

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM  
AUGUST 23, 2023  
11:30 AM**

**MINUTES**

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

Commissioners Absent: Noah Lockley

Others Present: Michael Shuler-County Attorney, Cortni Bankston-Zoning Administrator, and Jessica Gay-Deputy Clerk to the Board

**Call to Order**

Chairman Jones called the meeting to order.

**Prayer and Pledge**

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

**Public Comments**

Chairman Jones called for public comments and there were none.

**Sales Contract-Building in Eastpoint**

Attorney Shuler presented the revised sales contract to the Board for consideration. He noted he had sent over a new document listing the estimated closing costs for each party with the sales price at \$1,000,000. He noted the costs could be slightly more or less depending on the final agreed upon price based on the appraisal values. Attorney Shuler highlighted the changes to the contract as follows:

- Price range reduced by the Seller is \$950,000 to \$1,170,000. If the average of two appraisals falls within this range, then both parties are obligated to close. If lower, then the Seller may cancel. If higher, then the Buyer (County) may cancel.
- Attorney fees and costs for prevailing party has been deleted. Each party to pay their own attorney fees and costs in the event of dispute.
- Indemnity amended to conform with limited waiver of sovereign immunity in s. 768.28 Fla. Stat. and that it is not a waiver of sovereign immunity. Rather it is modified to provide that Franklin County, not the seller, shall be responsible for damages or liability resulting from the Buyer's negligence in the performance of inspections of the property pursuant to paragraph 7 of the contract. Under no circumstances shall the Buyer's liability exceed the amount provided in Fla. Stat. 768.28 (2022); i.e., \$200,000 USD.
- Removed indemnity provision for broker.
- Determined Wire Fraud Prevention Notice was a non-issue for the County since payment will be made via cashier check. However, for the agent to comply with audit procedures, agree to sign.

Chairman Jones inquired if Attorney Shuler had lined up appraisers. Attorney Shuler noted that he has located three appraisers and has contacted one. He will contact the other two appraisers after the Board approves the contract today. He estimates the cost for each appraisal should be around \$3,000. Commissioner Ward asked the realtors present if they were okay with the revisions made to the contract and they agreed that they were. **Commissioner Ward made a motion to approve the contract and authorize Chairman Jones to sign. Commissioner Amison seconded the motion. Attorney Shuler**

noted that the seller would not be able to sign today and asked the Board to amend the acceptance date to Friday, August 25, 2023. **Commissioner Ward amended her motion to include amending the acceptance date to 8/25/2023. Commissioner Amison seconded the amended motion. Motion carried 4-0.**

#### **Commissioners' Comments**

Commissioner Ward noted there was a lot of people who may be concerned about Eastpoint not being the county seat. However, the Board and staff have looked in Apalachicola for properties and basically this is the only property we have found to suit our needs. She noted that the Supervisor of Elections office must be moved. Chairman Jones thanked the commissioners for supporting this action. There are needs that we have as a county that do not only involve us. We will see where the appraisals are and move forward from there. He noted that we must close on this deal before deciding who moves where. Commissioner Ward concurred noted this is not a done deal.

#### **Adjournment**

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

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**Ricky Jones – Chairman**

**Attest:**

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**Michele Maxwell – Clerk of Courts**

The audio is available upon request. Please e-mail [jgay@franklinclerk.com](mailto: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.