of the Following: (a) Maximum Setback (≥25 feet and ≤50 feet) (b) Original Setback (if ≥25 feet) (c) 25 feet	Greatest of the Following: (a) Maximum Setback (≥25 feet and ≤50 feet) (b) Original Setback (if ≥25 feet) (c) 25 feet	Greatest of the Following: (a) Maximum Setback (≥25 feet and ≤50 feet) (b) Original Setback (if ≥25 feet) (c) 25 feet	Greatest of the Following: (a) Maximum Setback (≥25 feet and ≤50 feet) (b) Original Setback (if ≥25 feet) (c) 25 feet	25ft
	* Rule 62-6.005, F.A.C. and Rule 62-6.015, F.A.C. – Table V				
Permit Date of Original System 1/1/1972 to 12/31/1982*	Greatest of the Following: (a) Maximum Setback (≤75 feet and ≥50 feet) (b) Original Setback (if ≥50 feet) (c) 50 feet	Greatest of the Following: (a) Maximum Setback (≤75 feet and ≥50 feet) (b) Original Setback (if ≥50 feet) (c) 50 feet	Greatest of the Following: (a) Maximum Setback (≤75 feet and ≥50 feet) (b) Original Setback (if ≥50 feet) (c) 50 feet	Greatest of the Following: (a) Maximum Setback (≤75 feet and ≥50 feet) (b) Original Setback (if ≥50 feet) (c) 50 feet	25ft
	* Rule 62-6.005, F.A.C. and Rule 62-6.015, F.A.C. – Table V				
Permit Date of Original System 1/1/1983 to Present*	Greatest of the Following: (a) Maximum Setback (if >50 feet) (b) 50 feet	Greatest of the Following: (a) Maximum Setback (if >50 feet) (b) 50 feet	Greatest of the Following: (a) Maximum Setback (if >50 feet) (b) 50 feet	Greatest of the Following: (a) Maximum Setback (if >50 feet) (b) 50 feet	25ft
	*Rule 62-6.005, F.A.C. and Rule 62-6.015, F.A.C. – Table V				

NOTE: The department may grant variances in hardship cases which may be less restrictive.
NOTE: There are no state mandated OSTDS setbacks to wetlands.

Chairman Jones asked if the state conducts annual checks on all of the systems around the county. Mr. Addison said we do annual inspections and the maintenance company has to do twice a year inspection or quarterly. Chairman Jones asked is there anywhere inspections can be accessed to see when inspections were done around the county. Chairman Jones asked if there a dedicated person who handles these types of things for Franklin County. Mr. Addison said we have two inspectors for Franklin County that are assigned, sometimes because of the volume some of the Gulf County folks comes to help out if we are running behind.

Chairman Jones noted there is an issue where houses on St. George Island are advertising for 20+ people. Mr. Addison said we are aware of some of those issues and we are working to address. Chairman Jones said we need to partner together County and State so that if there is anything as far as policy or procedures that we need to put in place, we need to do so.

Attorney Shuler said at this time the Board will take public comments. Chairman Jones opened up public comments at this time, reminding that anyone could speak at this time.

David Duncan spoke as P&Z board meeting, as a citizen and as a builder. Mr. Duncan noted that a lot of times we don't get the opportunity to share why we passed it as a board. We can pass it along to the Board or deny it. He said he would not as a homeowner want to be denied use of his property. He said we are going to start to see this more often due to the lack of property available. The advancement for changing the footprint of 1000 ft they are still trying to push the home closer to the setback lines. Sometime the structure may actually need to be closer to the wetlands in order to get the septic farther away, he said he personally has three properties that are affected by this. We may not need to change the rule but be open to each individual persons needs because these people are taxpayers as well. It puts us in a tough position because they also own their property and want to do something with it as well. Not necessarily asking you to change but things are changing and you will see this more often.

Those great properties are gone and this is not going to be a onetime deal.

Rebecca Jetton, an Apalachicola Riverkeeper board member, asked the Board to oppose the ordinance. She spoke about how the proposed changes would affect the waterways and natural resources of Franklin County.

Pete Whitesell spoke to the Board about their desire to bring back the bay and how it correlates to the critical shoreline setbacks. He said you are going to have to take concrete steps to protect the bay from pollution from septic tanks. If you agree to move them closer to wetlands, you are going to have more pollution. He recommended increasing the setbacks instead of decreasing.

Dan Tonsmierre said he sat through several of the process in how these buffers were created. There was a 1990 study that showed the pollution coming out was a problem. That instituted the creation of financing for stormwater and wastewater all over the county. The studies that I have didn't give you that 75 or 100 feet were enough but generally agrees that 50 feet is not enough. We had to negotiate that it is a political decision. Just be cautions that if you rescind those buffers, you won't get them back. The State and federal government are sometimes here to help, and sometimes not. We are living in a time where a huge reset button has been hit in Franklin County. A lot is going on that is going to help us get back to where we were. He said the Board is going to have to push the State to improve the management of the bay. He ended with the words of an 80-year-old from Franklin County hand out to the Board.

Lynn Wilder referenced a commissioner's comments in Miami county that has frequent red tide. Without a clean bay without clean rivers and surface waters we don't have tourism and we don't have health. Health based levels are higher that what gets out and does damage to our eco system. These nutrients act as a fertilizer but are not good when they get into our water. They are a food source for red tide. We can see this in areas like Tampa. The closer septic tanks are to water the more damage is done. She asked the Board to not decrease the setback limits.

Allison Goodson spoke as a concerned property owner and parent. She is also a government regulatory attorney practicing in this field. She spoke in opposition of decreasing the setback limits. Ms. Goodson spoke of how the governor has continued to fund programs to protect our waterways and environment. Ms. Goodson spoke at length about the state's rules and how it is not as simple as we all thought initially. She noted that as we buy in to the state's rules, they can change at anytime without our input. In doing so we would give up Franklin County control of this issues. Remind the board you are subject to the code of ethics, makes it a violation of the law to vote in a way to benefit yourself or members of your family.

Vivian (last name inaudible) spoke to the Board about the importance of clean water in regard to the health of sea turtles.

Tye Jackson cautioned the Board that the State regulatory scheme is very complicated. We want our people taking care of our people. The state variance committee has authority to do away with every rule and they could put it in the bay if they wanted to. Point out that our neighbors Gulf, Bay, Wakulla all have their set of regulations because the State's aren't stringent enough.

John Goodson said he had a set of papers he would like to give to the Board. He is a biochemist by trade. Noted that wetlands are going to eventually go into the bay. When you put a septic system that close, it is going to end up in the bay. Mr. Goodson explained the process of Fic's Law. Mr. Goodson spoke in opposition of amending the ordinance and encourage the Board to reject the proposed ordinance.

Diane Alex spoke in opposition of amending ordinance. Coastal waters are sensitive to these types of systems. Decreasing the wetland buffers will increase our interaction with wildlife. Ms. Alex said to

keep in mind that we still have what most of Florida has lost.

Georgia Ackerman from Apalachicola Riverkeeper spoke about this tremendous opportunity as a community to learn about how septic systems work, talk county wide about how we continue to protect the county. Expressed opposition to the proposed ordinance and hopes to continue conversation on how we will work together to protect our waters.

Elva Peppers from Florida Environmental and Land Services asked to clarify that their request was not to rescind the ordinance. Chairman Jones noted that their request is not what had brought us to today. He said in looking at the ordinance and rules, there were some questions and things that did not make sense and that is how we ended up here today. She would like to encourage the community and commissioners to continue the discussion because this issue isn't going away.

Gail Riegelmyer thanked the Board for all they are doing to support and protect and support our natural resources. Ms. Riegelmyer read the following letter as previously emailed to the Board.

Dear Commissioners,

I implore you to either not change the current ordinance related to septic system setbacks or if a change is made, that the setbacks be made more stringent. Attached is scientific information about the effects of septic systems on St. George Island, in addition to general information about septic systems on the environment in other areas. The attached study on SGI was done in 2001 and already at that time there were negative impacts from septic systems. That was 22 years ago, so with the added development since then, I have no doubt that if a study were done today, the results would be even worse than in 2001.

I was at the BOA/P&Z meeting when the property owner requested a variance for his septic system to encroach into the setbacks for the wetlands on his lot. The owner told everyone that when he was looking to buy the lot, he was given bad information from whomever he hired to determine if the lot was buildable. Unfortunately, the advice provided was totally incorrect and now the county is being asked to solve the property owner's problem by granting a variance to encroach into wetlands. This is not the county's problem nor one that it created. However, if the ordinance is changed to "solve" this specific problem, then there will be many, many more property owners' whose septic systems will encroach into the wetlands and critical shoreline. Please do not let this happen.

Also, on SGI, many rental homeowners are violating their septic systems' capacity by packing more beds into bedrooms to further line their pockets and get a greater return on their investments. Some rental management companies are encouraging this. More and more mega-homes are being built on the order of small hotels. The stress on our environment due to failing septic systems from the extreme occupancy levels has got to stop.

The proposed ordinance is for Franklin County to follow the State of Florida's setbacks. I suggest that the state needs to follow Franklin County's setback limits. Florida's setbacks are obviously not working. Gov. DeSantis is now budgeting \$3.5 million for Everglades clean-up and restoration (see attached article).

Please, please, please be proactive and protect our natural resources from the rampant development on SGI and within all of Franklin County. It's the responsibility of the BOCC to effectively manage all of this development and not let everybody do whatever they want to do at the expense of our natural resources and our quality of life.

Thank you.

Dan Garlick spoke of the initial implementation of the initial ordinance. During that time it was unanimous that this rule had to be put in effect. Over the years I have never had to get a waste water variance because there is always a way to make it work, or I would tell my clients not to buy the land. The Board needs to understand that this torch has been passed down from 1989 and it is your job to take care of it. There is a lot of flexibility with rules and regulations and there are some alternatives. Not all wetlands are created equal. The buffer sometimes is more important. This ordinance change is going to effect the entire county not just areas on St. George Island.

Chairman Jones called for public comments online and there were none. Attorney Shuler announced this closes the public hearing. The Board will deliberate amongst themselves and you are at a position to decide.

Commissioner Ward made a motion to vote no. Commissioner Ward suggested that anyone who potentially wants to purchase a piece of property, that before purchasing they reach out to planning and zoning board, contact Mr. Garlick, and buyer beware. They will tell you what percentage wetlands is, so that you aren't having to come before the Board for a variance.

Commissioner Ward confirmed her motion was to keep the ordinance the same and deny the amended ordinance, seconded by Commissioner Amison. Commissioner Lockley said we have these in place for a purpose. When it boils down to it, they want to make us look like the bad guys. If you have a wetlands property, take it off the books. Everyone is looking for a deal but usually you get what's coming with it. This land is not buildable. Commissioner Amison said he reached out to Department of Agriculture and got some samples. Our biggest enemy with the bay is density. The bay traditionally closed in Blountstown. Fecal e coli is not what codes the bay. Reached out got some water quality comparisons, there wasn't any water quality issues. So I went to the realtors, every one of them was like no. Sea level is rising. If we pass something now what's going to happen thirty years from now when the septic tank is sitting in the grass. Density is our biggest issue of the future. Commissioner Sanders said that is why she came back on this board to make sure we continue to lead.

Motion carried 5-0.

After a brief recess, the Board moved to the following public hearing at this time.

8. Serenity Seaside Resort PUD 10:30 a.m. (ET)

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, AMENDING ORDINANCE 2019-06, THE SERENITY SEASIDE RESORT PLANNED UNIT DEVELOPMENT, TO ADOPT A NEW CONCEPTUAL LAND USE PLAN SHOWING A REARRANGEMENT OF THE INTERNAL LAYOUT OF THE DEVELOPMENT AND A RELOCATION OF ONE ACCESS FOR THE DEVELOPMENT FROM ISLAND DRIVE TO SOUTH BAYSHORE DRIVE: PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Attorney Shuler announced that Mr. Curenton would present the request to amend the Serenity Seaside Resort PUD ordinance. They are basically asking for no change in what is going on inside the development. They have asked for some rearranging of how it is done inside the development. The main change is relocating one of the entrances from Island Drive to South Bayshore Drive. Chairman Jones said in some of the other revisions, there is actually more green space in this revision. Mr. Curenton said yes. Basically, they are proposing to consolidate all of the units into one building and put some of the units around the lake.

Craig Durmedy presented the following presentation at this time.

Florida Department of Transportation

Entrance Location:

To be clear, this was not our decision to move the entrance. The Florida Department of Transportation (FDOT) denied our original entrance on Island Drive due to:

1. Safety issue caused by the close proximity of our entrance to a crosswalk that was put in after our PUD approval.
2. Safety issue caused by the close proximity of the entrance location to the Y intersection of Island Dive and South Bayshore Drive
3. Safety issue due to the close proximity and congestion with adjacent property owners to the north. FDOT requires 440' spacing between driveways on Island Drive.

Given the above concerns, FDOT recognizes that individual properties must be provided safe, reasonable access and after reviewing the access available to the property, FDOT unanimously suggested we consider adjusting the entrance a few 100 yards unto S. Bayshore Drive. After internal discussion, we agreed to make

the adjustment.

Traffic Concern/Facts

1. South Bayshore Drive (CR 65) is a county road posted 35 mph, not posted 20 mph as a residential neighborhood.
2. It is problematic to deny access, especially non-commercial, down a public county road not to mention the legality of such a request.
3. Largest impact to traffic on South Bayshore Drive is Google Maps and Waze (map presented)
 - A. Franklin County Courthouse to St. George Island Lighthouse – Google Link
 - B. Franklin County Courthouse to St. George Island Lighthouse- Waze Link
4. South Bayshore Drive existing zoning C-2, R-1, and R-2. One zoning designation does not have precedence over another. There already exist commercial entrances on the north side of South Bayshore Drive. There are approximately 3 commercial entrances, 1 with a crosswalk, one dual entrance for Las Brisas and several single entrances. Every one of these cross the sidewalk along South Bayshore Drive.
5. There are no crosswalks from the bay side of South Bayshore Drive to the sidewalk side of South Bayshore Drive.

Federal Highway Administration Historic Scenic Byway Program

The road or highway presented must meet the criteria for at least two of the intrinsic qualities – Scenic, Natural, Historic, Cultural, Archeological, or Recreational. The characteristics associated with the intrinsic qualities are those which best represent the area and which may contain one-of-a-kind features that do not exist elsewhere. The road or highway must also be considered a destination unto itself. To be recognized as such, it must provide an exceptional traveling experience that is so recognized by travelers that they would make a drive along the highway a primary reason for their trip.

Big Bend Scenic Byway

1. It is true South Bayshore Drive is a Scenic By-Way. The significance of that designation stems from tourism more than anything.
2. The Guide to Big Bend Scenic Byways published March 2012 guides tourist down these routes. South Bayshore Drive was then designated a Scenic By-way and is on the Coastal Trail West highlighting John Gorrie State Park, St. George Island Lighthouse and ANERR.
3. Being a scenic byway does not deter but encourages tourist thereby increasing traffic due to that designation. The corridor limits of the Big Bend Scenic Byway does not change public right of way or create any inherent land use protections, nor limit in any way private property rights within the limits of the corridor. (See pages 33-34 Big Bend Scenic Byway Management Plan)

Proposed Entrance Location

Again, this was not our idea or wish to move off of Island Drive. But here are the facts:

1. This new entrance is a short distance around the corner. There is and never will be anything or anyone across the street on the south side of South Bayshore Drive as this property is owned by the government and is protected wetlands.
2. Our closest neighbor is over 500', or 10 standard lots to the west of the proposed entrance.
3. The proposed entrance is over 500' to the west of the Y intersection as well.

This proposed entrance is compliant with FDOT's distance to crosswalks, intersections, and adjacent property owners.

Safety is Paramount

1. Crosswalk across entrance
2. Stop sign at entrance and South Bayshore Drive
3. Lighting to improve safety at night.

Again, this proposed entrance is compliant with FDOT's distance to crosswalks, intersections, and adjacent property owners.

Traffic Flow

1. We agree to build a beautiful, aesthetically pleasing entrance that will be an asset to South Bayshore Drive.
2. We will agree to eliminate the emergency road on the west corner of the property on South Bayshore Drive.
3. We will restrict construction access to Begonia Street off Hwy 98 thereby alleviating traffic on South Bayshore Drive.
4. We will also restrict service vehicle traffic to Begonia Street after construction is completed.
5. Lastly, and most importantly, we will maintain our Island Drive address to try to encourage traffic flow down Island Drive and using signage, direct traffic to the entrance on South Bayshore Drive.

We are willing to accommodate this FDOT request to improve safety and appropriate access. We hope the county will support our efforts in this decision as well.

Traffic Flow Continued

NOTE:

It was brought to my attention people asked why we would not use Begonia Street as the sole access.

1. Regulations require at least 2 separate ingress/egress points.
2. Begonia Street is not suitable for a main entrance, and that would be unreasonable and unacceptable to suggest such.
3. Voluntarily implementing traffic flow restrictions mitigates the impact on South Bayshore Drive
4. Commercial access precedence currently exists on South Bayshore Drive.
5. As the largest commercial landowner fronting South Bayshore Drive we are requesting appropriate access.

In Summary

South Bayshore Drive has a C-2 provision allowing commercial traffic, it is a county road posted 35 mph, being a Scenic By-Way does not provide any unique uses and finally we are not creating any new safety issues that don't already exist if any.

Proposed Entrance Summary

We have addressed the concerns of our neighbors as much as possible by implementing the following:

1. We will limit construction access to Begonia Street.
2. Once operational we will limit service truck access to Begonia Street.
3. We will use the Island Drive address to encourage traffic flow down Island Drive. Then, using strategic signage direct patrons to the entrance just off Island Drive onto South Bayshore Drive.
4. We will construct an inviting and safe entrance that will be a beautifully landscaped asset to South Bayshore Drive.

Hotel

We are not changing the components of the approved PUD. We still have 100 room hotel and 44 cottages. What we are doing is what you would hope every developer would do, dial into the needs, and wishes of the community. We talked to tourist, TDC, Chamber of Commerce, and hotel management companies.

1. Tourist desire convenience and more services such as room service, fitness facilities, resort pool with services at the pool.
2. Chamber of Commerce said a facility is needed for conferences and events with meeting rooms, hospitality rooms and services.
3. Hotel management companies believe it is more beneficial for guest to be in one building and in close proximity to other guest, gathering areas and services.

We are consolidating the footprint of a 40 room hotel with 60 separate bungalows into a 100 room hotel. This addresses the above needs plus allows for more open green space for guests to enjoy.

Opportunity Zone

The County Commissioners worked diligently to obtain Opportunity Zone designation for this area. The purpose of an OZ designation is to attract investment development to an area. We are responsibly listening to the needs and wishes of the community in designing this project. This property not only creates tax revenue for the county but will create job opportunities and career paths for the younger generation that will provide good employment and potentially allow them to stay in the area. Weems Memorial Hospital comments from previous commissioner meeting. Stated in order to justify a hospital that supports the needs of the county and its citizens, you need: growth in the area (bed utilization) and more tax revenue (funding). All this enhances the quality of life and property values for everyone in the area.

Conclusion

Finally, we understand that people will question things that we do. This is constructive and we acknowledge those questions. We are the landowner of the largest parcel on South Bayshore Drive and have every right to safe and reasonable access to our property off the public road. Again, we are being as flexible as possible to be compliant with FDOT, appease South Bayshore residents as much as possible while providing safe access for both the community and our patrons. We are responsibly listening to the needs and wishes of the community in designing this project that will create tax revenue, job opportunities, and supporting the needs of the community as a whole.

Chairman Jones called for commissioner comments and there were none at this time. He then called for public comments.

Rex Pennycuff said he wasn't speaking for the Eastpoint Civic Association. He noted this project was not brought to the Eastpoint Civic Association for input and he doesn't believe they are ready to weigh in one way of the other. He said that he likes the building layout, thinks it is better for the environment. He said there is several different paths the Scenic By-way takes. He said he thinks the original Scenic By-way is 98 to SR 300. He doesn't think there is continuity with the Scenic By-way to give merit in making this decision. The Eastpoint Civic Association is trying to get the traffic pattern to travel through Eastpoint on Hwy 98 to Island Drive and out. The Scenic By-way does not go by any businesses. He thinks the biggest concern is Waze and Google. If there is a way the county can address that it would be beneficial. If the county could get with Waze to redirect the traffic on their route. He asked the Board for them to encourage they keep the Island Drive address in order to deter as much traffic as possible.

Laverne Hollman congratulated the three new commissioners. Ms. Hollman said they were originally told there would be no connection to South Bayshore Drive. She said that has all changed due to a conflict with DOT. She believes this should have been addressed before seeking the PUD approval. It is time the citizens on Bayshore Drive be given consideration. This road does not need more problems with a commercial resort in a residential neighborhood. Ms. Hollman spoke of how South Bayshore was originally created. She noted with this change there would be more road construction and maintenance needed. She spoke of concerns with speeding. She asked for the developer to look elsewhere for an entrance. This is a historic neighborhood and it is not meant to be used for a commercial resort. She asked the Board to imagine this resort was in their neighborhood.

Pete Whitesill spoke in opposition to revision of the PUD. He spoke of how the developer has promised the potential for jobs and how they have been promised in previous projects.

Tony Partington spoke in opposition to revision of the PUD. Mr. Partington asked the Board to make the FDOT survey and determination be made public and incorporated into the minutes. He kindly asked the Board to strive to do the right, the moral, the ethical, the legal and the human thing in consideration of this issue.

Diane Brewer spoke in opposition to revision of the PUD. She noted most of the commissioners were not on the Board when it was approved. She noted it may have not been approved had the current Board had to approve. She spoke of the objection to the initial approval. She said the original entrance was supposed to

be on South Bayshore Drive but with much objection it was changed. She told the Board they have the opportunity to deny the PUD.

Brett Jones spoke in opposition to revision of the PUD. She noted that not every piece of property is buildable. She noted safety of children and animals with speeding, etc. There is no guarantee the commercial vehicles will go down our street. Would like to see recommendation from FDOT approving entrance through South Bayshore Drive. She does not believe moving the entrance will correct the safety issues. Compromise to only use as an entrance way and not as an exit. This would help reduce the safety issues having the traffic coming out on our street. She asked the Board to please listen to the residents and their concerns.

Wayne Gleasman spoke in opposition to revision of the PUD. He said it will dramatically increase traffic. If adopted would recommend reducing the speed limit to 25 mph with increased enforcement. He suggested the FDOT has the ability to issue variances. He is not buying the crosswalk is the be all and end all. Encourage the Board set aside until further evidence is presented that all avenues have been exhausted.

Cliff Butler spoke in support of the PUD revision. He is a resident of North Bayshore and noted the multiple subdivisions added on North Bayshore and said he has not seen additional traffic. He said he doesn't know why we would promote tourist to come to our area, but not want the traffic that comes from that.

Sherry Jones spoke in opposition to the PUD revision. Reiterated let the buyer beware. If she had known this was approved, she would have never purchased my house in Las Brisas. She said the traffic is unbelievable on South Bayshore Drive now. We have asked for increased patrolling. The developer should have done in depth studies also and should have insured access to Island Drive.

Chairman Jones said this Board is different than it was when this PUD was approved. He said the PUD passed with a 5-0 vote. The County was trying to swap really horrible zoning for something everyone could live with. The property was previously zoned for mobile homes. Chairman Jones noted the Buccaneer Inn is also a 100 room inn and has never caused a traffic issue. Chairman Jones said if we were to require them to purchase another property in order to have access, that is as ridiculous as it sounds. Chairman Jones noted we do not have residential and commercial roads. They are all county roads. Chairman Jones noted his family grew up commercial fisherman. We got out of it because it was not a viable industry. We did not use it as a mechanism to get what we wanted. In our comprehensive plan, Eastpoint is designated as a Urban Service Area because it has access to Eastpoint Water and Sewer. The PUD is held to a standard as to what it can and can't do. It's called a site plan that the Board must approve. Today they are asking to revise it, providing for more green space, etc. The Board has to give them access somewhere. We can't possibly tell them they can build what they want to but you have to put a heli-pad on top to get to it. Chairman Jones said he did speak with Ms. Hollman about changing the Y. However, there is someone who owns that property and they lease out the billboard. Chairman Jones said he supports the amendment. It is a county road they are asking for access to their property, it is as simple as that.

Commissioner Sanders asked if there were certain provisions to address the issues that the people of South Bayshore. Something to make them think they were not affected by this PUD. Chairman Jones said at the time the Board did deny the access on South Bayshore Drive but that was a county decision not a DOT. Commissioner Amison inquired as to the crosswalk and if it was there before. Mr. Durmedy said they were told the crosswalk was put in by grant money. Not saying the crosswalk is the only issue. We are the largest landowner on South Bayshore Drive. There already is commercial on South Bayshore Drive. We thought very diligently about where we could pit this. We are not intruding on anyone to the best of our ability. The biggest touch point to any road is South Bayshore Drive. He said they will use Island Drive as their address. Mr. Curenton spoke regarding the cross walk; it was completed in 2018. Commissioner Amison asked if the PUD was approved before then. Chairman Jones said it could have been in the process of approval. Commissioner Amison noted information he had received from the sheriff's office regarding the traffic on South Bayshore Drive. Commissioner Amison asked if we are sure we have exhausted everything with FDOT. He would recommend we exhaust everything before we make a decision that will increase the issues. Mr. Durmedy said they have had exhaustive conversations with FDOT. Commissioner Amison noted the

sheriff reported there was 8349 down that road on the weekend. Chairman Jones said we had them run a thing a year or so ago, down Patton because we were looking at getting it repaved and widened. He said three days it was 26,000. Commissioner Sanders asked if Mr. Garlick could come up. She asked if he was responsible with speaking to FDOT. He said he was on the call with them. Mr. Garlick said the biggest issue is using Begonia is we are taking traffic from going down a public road with residential roads, to another area with the same. Using it as a service road is fine. Commissioner Sanders said it seems like to her access should have been obtained initially. She asked Mr. Garlick if South Bayshore was initially on their radar. He said they didn't go for it initially because there was so much opposition. Commissioner Ward said she is not against PUD but has issue with ingress and egress FDOT is asking for. She said that she has reached out to Mr. Brian Petits and he has yet to call her back. She noted it is ironic that they are putting it on a county road instead of state-owned road. Have we exhausted all of our options? Has a traffic study been done? We can't control traffic on South Bayshore Drive. Concern is if you look at the map there is a curve off of South Bayshore and then Y. The 400 feet that they have to have between business and residences. From the closest business there is not 400 feet. We are 500 feet beyond that and still over 500 feet from nearest driveway. The only access we have is on Begonia less than 30 feet and South Bayshore Drive. Commissioner Ward agrees it is not fair that we deny you access to your property. Anyone with common sense can see this is a huge safety issue. Did Mr. Pettis come to the site? Mr. Curenton said the county has no requirement that someone do a traffic study. He said he did recommend to them that they do a study to show what the impact will be. The county has adopted a level of service D on all county roads, but he doesn't have the number and figures to say what the impact this development will have on the level of service on this road. Commissioner Ward said she does not feel we have exhausted all of our options. Chairman Jones asked Mr. Moron to display the actual layout of the property. Commissioner Ward asked if we could block off the Y. Chairman Jones said we have residences using it, we can make it a one way if that is what you want to do. Commissioner Amison said he would FDOT be the final call. He would rather hear from a state official from FDOT. He said the letter says it recommends. Mr. Durmedy said they have no jurisdiction and they can't force you to do it. Commissioner Amison said he does not believe it has been exhausted. He would like FDOT to reach out to us. Commissioner Lockley said he was on the Board when the PUD was approved. He said you have to give people access to their property. Commissioner Amison asked if he was on the Board when it was turned down before with Bayshore access. Chairman Jones said it was denied before because they wanted RVs. Commissioner Lockley said we need the jobs; we have to start somewhere. He noted change is going to come. Mr. Durmedy said it is going to be a beautiful entrance and it's a community property. He noted it will be something the county will be able to enjoy. I think it would be sager to have a nice development in the area. Mr. Durmedy said he has exhausted every avenue to get it on Island Drive. Commissioner Ward said she feels like FDOT owes more of an explanation to the Board on why the recommend this. I cannot approve this until I have further information from them. Mr. Durmedy asked if we could get an approval subject to you getting information from them. Commissioner Ward said we cannot do that. Attorney Shuler said he would not recommend doing that. He would say to table, approve or deny.

Commissioner Ward made a motion to table until we can speak with FDOT to make sure that we have exhausted all options. Commissioner Sanders seconded. Attorney Shuler said the Board would need to table to a date, time, and place certain or table and readvertise.

Commissioner Ward noted it is all dependent on FDOT contacting us back. The Board discussed and agreed to table to the second meeting of next month. Mr. Moron said what you are asking me to do is have FDOT be in front of you at this meeting. He said he would recommend the 21st at 10 a.m. Attorney Shuler said we are tabling the public hearing until March 21st @ 10 a.m. Commissioner Ward amended her motion to table the meeting until March 21st at 10 a.m. Commissioner Sanders seconded the motion. Commissioner Lockley inquired as to why they were tabling. Commissioner Sanders said she does not believe that FDOT has looked at the ingress and egress on South Bayshore Drive. Commissioner Ward said she wants to talk to Mr. Pettis to find out why he thinks this is a safer entrance that the original on Island Drive. Mr. Durmedy noted that time is crucial. He said he has been working on this for a long time. Chairman Jones confirmed with Mrs. Griffith that this property is not included in the right of way on Island Drive coming into St. George Island, noting the state is granting ownership of that to the county. Mrs. Griffith confirmed that it is not included.

Motion carried 4-1, Commissioner Lockley opposed.

Public Hearings 10:00 a.m. (ET)

6. 5-Year Capital Improvement Schedule 10:00 a.m. (ET)

The Franklin County Board of County Commissioners will hold a public hearing, to consider adopting an updated 5-Year Capital Improvements Schedule as part of the Franklin County Comprehensive Plan.

**Exhibit A
CAPITAL IMPROVEMENTS SCHEDULE 2022-2027**

PROJECT	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	Funded	Funding Source
Infrastructure							
New Emergency Operation Center		\$ 4,000,000				Unfunded	Grant Funding
SGI Stormwater Improvements			\$ 5,000,000			Unfunded	Grant Funding
County Jail Window Replacement				\$ 800,000		Unfunded	Grant Funding
Supervisor of Elections Office		\$ 765,000				Funded	ARA Funds
Courthouse Roof		\$ 500,000				Funded	ARA Funds
Parks and Recreation							
Fort Coombs Armory Phase III			\$ 1,750,000			Unfunded	Grant Funding
Vrooman Park Improvements	\$ 500,000					Funded	FRDAP/DEO Grant
SGI Beach Access Walkovers		\$ 200,000				Unfunded	TDC
SGI Beach Parking Improvements		\$ 350,000				Funded	ARA Funds
SGI Lighthouse Park Improvements	\$ 200,000					Funded	TDC/Private Donations
Carrabelle Beach Wayside Park - Repair Picnic Shelters	\$ 156,056					Unfunded	DHR Grant/TDC
Island View Park Restrooms & Pavilion		\$ 700,000				Unfunded	Grant Funding
SGI Fishing Pier Restrooms		\$ 234,520				Unfunded	Grant Funding
SGI Seawall Replacement	\$ 614,310					Funded	Grant Funding
SGI Boat Ramp Improvements	\$ 80,000					Funded	FBIP
SGI Boat Ramp Improvements Construction					\$ 1,000,000	Unfunded	Grant Funding
Old Ferry Dock Boat Ramp Const.		\$ 1,558,389.00				Unfunded	FBIP & Sport Fish Restoration
Transportation Facilities							
CR 30A - Sta 270+00 to Hwy 98				\$ 1,500,000		Funded	FDOT SCOP
CR 370 Alligator Dr. Sidewalk	\$ 371,000					Funded	FDOT LAP
CR 370 Alligator Dr. Sidewalk Ph III	\$ 1,007,140					Funded	FDOT LAP
Otter Slide/Avenue A Sidewalk			\$ 48,000		\$ 706,041	Funded	FDOT LAP
SGI Multi-Use Path Improvements				\$ 1,000,000		Unfunded	Grant Funding
CR 379 Mill Road Reconstruction			\$ 1,086,026			Unfunded	FDOT Grant
CR 67 Repaving - Bridge to SFR 166	\$ 1,970,050					Funded	FDOT SCRAP
CR 67 Womack Creek Culverts	\$ 1,329,213					Funded	FDOT SCOP
CR 67 Repaving - SFR 166 to SFR 172		\$ 1,850,284				Funded	FDOT SCRAP

**Exhibit A
CAPITAL IMPROVEMENTS SCHEDULE 2022-2027**

PROJECT	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	Funded	Funding Source
CR 67 Repaving - SFR 172 to Liberty County		\$ 3,140,281				Unfunded	FDOT Grant
Patton Drive Resurfacing	\$ 54,802		\$ 855,225			Funded	FDOT CIGP
Hickory Dip Resurfacing	\$ 44,247	\$ 513,978				Funded	FDOT
Apalachicola Airport - Stormwater & Drainage	\$ 600,000					Funded	FDOT Aviation
Apalachicola Airport - Pavement Rehab	\$ 800,000					Funded	FDOT Aviation
Apalachicola Airport - Pavement Marking	\$ 300,000					Funded	FDOT Aviation
Apalachicola Airport - Utility Imp.		\$ 800,000				Funded	FDOT Aviation
Apalachicola Airport FBO Roof			\$ 200,000			Unfunded	FDOT Grant
Apalachicola Airport Fuel Farm	\$ 1,100,000					Funded	Triumph
TOTAL	\$ 9,126,618	\$ 14,412,452	\$ 8,737,251	\$ 3,300,000	\$ 1,706,041		

The board had no additions. Chairman Jones called for public comments and there were none. Commissioner Sanders noted she had asked Erin to add Alligator Drive to the list. **On a motion by Commissioner Sanders, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board adopted the updated 5-Year Capital Improvements Schedule as part of the Franklin County Comprehensive Plan. Motion carried 5-0.**

The Board moved to Kwentin Eastberg – Apalachee Regional Planning Council – Broadband Grant & Transportation Disadvantage Update at this time.

5. Kwentin Eastberg – Apalachee Regional Planning Council – Broadband Grant & Transportation Disadvantage Update

Mr. Eastberg presented a request to the Board seeking approval to work with county staff to complete grant application. ARPC will work with county staff to submit for this planning grant. Chairman Jones noted that basically this will be planning for what our broadband needs are and how to meet those needs. Chairman Jones noted with partnering with ARPC this helps county staff to pursue things that we normally not be able to pursue.

On a motion by Commissioner Ward, seconded by Commissioner Sanders, and by a unanimous vote of the Board present, the Board authorized Apalachee Regional Planning Council to work with county staff to complete application for this planning grant. Motion carried 4-0. Commissioner Lockley absent.

Mr. Moron presented item 8 from his report at this time.

8. Discussion and Possible Action Item: ARPC – Review Comprehensive Plan and Zoning Ordinance

Board discussion and possible action to request a proposal from ARPC to review and recommend updates to the County’s Comprehensive Plan and Zoning Ordinance. Last year, Mr. Mark Curenton (County Planner) suggested that we do a review of the County’s Comprehensive Plan with the intention of updating the plan. This update would include, but not limited to, removing outdated references to state agencies that no longer exists, verifying that all changes made to the plan over the years have been included, and other updates. While discussing this with Mrs. Cortni Bankston (Zoning Administrator), she feels that the Zoning Ordinance is also in need of updating. I am recommending that we request a proposal from Apalachee Regional Planning Council to do this review. Mr. Curenton will work with ARPC on the review to both the Comprehensive Plan and the Zoning Ordinance and have those documents updated.

On a motion by Commissioner Sanders, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board approved requesting a proposal from ARPC to review and recommend updates to the County’s Comprehensive Plan and Zoning Ordinance. Motion carried 4-0.

3. Action Item: Vulnerability Assessment Grant

Board action to request a proposal from Apalachee Regional Planning Council to assist the County with its Vulnerability Assessment. Last week, staff was notified that the County received a \$175,000 Florida Department of Environmental Protection Vulnerability Assessment Planning Grant. I reached out to Apalachee Regional Planning Council to inquire if they would assist the County with this planning grant. If the Board agrees, we will meet with ARPC representatives and present a proposal at the next meeting for your review and approval.

On a motion by Commissioner Sanders, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board approved requesting a proposal from Apalachee Regional Planning Council to assist the County with its Vulnerability Assessment. Motion carried 4-0.

7. Amending Critical Shoreline Setback 10:00 a.m. (ET)

NOTICE OF INTENT TO CONSIDER ADOPTION OF A COUNTY ORDINANCE AMENDING ORDINANCE 89-8, AN ORDINANCE REGULATING THE CRITICAL SHORELINE OF FRANKLIN COUNTY, FLORIDA, FOR THE PURPOSE OF REPEALING THE LOCAL SET

Item addressed earlier in the meeting.

8. Serenity Seaside Resort PUD 10:30 a.m. (ET)

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, AMENDING ORDINANCE 2019-06, THE SERENITY SEASIDE RESORT PLANNED UNIT DEVELOPMENT, TO ADOPT A NEW CONCEPTUAL LAND USE PLAN SHOWING A REARRANGEMENT OF THE INTERNAL LAYOUT OF THE DEVELOPMENT AND A RELOCATION OF ONE ACCESS FOR THE DEVELOPMENT FROM ISLAND DRIVE TO SOUTH BAYSHORE DRIVE: PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Item addressed earlier in the meeting.

Planning and Zoning Adjustment Board Report

9. Critical Shoreline Applications

a. 348 Patton Street

Consideration of a request to construct a 760 square foot single family dock that consists of an 8’x20’ covered terminus, a 150’x4’ walkway, and a 15’x15 10K boat lift at property described as 348 Patton Street, Eastpoint, Franklin County, Florida. Application submitted by Larry Joe Colson, Inc., agent for Jeff Betsill, applicant. Application contingent upon State and Federal Permits or Exemptions.

On a motion by Commissioner Ward, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board approved the request to construct a 760 square foot single family dock that consists of an 8’x20’ covered terminus, a 150’x4’ walkway, and a 15’x15 10K boat lift at property described as 348 Patton Street, Eastpoint, Franklin County, Florida, contingent upon State and Federal permits or exemptions. Motion carried 4-0.

10. Re-Zoning & Land Use Change Applications

a. ARK OZB II, LLC

Consideration of a request for Public Hearing to change the zone and land use of an 8.3 acre parcel of land located in Section 36, Township 8 South, Range 7 West, Eastpoint, Franklin County, Florida from R-1A Single Family Residential Subdivision District (Subdivision – One dwelling per 14,000 square feet) to R-1 Single Family Residential (One dwelling per acre).

On a motion by Commissioner Ward, seconded by Commissioner Sanders, and by a unanimous vote of the Board present, the Board approved the request for Public Hearing to change the zone and land use of an 8.3 acre parcel of land located in Section 36, Township 8 South, Range 7 West, Eastpoint, Franklin County, Florida from R-1A Single Family Residential Subdivision District (Subdivision – One dwelling per 14,000 square feet) to R-1 Single Family Residential (One dwelling per acre). Motion carried 4-0.

11. Final Plat Applications

a. Boondocks by the Bay

Consideration of a request for final plat review for Boondocks by the Bay for 4 lots located at 1911-1917 US Highway 98 E, Carrabelle, Franklin County, Florida. Request submitted

by Thurman Roddenberry, agent for Daniel Floyd, applicant.

On a motion by Commissioner Ward, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board approved the request for final plat review for Boondocks by the Bay for 4 lots located at 1911-1917 US Highway 98 E, Carrabelle, Franklin County, Florida. Motion carried 4-0.

12. Zoning Administrator's Report

a. SGI Multi-Use Path Improvements

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

5. BOARD ACTION: Recreational Trails Grant Application SGI Multi-Use Path

There have been two unsuccessful applications through the FDOT Transportation Alternative's Program for the resurfacing of the oldest (late 1990's) two-mile section of the SGI Multi Use Path on St. George Island. The Transportation Alternative's Program primary focus is the construction of new paths and will not provide funding for the renovation or restoration of existing paths (even when a path is at the end of useful life and the project scope entails substantial capital improvements). The Department of Environmental Protection's Recreational Trails Program is a competitive points-based program with a much smaller project size maximum of \$500,000 but does provide funding assistance for the renovation/restoration of existing trails. This program does require a minimum 20% cash match should the program be funded. The proposed phase I project scope has been reduced to a .56 mile section encompassing the busiest and most congested commercial area of St. George Island, from 3rd Street East to 3rd Street West to fit within the project size limitations of the program and in addition to the reclamation and resurfacing (which in itself is a much needed safety and ADA accessibility improvement), the project will also include drainage improvements (corrections to swales and slopes in the area along the path), ADA and safety enhancements at intersections (the addition of surface tactile warning strips at the seven intersections, remarking of crosswalks, and the removal of excess visual distractions), and will include resting benches, shade and bicycle repair stations at the end of the commercial corridor at an estimated project cost of \$428,000.

Board action to approve the submission of the SGI Multi-Use Path Recreational Trails Program grant application.

On a motion by Commissioner Ward, seconded by Commissioner Sanders, and by a unanimous vote of the Board present, the Board approved the submission of the SGI Multi-Use Path Recreational Trails Program grant application. Motion carried 4-0.

County Staff & Attorney Reports

13. Fiscal Manager/Grants Coordinator – Erin Griffith

a. BOARD ACTION: Alligator Drive Multi-Use Path Supplemental Agreement & Construction Contract

The Florida Department of Transportation has sent a Supplemental Agreement for the CR 370 Alligator Drive Multi-Use Path project (429854-4) to reduce the scope of work on this newest phase of the multi-use path from East Harbor Circle to the S-curve. There has been no change in the dollar value of the agreement, only the formal reduction in scope to align the agreement with the available funding and notice of award issued to Roberts and Roberts at the January 17th meeting.

A. Board action to approve the supplemental agreement and adopt the resolution authorizing the chairman's signature on the agreement.

B. Board action to authorize the chairman to sign the attached construction contract with Roberts and Roberts.

On a motion by Commissioner Sanders, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board approved the supplemental agreement and adopt the resolution authorizing the chairman's signature on the agreement and authorized the Chairman to sign the attached construction contract with Roberts and Roberts. Motion carried 4-0.

2. BOARD ACTION: Old Carrabelle Annex Location

Mark Curenton and I met with architect Doug Shuler, EMS Director Richard Lewis and Parks Director Fonda Davis on site at the Old Carrabelle Annex on Friday. The county has a long-term lease with the State of Florida for this location. As part of that long-term lease, the county is responsible for maintenance of the facility. The state's property management division has notified Franklin County that if the facility is not kept in good condition, then the location will revert to the State of Florida. The building is in desperate need of a new roof and the county had considered this location as a possible satellite location for the ambulance service. After visiting the site, it was determined that it would not be the best location for the ambulance service as the age of the building, necessary safety, and ADA upgrades in addition to the needed repairs and other requirements would cost around \$275,000. This location also proved to be unsuitable as a location for a 'critical government facility' as the site is in a VE (high velocity) flood zone. As stated in FEMA's Fact Sheet on Critical Facilities and Higher Standards, "if at all possible, critical facilities should be located outside all high-risk flood hazard areas, including Zones V and A." As the county must make repairs to the existing facility, Director Davis agrees that the location will continue to be useful to the Parks and Recreation Department and would like to utilize the building should it be repaired to store parks and recreation equipment. There are also several pole barn structures with roof structures which are in such poor condition that they have become unsafe. The county will need approval from the State of Florida before the roof structures could be demolished. The architect has estimated that it would cost around \$40,000 to County staff has requested a task order from Architect Doug Shuler to draft bid specs to get the building to safe, useable condition and the cost of the repairs could be paid by the American Rescue Plan.

A. Board action to move forward with the concept to rehabilitate the Old Carrabelle Annex Location in Carrabelle for use by the Parks and Recreation Department and for staff to request a task order from the architect for the necessary repairs.

B. Board action to request approval from the State of Florida to demolish the collapsed roof structures on the pole barns at the site.

Commissioner Ward inquired about the certainty that ARPC will cover this. Mrs. Griffith noted that as long as the spending plan was amended, she was confident that it would. **On a motion by Commissioner Ward, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board authorized moving forward with the concept to rehabilitate the Old Carrabelle Annex Location in Carrabelle for use by the Parks and Recreation Department and for staff to request a task order from the architect for the necessary repairs and requesting approval from the State of Florida to demolish the collapsed roof structures on the pole barns at the site.** Commissioner Sanders inquired about the roof replacement. Mrs. Griffith noted that they would like to replace it but funds aren't available at this time. **Motion carried 4-0.**

3. BOARD ACTION: Site Review for EMS Satellite Location

As mentioned above, the Old Carrabelle Annex Location was not a good fit for the Ambulance Service and the cost was such that a new building would seem to be a better long-term solution to service that area of

the county. County staff and EMS then visited the ½ acre open space area on the west side of the county owned parcel shared by the Lanark/St. James Fire Department. This area may warrant additional evaluation as it appeared to have good access and is not located in a flood zone.

Board action to request preliminary review of the site for suitability from County Engineers Dewberry & Associates.

On a motion by Commissioner Sanders, seconded by Commissioner Ward, and by a unanimous vote of the Board present the Board authorized requesting a preliminary review of the site for suitability from County Engineers Dewberry & Associates. Motion carried 4-0.

4. BOARD ACTION: RESTORE Task Orders: Langton & Associates

At the last meeting, the Board approved sending the RESTORE program amendment which included the construction activities for the three RESTORE projects. All permits and design work are now in place to proceed with the construction grant application for the County-Wide Dune Restoration Project. The County's RESTORE program consultants, Langton & Associates, have submitted a task order to bill for actual time at the stipulated hourly rates at a cost estimate not to exceed \$13,340 for development of the construction grant application to the US Treasury. I had hoped to have an approved draft of the SGI Storm Water Project Right of Way Agreement from FDOT to present at this meeting, but at this time, the agreement is still on hold until resolution can be reached regarding FDOT's stipulated requirement for guaranteed treatment capacity vs. total pond capacity. As it will not be possible to finalize the design or permitting documents until an agreement is approved, the county will need to request an additional no-cost time extension (completion date 05/05/23, extension to date: 12/31/23, engineers anticipate completion by 10/31/23 pending approval of ROW agreement within the next few months) from the US Treasury for the design grant. Langton and Associates have submitted a task order to bill for actual time at the stipulated hourly rates at a cost estimate not to exceed \$1,950 for the preparation and assembly of documentation to submit the no-cost time extension to Treasury. The application for the landfill transfer station construction application can be submitted after the completion of the feasibility study. Engineers have received all requested information to develop viable operating cost estimates and construction cost estimates. The feasibility study should be completed in the next few months and the construction grant application can be completed at that time.

A. BOARD ACTION: Board action to approve and authorize the chairman to sign the attached task order with Langton and Associates to move forward with the County-Wide Dune Restoration Project Construction Grant Application.

B. BOARD ACTION: Board action to approve and authorize the chairman to sign the attached task order with Langton and Associates to move forward with the attached task order with Langton and Associates to move forward with the no-cost time extension for the St. George Island Storm Water Design Grant.

On a motion by Commissioner Amison, seconded by Commissioner Sanders, and by a unanimous vote of the Board present, the Board approved and authorized the chairman to sign the attached task order with Langton and Associates to move forward with the County-Wide Dune Restoration Project Construction Grant Application and approve and authorized the chairman to sign the attached task order with Langton and Associates to move forward with the attached task order with Langton and Associates to move forward with the no-cost time extension for the St. George Island Storm Water Design Grant. Motion carried 4-0.

5. BOARD ACTION: Recreational Trails Grant Application SGI Multi-Use Path

There have been two unsuccessful applications through the FDOT Transportation Alternative's Program for the resurfacing of the oldest (late 1990's) two-mile section of the SGI Multi Use Path on St. George Island. The Transportation Alternative's Program primary focus is the construction of new paths and will not

provide funding for the renovation or restoration of existing paths (even when a path is at the end of useful life and the project scope entails substantial capital improvements). The Department of Environmental Protection's Recreational Trails Program is a competitive points-based program with a much smaller project size maximum of \$500,000 but does provide funding assistance for the renovation/restoration of existing trails. This program does require a minimum 20% cash match should the program be funded. The proposed phase I project scope has been reduced to a .56 mile section encompassing the busiest and most congested commercial area of St. George Island, from 3rd Street East to 3rd Street West to fit within the project size limitations of the program and in addition to the reclamation and resurfacing (which in itself is a much needed safety and ADA accessibility improvement), the project will also include drainage improvements (corrections to swales and slopes in the area along the path), ADA and safety enhancements at intersections (the addition of surface tactile warning strips at the seven intersections, remarking of crosswalks, and the removal of excess visual distractions), and will include resting benches, shade and bicycle repair stations at the end of the commercial corridor at an estimated project cost of \$428,000.

Board action to approve the submission of the SGI Multi-Use Path Recreational Trails Program grant application.

Item addressed earlier in the meeting.

6. BOARD INFORMATION: MISCELLANEOUS PROJECT UPDATES

Commissioner Ward inquired as to when the website for county projects would be live. Mr. Moron noted that they are finalizing and believes it should be live next week.

The following item was added to the agenda at the beginning of the meeting.

Board action to approve and authorize the Chairman sign the Legislative Appropriations forms.

On a motion by Commissioner Ward, seconded by Commissioner Sanders, and by a unanimous vote of the Board present, the Board approved and authorized the Chairman to sign the Legislative Appropriations forms. Motion carried 4-0.

12. County Coordinator - Michael Moron

1. Action Item: New Administrative Support Position

Board action to authorize the creation of a new administrative support position and the advertisement of this vacant position. At your last meeting, I explained the need for the Board to authorize a new administrative support position for Mrs. Erin Griffith. A couple of Commissioners wanted an opportunity to discuss this new position and the additional grants she would assume once Mr. Mark Curenton retires with Mrs. Griffith before proceeding. Mrs. Griffith has indicated to me that those conversations have taken place and is in total support of this request.

On a motion by Commissioner Ward, seconded by Commissioner Sanders, and by a unanimous vote of the Board present, the Board authorized the creation of a new administrative support position and the advertisement of this vacant position. Motion carried 4-0.

2. Action Item: Code Enforcement RFQ

Board action to create a Request for Qualifications to include both building inspection services and code enforcement services. At your last meeting, the Board authorized the creation of a Request for Qualifications for Code Enforcement services. Since then, it has been brought to my attention that the Building Department did not receive any applications for the Building Inspector advertisement. Would the Board consider a Request for Qualifications for both building inspection and code enforcement services? I've discussed this idea with Mr. Steve Paterson (Building Official), and he agrees that with adequate control and procedures, this idea would work. I am seeking Board approval to work with Mr. Paterson on creating this combined

RFQ and presenting it to the Board for review and approval.

On a motion by Commissioner Sanders, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board authorized staff to work with Mr. Paterson to create a combined RFQ to include both building inspection services and code enforcement services and presenting it to the Board for review and approval. Motion carried 4-0.

3. Action Item: Vulnerability Assessment Grant

Board action to request a proposal from Apalachee Regional Planning Council to assist the County with its Vulnerability Assessment. Last week, staff was notified that the County received a \$175,000 Florida Department of Environmental Protection Vulnerability Assessment Planning Grant. I reached out to Apalachee Regional Planning Council to inquire if they would assist the County with this planning grant. If the Board agrees, we will meet with ARPC representatives and present a proposal at the next meeting for your review and approval.

Item addressed earlier in the meeting.

4. Action Item: No Wake Signs

Board action to authorize the installation of new “No Wake Zone” signage with new pilings, at a cost of \$7800.00 in the Ochlocknee River area. In the past, the Board directed staff to advertise for proposals to replace “No Wake Signs” that were destroyed during Hurricane Michael at the Ochlocknee River and Two-Mile area. No firms responded to the advertisement. Last year, the Sheriff received multiple complaints of illegal boating activity in the Ochlocknee River area and found a contractor willing to install new pilings and “No Wake Zone” signs. As spring is approaching, I reached out to a Dock and Marine contractor (information provided by the Sheriff’s office) for an update quote to install “No Wake Signs” in the Ochlocknee River area and the Two – Mile area. Is the Board willing to proceed with the installation of new signs and pilings in the Ochlocknee River area now and consider the Two-Mile area after the dredge is completed. The total cost for each location would be \$7800.00.

Commissioner Sanders said quite a few years ago we did this the only thing is that FWC only enforces state law. They are not going to abide by local law. Chairman Jones said so are we to petition FWC to put signs up. Commissioner Ward inquired as to why we had to pay for them. Commissioner Sanders said lets go ahead and table to until we find out. Commissioner Amison said he would think this would be the coast guard. Mr. Moron said he will contact FWC and the Coast Guard.

On a motion by Commissioner Sanders, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board voted to table this item until staff is able to obtain answers to the questions presented from FWC and Coast Guard. Motion carried 4-0.

5. Action Item: Airport Environmental Contract

Board action to approve and authorize the Chairman’s signature on the Environmental Resource Solutions proposal for the FAA requested a Wetlands and Wildlife Environmental assessment as part of the obstruction removal project at the Airport. Mr. John Collins (AVCON) informed staff that FAA requested a Wetlands and Wildlife Environmental assessment of the Airport Obstruction Removal project area. Mr. Collins requested and received a proposal from Environmental Resource Solutions for this assessment. The total cost of the assessment will be \$4500.00; however, this amount was included as part of the FAA grant application and will be reimbursed to the County once the grant is issued in July 2023.

On a motion by Commissioner Ward, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board approved and authorized the Chairman’s signature on the Environmental Resource Solutions proposal for the FAA requested a Wetlands and Wildlife Environmental assessment as part of the obstruction removal project at the Airport. Motion carried 4-0.

6. Discussion and Possible Action Item: Airport Operation Economic Development Board

Board discussion and possible action on the creation of the Airport Operation Economic Development Board. I've sent you a list of candidates, that provided either emails, cover letters, or resumes, that are interested in serving on your Airport Operation Economic Development Board. Are there candidates that you would like added to the list that did not submit or send any information to staff? Will this be an advisory board, like the other county advisory boards or will this be a commission style board with decision authority that cannot be overturned by the BOCC? Will there be by-laws or rules and procedures for this new Board to follow, and if so, is there a template that Attorney Shuler can use to create these rules, procedures, or by-laws? Is the Board ready to select an administrator that will be responsible for meeting notices, agendas, and minutes? Are there any other items the Board would like to discuss regarding the AOED board before proceeding?

Chairman Jones said we have never set up any bylaws, if its going to be a 5- or 9-person board. How are we going to pick from the applicants? Some of the people did not apply because they did not see a path forward. The Board may want Mr. Moron to meet with Mr. Mosteller and Commissioner Amison to come up with a plan moving forward to include creation of bylaws, etc. Commissioner Sanders noted that we don't want to go like we had before. Commissioner Ward suggested creating an organizational chart where we don't have the same issues as before with people assuming power and responsibilities they don't have. Commissioner Amison suggested having a five-member board with two alternates. The Board agreed to direct Mr. Moron to meet with Mr. Mosteller and Commissioner Amison to come up with bylaws, etc. and bring back to the Board for approval. Chairman Jones said he would like to see what they have at the regional planning committee. Commissioner Amison said he would like to get a little more clear and precise as to what we are looking for. Commissioner Sanders said you need to look at advisory boards, that is how we have always set up our boards. Ultimately, we are the final say so. Mr. Moron said we will bring something back to you all on that.

7. Discussion and Possible Action Item: Airport Property Appraisal

Board discussion and possible action on authorizing an appraisal of airport property that can be used for industrial/economic development. As Duke Energy's Site Readiness Team and county staff continue to meet and progress towards an industrial/economic development project, there is a FAA requirement that fair market value is collected on any lease involving airport property. To get that number, an appraisal of the proposed airport project property is needed. Is the Board ready to proceed with an appraisal and should we include the workcamp as part of the appraisal?

Attorney Shuler inquired as to if there were any potential tenants at this time. He expressed concern of spending the money on the appraisal, only to have it be invalid by time a tenant was found. Chairman Jones explained the need for a fair market value in order for Duke Energy to pitch the property. Without a value, there would be no way to quote rental fees to potential tenants. Mr. Moron said say perhaps someone wants to expand their business from their home, the problem we are having is how can we work out a deal with them without knowing how much we are going to have to pay the airport for the use of the property. Attorney Shuler said he will speak with Mr. Moron and they can refer back at the next meeting. There are so many variables.

Commissioner Amison made a motion to table the above item to allow Attorney Shuler and Mr. Moron time to discuss, seconded by Commissioner Ward. Motion carried 4-0.

8. Discussion and Possible Action Item: ARPC – Review Comprehensive Plan and Zoning Ordinance

Board discussion and possible action to request a proposal from ARPC to review and recommend updates to the County's Comprehensive Plan and Zoning Ordinance. Last year, Mr. Mark Curenton (County Planner) suggested that we do a review of the County's Comprehensive Plan with the intention of updating the plan. This update would include, but not limited to, removing outdated references to state agencies that no longer exists, verifying that all changes made to the plan over the years have been included, and other updates. While discussing this with Mrs. Cortni Bankston (Zoning Administrator), she feels that the Zoning Ordinance is also in need of updating. I am recommending that we request a proposal from Apalachee Regional Planning Council to do this review. Mr. Curenton will work with ARPC on the review to both the

Comprehensive Plan and the Zoning Ordinance and have those documents updated.

9. Discussion and Possible Action Item: Senior Services

Board discussion and possible action to direct all senior services funding to ECCC to assist them with their plan to provide essential services to the County's elder community. Earlier this morning you heard Elder Care Community Council representatives explain their plans to provide essential services to Franklin County's elder community. ECCC will need additional funds to provide these services to our elder community, so would the Board be in favor of a meeting with Mrs. Lisa Bretz, Mrs. Erin Griffith and I to discuss the possibility of redirecting all senior service funding to ECCC to assist with providing essential services?

10. Informational Item: Paramedic Trucks Grant Approval

Mr. David Walker (Weems CEO) received the official grant notification letter and announcement for the USDA grant pertaining to the EMS Paramedic Trucks. Mr. Walker will keep the Board updated on an arrival timeline.

11. Informational Item: Leslie Street Update

The City of Apalachicola staff received confirmation from FDOT that they have been awarded Municipal SCOP funds for the Design and Construction of Leslie Street from Water Street to SR 30 (US98). The funds will be available in July 2023.

Chairman Jones noted DOT will soon begin repaving the causeways on the Apalachicola bridge. He had inquired of DOT if they would consider replacing the rope rails with solid rails. In the event DOT should agree to replace the rails, they would want exclusive access under the bridge. Commissioner Amison suggested moving the rail closer to the seawall in order to provide more room on the right of way. This would help for those who like to cast net in this area to park on the shoulder. **On a motion by Commissioner Ward, seconded by Commissioner Amison, and by a unanimous vote of the Board present, the Board authorized sending a letter to DOT requesting this change. Motion carried 4-0.**

Commissioner Sanders inquired about an update on Lanark Fire Department.

They have a company to come in to do inventory and what we need to spend on fixing trucks.

He's trying to find a way to get everyone fire fighter one trained. He is trying to lead them along so when it is time to get certified it doesn't scare them off. Commissioner Sanders said she will bring this up again that we will need a contract with the fire department for oversight. We need to make sure that we don't recreate what happened again. Commissioner Ward asked about an update on the tower up Hwy 65. Mr. Moron said he does not have an update on that at this time. Chairman Jones said he has been in communication with Senator Rubio's office about the Corps of Engineers. When he spoke with them last Friday, the Senator's office has not heard back from the Corps yet. Just so the Board is aware that he has been trying to contact them.

13. County Attorney – Michael Shuler

Action Items

1. Possible Adoption of an Ordinance Repealing Local Set-Back for Aerobic Systems and Septic Tanks from the Waters and Wetlands of Franklin County

A draft ordinance and Notice of Intent duly published on February 9, 2023, is attached for your consideration. The public hearing on this matter will be held February 21, 2023, beginning at 10:00 a.m. (ET). The purpose of the ordinance is to eliminate all local set-back for aerobic systems and septic tanks from the waters and wetlands of Franklin County and to instead rely upon the set-backs required by the State of Florida. The local set-back for aerobic systems is 75' and the local set-back for septic tanks is 150' from the waters and wetlands of Franklin County. Other than the local set-back, Franklin County relies on the State of Florida to regulate on-site sewer systems. A representative of the State of Florida will be present to discuss the set-back required by the State of

Florida. I have asked the State to provide me with a summary of their set-back so that I can provide that information to the Board before the meeting. As a general matter, the State set-back is closer to the waters and wetlands of Franklin County. Quoting part of Florida Administrative Rule 62-6.005 on the location and installation of sewer systems: "All systems must be located and installed so that with proper maintenance the systems function in a sanitary manner, do not create sanitary nuisances or health hazards and do not endanger the safety of any domestic water-supply, groundwater or surface water..."

Board Action Requested: Discussion and possible Board action to adopt the proposed ordinance.

Item addressed earlier in the meeting under Public Hearings.

2. **Tax Collector**

Contract Termination between Franklin County Tax Collector and Government Software Assurance Corporation

I have cut and pasted a summary from the Tax Collector. The originals are attached to this request.
REQUESTS

1. Approve Termination of GSA contract and refund of \$180,000
2. Approve Reallocation of \$69,867.92 for purchase of computer hardware for tax collection
3. Approve balance of funds to be deposited in Franklin County General Revenue Fund

BACKGROUND

Care Funds were obtained for an upgrade of the software tax collection system in a contract with GSA for \$216,481. The property appraiser's office also obtained funding from Care Funds to upgrade its system. Both the tax collector's office and the property appraiser's office had operated on the same system. GSA provided software support of property appraisers in 18 Florida counties. While GSA did not have software for any tax collector's officers in Florida, it did have a program in Nevada. The assumption by GSA and the Franklin County Tax Collector's office was that the Nevada software could be modified to work in Florida.

Difficulties arose for GSA and the tax collector's office in extracting information from the current system to develop the new software. Despite the best efforts of the parties, it was decided that the contract be terminated. The parties have agreed to a refund of \$180,000 with a credit to GSA of \$36,481 for work performed thus far. Another provision of termination agreement is to honor the contract price and credit provided should the contract be reinstated prior to March 15, 2025. I have not intention of reinstating the original contract. Care Funds do not have to be returned to the federal government. The termination agreement is attached.

I was informed recently that the current computer hardware which supports the processing and distribution of tax payments will not be supported by IBM after May of 2024. The hardware was purchased in 2016. End of support means hardware support will be limited and may result in prolonged outage due to parts availability. The cost of replacement of the hardware, switch and printers is \$69,867.92. The explanation of the need to replace the system and the Quote/Sales Agreement is attached. The ideal time to replace the hardware would be from mid-June 2023 thru the end of July 2023. The Delinquent Tax Auction will be completed at that time and the final report to the Florida Department of Revenue on Franklin County tax collections is concluded by June 30, 2023. This timeframe allows the June/July installment payments for 2023 taxes be processed on the new system and will insure a stable environment for November tax processing.

Board Action Requested: Discussion and possible Board action to accept termination of the contract between the FCTC and Government Software Assurance Corp, accept and direct the \$180,000 refund to be deposited into the general revenue fund and discussion and possible action on the FCTC request to allocated \$69,867.92 for the purpose of new computer equipment and support.

On a motion by Commissioner Ward, seconded by Commissioner Sanders, and by a

unanimous vote of the Board present, the Board approved the Termination of GSA contract and refund of \$180,000, the reallocation of \$69,867.92 for purchase of computer hardware for tax collection and the balance of funds to be deposited in Franklin County General Revenue Fund. Motion carried 4-0.

3. Proposed Addendum No. 1 to Purchase and Sale Contract - Gander to Franklin County

Board Action Requested: Discussion and possible Board action to extend the contract for 30 business days to allow them time to consider amending the contract for purchase and sale to include additional land shown on a survey received by Franklin County on or about 2/16/23.

At the time of the contract, the parties understood that the Seller's property extended part way from Hwy.98 to Patton Drive. However, the survey received on or about 2/16/23 indicates that the Seller's property in fact extends from Highway 98 to Patton Drive, Eastpoint, Florida. The Buyer desires to consider purchasing, and the Seller desires to consider selling, this additional land. Copies of part of the exhibit to the contract for purchase and sale showing the original parcel and the survey showing the additional land are attached hereto for convenient review. Within 30 business days, the parties may agree to amend the purchase and sale contract to reflect the purchase and sale of the additional land shown on the survey and a new price range or either party may elect to cancel the contract for convenience and without further liability or expense. If the parties so amend the contract for purchase and sale, then the appraisal will be updated as the existing appraisal only included the parcel shown in the original contract and did not include the additional land show on the survey. For convenience, an excerpt from the appraisal showing the valuation and that the area appraised does not run from Hwy. 98 to Patton Drive is attached. Except as provided herein, the terms of the original contract between the parties dated 9/12/22 shall remain in full force and effect.

On a motion by Commissioner Amison, seconded by Commissioner Sanders, and by a unanimous vote of the Board present, the Board approved the proposed Addendum No. 1 to Purchase and Sale Contract – Gander to Franklin County. Motion carried 4-0.

Commissioner Ward updated the Board on a trailer on Messer Road that appears to be on the county right of way. She said she will have Mr. Nabors confirm that at the next meeting. Once that is done, she requests that Attorney Shuler send a letter to the owner notifying them that the trailer has to be removed from the county right of way.

Commissioners' Comments

There were no further comments at this time.

Adjournment

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

Ricky Jones – Chairman

Attest:

Michele Maxwell – Clerk of Courts

The audio is available upon request. Please e-mail jgay@franklinclerk.com, call 850-653-8861 to speak with the Administrative Assistant, or submit a request in writing to obtain audio of this meeting.