

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM**

**JANUARY 21, 2020**

**9:00 AM**

**MINUTES**

**Commissioners Present: Noah Lockley – Chairman, Ricky Jones-Vice-Chairman, Joseph Parrish, William Massey, Bert B. Boldt, II**

**Others Present: Marcia M. Johnson-Clerk of Court, Erin Griffith-Assistant Finance Director, Michael Moron-County Coordinator, Michael Shuler – County Attorney, Lori P. Hines-Deputy Clerk to the Board.**

**Call to Order**

Chairman Lockley called the meeting to Order.

**Prayer and Pledge**

There was a prayer followed by the Pledge of Allegiance.

**Approval of Minutes**

1. Approval of Minutes

**On motion by Commissioner Massey, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve the minutes from the meeting held on January 7, 2020.**

**Payment of County Bills**

2. Bill List for Payment

**On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve payment of the County's bills.**

**Public Comments**

Mrs. Pat O'Connell, Complete Count Committee for Census 2020, introduced Mr. Lloyd Childree, Waste Pro, who has partnered to help them. She said they have a shortage of funds for billboards, posters and public awareness and Waste Pro has stepped up and provided to their effort. Mr. Childree explained Mrs. O'Connell contacted him and talked about the importance of the census and they

recognized how important it is for the community to receive their fair share of the dollars from the federal government. He stated they will partner to help get the word out and hopefully they will get a good census. The Board thanked Mr. Childree for Waste Pro's contribution.

Ms. Donna Butterfield, a resident of St. George Island, welcomed the team from the Texas A & M Center for Optimizing Rural Health (CORH). She stated there was a federal grant for this group to evaluate the hospital but they are not bringing in money. She said in April, 2019 the Department of Health Flex Report found major problems at Weems Memorial Hospital with suggestions on how to fix the problems. Mrs. Butterfield read a section about the future of rural healthcare from the Texas A & M website. She stated she doubts this study or any other will recommend building a multi-million dollar hospital when they only have a few patients and will not be able to pay their bills.

Mr. Alan Feifer, Concerned Citizens of Franklin County, said he is confused about whether this Board or the Weems Memorial Hospital Board is the policy body. He explained in the last couple of months they did an economic impact study of the hospital and a decision was made to seek a grant to have a 1 year evaluation done by Texas A & M. Mr. Feifer said none of this was approved by this Board but there is a pending decision on which way the hospital will go. He stated there have been no further negotiations with Sacred Heart and he doesn't understand why they are not telling the Hospital Board what they want instead of them moving forward to build a new hospital without asking this Board. He explained he is concerned and would like to see it addressed rather than the Hospital Board making independent decisions that can lead to a 40 year mortgage.

Ms. Barbara McInturff, a resident of Apalachicola, read the mission statement of the Franklin County Public Library and said this is not happening in Eastpoint and Carrabelle. She commented the hours in Eastpoint focus on people that are retired and working class people cannot get access and children cannot do research in the evenings or on weekends. She reported Carrabelle is open 10:00 a.m. until 2:00 p.m. on Saturdays which is better. She asked what she can do to help change this for the community. Ms. McInturff stated this is something the Board needs to consider. She said the Apalachicola Library has evening and weekend hours and they are well attended.

## **Department Directors Report**

### **Superintendent of Public Works – Howard Nabors**

#### 3. Report

No Action Items

Detail of Work Performed and Material Hauled by District Report Attached (Agenda Packet)

Mr. Nabors stated they are grading roads, fixing shoulders and repairing pot holes throughout the county. He said they should be working in Carrabelle, Lanark Village and Alligator Point tomorrow.

Mr. Nabors reported they will not get inmates today and probably tomorrow due to the cold weather.

Mr. Nabors stated Mr. Nashon Bankston was hired as an Inmate Supervisor and will start next Tuesday. He commented Mr. Bankston is certified and there is a crew waiting for him.

Mr. Nabors stated Mr. Scott Tucker, Mosquito Control Department, is working on the mosquito control ditches in Eastpoint now and will be in Apalachicola next week.

Mr. Nabors explained Buck Street washed out but it is a private road and they cannot address this problem. Commissioner Massey said they are trying to get Mr. Timmy Butler to help them. Commissioner Massey stated he talked with Mr. Moron about the county helping with some dirt. Attorney Shuler agreed he will check to see if they can give them some dirt. Chairman Lockley asked Attorney Shuler to explain why the county does not work on private roads. Attorney Shuler reported the last time the Board looked at taking over maintenance of some private roads the cost was about \$7-8 million and they had not addressed stormwater management or other issues. He explained the project was abandoned as it was far beyond the county's financial ability. Attorney Shuler reported the Board looked at adopting an ordinance that would allow the county to charge people the actual cost to the county for the work being done but private contractors objected to that action as it would affect their businesses and the ordinance was not adopted. He explained this is an issue that has not been solved but during states of emergency the county is allowed to go on private property. Commissioner Massey said they just need some dirt and they will move it. He went on to say they cannot get the school bus or an ambulance in this area because of the road. Attorney Shuler agreed it is a bad situation and said he will look into this matter and report back to the Board. He reported if you live on a private road the owners surrounding the road are responsible for the upkeep, maintenance and repair of the road. Attorney Shuler stated every Commissioner has private roads in their district and constituents want them to do the same thing. Commissioner Parrish said he has had a lot of people ask about driveways to their house and he tells them the same thing about it being private property. He suggested if they are looking at private roads then they can also look at private driveways since it is the same thing. Attorney Shuler stated the Board can do curb cuts off the public road at the edge of the right-of-way but nothing beyond that. Commissioner Parrish reported it is the same thing as it is on private property also. Attorney Shuler agreed there is no difference. Commissioner Parrish commented if they can do one then they can do all of it because it is all private property. Commissioner Boldt asked if the Board could offer the resources for where the county gets their materials. He said the county uses certain vendors at certain costs and that may help in this situation. Attorney Shuler stated the county can supply the names of vendors but nothing beyond that. He explained the county gets a discount because they are a government and purchase in bulk and that would not be the same situation for these individuals. Chairman Lockley reported when people build these roads they need to have the construction up to standards before the Board passes them because it causes a problem if they do not. He explained part of the code is to make sure the roads are up to standards and they need to make sure they are following that. Attorney Shuler reported frequently these are unrecorded subdivisions where people sold the land and built an access from the public road to the lots they were selling but the roads were not built to county standards. He stated if they go through the platting process they are required to build the roads up to county standards before the plat is recorded and if they do not do that then they deposit with the Board a 2 year irrevocable letter of credit in an amount necessary if the county had to step in and build the roads so they would have a bond to call on and it would not cost the public. Attorney Shuler said he will

research this matter. Chairman Lockley asked if the county can donate a couple of loads of dirt as they have an ambulance, school bus and police cars going in this area. Attorney Shuler stated he will look into it. Commissioner Jones pointed out the Eastpoint Water and Sewer District also has a lift station at the end of this road and it supplies water and was used during the Eastpoint fire. He said this may make this street a little different situation than the other street.

Mr. Moron addressed the following item from his report:

22. Road Department New Building: Several questions have come up in regard to the bid specifications for the new Road Department Administration Building. In order for staff to have proper time to review the questions and issue an amendment/provide clarification on the bid specifications, I would like to ask the Board to postpone the deadline for bid submissions to Monday, March 2nd at 4:00 pm (ET). The bids will be opened at your Tuesday, March 3rd regular meeting.

**Request:** Board action to postpone the deadline for the Road Department new administrative building to Monday, March 2nd at 4:00 pm (ET).

**On motion by Commissioner Boldt, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to postpone the deadline for the Road Department new administration building bids until Monday, March 2, 2020 at 4:00 p.m.**

#### **Solid Waste Director – Fonda Davis**

4. Report  
No Action Items  
Right of Way Debris Pickup/Recycle Material Hauled Report Attached (Agenda Packet)

Mr. Davis said he does not have any action items.

#### **Emergency Management Director – Pam Brownell**

5. Report to Board of County Commissioners  
Action Items:  
None  
Information Item:  
EOC Staff worked on updating the LMS (local mitigation strategy).  
EOC will be hosting a HMGP Training along with the State on 01/22/20 from 1:00-4:00 PM  
EOC staff will be attending EM Day at the Capitol in Tallahassee on 01/29/20  
FCEM Staff will be attending FEPA Conference and Training in Daytona on February 3-7 where Tress Dameron will be pinned with her FPEM Certification.  
FCEM Staff continues to work on FEMA reimbursement claims from Hurricane Michael. This includes working with FEMA staff regarding mitigation of damaged parks, roads, etc.

Mitigation takes some time but EOC Staff continue to work diligently with FEMA Staff on the most beneficial repairs for Franklin County.

01/14/20 EOC Staff met with representative from FEMA and FDEM regarding a new PDMG and the status of our projects. Attached (Agenda Packet) is an update of projects that are at the State Level and in the process of being reimbursed

Mrs. Brownell said she does not have any action items. Commissioner Jones asked if there have been any movement on the mitigation projects. Mrs. Brownell reported FEMA was in their office last week and she highlighted the list of items that are ready for reimbursement. She said the way it was explained to them the cost to put the project back the way it was cannot be less than what they are wanting to mitigate it with. She explained they have to go back and find where there is previous damage to the facilities to bring the cost of the project up. Mrs. Brownell reported they can count previous storm damage and look at what it will cost to do the mitigation. She said they are looking for all of these records now. Commissioner Jones asked if they would add the name of the project with the Project Worksheet number when they update the list so everyone will know which project it is. Mrs. Brownell agreed they can do that. Chairman Lockley inquired if the county has received any money yet. Mrs. Brownell replied yes the county has received money. She reported Mrs. Jennifer Daniels, Emergency Management Department, has a check for Mrs. Griffith for the Cat B and she will also provide the documentation of what this money is. Mr. Pierce said the county received reimbursement of \$192,000 for the final payment on Gulf Shore Blvd. so that money is back in the Bald Point Trust Fund. Mrs. Brownell explained if they look at the list that money is at the state and will start coming in quickly. Commissioner Parrish explained on the mitigation they are trying to prevent damage in the future but FEMA is not willing to pay to mitigate damage in the future so they do not have a big claim the next time a storm comes through. He reported if the area was mitigated before and they have records they still cannot do mitigation to prevent future damage so it will cost the federal government more money. Commissioner Parrish used the example of C.R. 30 and said if they will not let them mitigate to prevent this damage from occurring then it will be the same situation when the next storm hits. He explained if you have not mitigated an area before then you are only allowed to put it back to the previous condition it was in. Commissioner Parrish said they have already done this once before and it is not good because they will not let them mitigate to prevent further damage in the future. Mr. Pierce explained they will give the mitigation money up to the damage amount. Commissioner Parrish stated it makes no sense to put the road back the same way and then it washes out again. Mr. Pierce reported it is the same issue at Alligator Point Road and is based on a cost benefit analysis. Commissioner Parrish explained at Alligator Point they will not let them have any money for beach renourishment as part of mitigation to prevent the road from washing out again. Chairman Lockley said this is bad because they know if the right storm comes C.R. 30 and Alligator Point are going to wash out again. He stated they need a bridge at Alligator Point and something to block the water at C.R. 30. Mr. Pierce reported this is why they are looking at other funding sources for beach renourishment at Alligator Point because FEMA will not pay for the initial beach. He said if they want to do something else at C.R. 30 they know FEMA will not pay for it. He explained FEMA will not put a new structure in at their cost but once the county finds a way to fund it they will help the county maintain it. Commissioner Boldt asked if the county is up to date on restoring the \$500,000 in depleted reserves that were spent during the last storm. Mrs. Griffith said they are doing pretty good

but they are still waiting on some overtime reimbursements and that was one of the biggest hits to the General Fund. She reported the insurance settlements paid out well and some repairs still need to be done with some of the deductible money that was received. Mrs. Brownell stated the overtime reimbursement is the first item on the list. She explained this money was with the federal government but was moved last week. Mrs. Griffith said the county was lucky that they did not have any more damage but enough damage where the insurance company came in and they had FEMA reimbursements. Mr. Pierce reported the federal government and state government asked for damage assessments from the county and the county submitted a damage assessment for Weems Memorial Hospital and they will receive \$266,000. He stated they made an additional request but are happy with what they received.

### **Extension Office Director – Erik Lovestrand**

Mr. Lovestrand apologized for not providing a report for this meeting. He thanked Mr. Davis and his staff for moving their office into the new facility. He said they are sorting through items, organizing and getting phone and internet service so they should be operational in a couple of weeks. He reported they will hold an open house in the future. Commissioner Boldt stated he is glad they are using intra-departmental help and he hears many stories like this between departments. He said these are things that the public does not see but helps the county financially.

### **Airport Manager - Jason Puckett**

Mr. Puckett said his first item concerning the Airport Access Road Improvements is being presented by Mr. Pierce. Commissioner Parrish stated the Board does not have a copy of Mr. Puckett's report. Mr. Pierce said it is on his report and he presented the following item:

#### **Action Item(s)**

16. Inform the Board that AVCON and Roberts and Roberts did successfully complete negotiations to bring the Airport Access road within the budget of \$844,643.50. Roberts and Roberts have signed the contract. AVCON has listed the start date for the project as Jan. 21 with a completion date 180 days later on July 19, 2020.

**Board action to sign the contract, and to sign the Notice to Proceed.**

**On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize the Chairman to sign the contracts with Roberts and Roberts and the Notice to Proceed.**

Mr. Puckett said Ms. Tara Maugham, Centric Aviation, is present to make an announcement. Ms. Maugham reported Ms. Shana Segree started working with them a year and a half ago as a Customer Service Representative and they sent her through the National Air Transportation Association's (NATA) NADAS Safety First Professional Line Tech Training and she completed the program and has a certificate and will be promoted to the Fixed Base Operator (FBO) Manager position for them at the airport.

Ms. Maugham reported Centric Aviation is hosting an event at the end of March because the EAA selected Franklin County's airport and FBO to host the Ford Tri-Motor Rides. She explained tickets can be purchased online and they are hoping this event will bring visitors to the area. Mr. Pierce stated the EAA is the Experimental Airplane Association.

Chairman Lockley asked if Ms. Segree will be working at the local office. Ms. Maugham answered yes.

Mr. Pierce said Centric Aviation is doing a great job and they need to work on the extension to their contract. He reported he appreciates them working so well with the community. Mr. Pierce reported they are still working on getting the backup generator and the fuel farm improvements at the airport. He said the Triumph Board has reviewed the project and it was revised but did not provide what they wanted so now they want the county to submit an application directly to the Department of Economic Opportunity (DEO) because DEO is receiving the \$25 million in interest money from the Triumph fund. He said DEO was contacted and they are still waiting to receive the money. Mr. Pierce explained the Governor is trying to spend the interest money and since the county is a member of Triumph and in the Hurricane Michael recovery area there may be a good chance to get these funds. He stated the Triumph staff also recommended that DEO fund the project. He reported the problem for Franklin County, Gulf County and Wakulla County is that Triumph has an expectation of job creation that is unreasonable for the small counties to meet and if they do not meet this guideline then the money must be returned. He explained this is not a risk the county needs to take. He said they will have to wait and see where the Legislature goes with Triumph in the future.

#### **TDC Administrator – John Solomon – Report**

Mr. Solomon read his report, as follows:

6. MEMO  
To: Board of County Commissioners  
From: Franklin County TDC  
Date: January 21st, 2020  
Subject: TDC Report  
**Action Items:**

**TDC Board Member Renewal:** On January 8th the TDC board motioned and approved the request of the approval of the four annual position seats from the Cities of Carrabelle & Apalachicola and the two Chamber of Commerce's. The TDC Board approved motion to recommend extending Mr. Rex Pennycuff's membership on the TDC Board as the at large seat through December 31, 2024.

**On motion by Commissioner Massey, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to extend Mr. Rex Pennycuff's membership to the at large seat on the TDC Board through December 31, 2024.**

**Approval of Videos:** The TDC Board made a Motion to make recommendation that the Director, John Solomon and / or the Marketing Chair, Mayor LaPaz be authorized to approve video projects done by our Videography Vendor (Currently FCTV.) Current language in video contract states the entire board must view and vote to approve videos before they can be paid for or released.

Mr. Solomon said he talked with the Clerk and they need to meet with Attorney Shuler to amend the contract. He explained the TDC Board still views the videos but it takes an extra month for the payment of the invoice and the release of the videos. Commissioner Parrish stated they have proposed and/or with the Marketing Chair but he does not like that and would like it to just be the TDC Director once the TDC Board has viewed and approved the videos. Mr. Solomon explained that is the way it is working now but it is another month before the video is released and another two weeks until payment is made. Commissioner Jones reported TDC made a recommendation to amend the contract so they do not have to wait for the whole TDC Board to view the video before it can be paid for or released. He said they included two people to make the best recommendation possible and they wanted it so the TDC Director could review the video and send it for payment and then the video would be shown to the TDC Board at the next meeting. Commissioner Jones stated according to the contract the whole TDC Board has to view the video before anything else can happen. He reported the issue is delaying the payment and how much the payment is needs to be discussed so they need an amendment to the contact. Commissioner Jones provided an example of the month of December when they did not have a TDC meeting so the payment took longer. He explained the way the contract is written until the whole TDC Board views the video and it is submitted for payment Mr. Rolstad, Forgotten Coast TV (FCTV), cannot release the video or allow it to be seen. Commissioner Parrish clarified Mr. Solomon would be able to view what was directed by the Board and if that was what was in the video then he could submit it for payment. Commissioner Jones and Mr. Solomon agreed that is correct. Commissioner Parrish said he thinks it should be done by the TDC Director as that is who he holds accountable for what happens at TDC. Commissioner Jones agrees he does too. Commissioner Parrish explained the TDC Director is the person he wants to continue to hold accountable for what happens with TDC. Mr. Solomon stated he thinks that was the intention of the TDC Board in making this motion. Attorney Shuler reported if the Board approves the amendment to the video contract making approval for the payment and video content subsequent to TDC Board approval then would it be similar to other vendor contracts. Mr. Solomon agreed. Attorney Shuler said then all of the contracts would be consistent if this amendment is approved and Mr. Solomon would approve the item after the Board direction. **On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve this contingent upon the TDC Director viewing the video and making sure the video contains what the TDC Board has directed.** Mr. Solomon stated in all the other contracts he is the person that approves the advertisements.

Mr. Solomon continued to read his report, as follows:

**Information Items:**



**Collections Report:** The October (2019) collections were \$89,660.28. This is a \$51,243.39 (133%) increase over October (2018). This is second highest collections for the month of October in the Franklin County TDC History

**Web Site Activity:** We had 21,044 web hits in the month of December (2019) a decrease of 30% over last December. The 2019 web hits were 372,327 this is the highest number of web hits in our website's history.

**Visitor Center Numbers:** The Visitor Centers welcomed 2,262 visitors in the month of December. The total for 2019 is 38,908 Visitors that have visited our centers. The total for 2018 was 31,398.

**Visit Florida Adventure Tourism Conference:** Visit Florida called and informed us that Franklin County was selected to hold the conference on April 7th & 8th 2020 in the Fort Coombs Armory.

**Meetings:**

The next scheduled board meeting is February 12th, 2020 @ 2:00pm at the Eastpoint Visitor Center

Mr. Solomon presented a handout generated from the newly purchased software KeyData. He explained this allows them to compare Franklin County to other areas. He reported this handout compares Franklin County to the Florida/Alabama Panhandle and shows the percentages of Adjusted Revenue per Available Room (RevPAR) from Fort Morgan, Alabama to Franklin County Florida. Mr. Solomon reported Franklin County was the only region that had an increase. He highlighted figures for the average length of stay and the average booking window. Mr. Solomon said it is good to have this software to show what they are doing is working and to be able to share it with the County Commission and the TDC Board. Commissioner Boldt said this speaks highly of the character and look of old North Florida and Franklin County. He stated people have an opportunity through a menu to go to venues that they want. He said the area is unique and special and the numbers are showing that. Chairman Lockley said they are doing a good job and should keep up the good work. He commented he liked the reports and have not seen reports like this before.

**Board of Adjustment – Amy Ham-Kelly – Report**

Mrs. Ham-Kelly said there is no report from the Board of Adjustment as they did not have a quorum.

**Planning and Zoning – Amy Ham-Kelly – Report**

Mrs. Ham-Kelly presented the following report:

**Critical Shoreline Application**

7. Consideration of a request to construct a Single Family Private Dock on property described as 800 Hickory Hammock Road, Carrabelle, Franklin County, Florida. It will be a U-Shaped Dock consisting of a 4' x 8' access walkway, a 6' x 20' dock and a 4' x 20' walk-around. The applicant has the Army Corps permit but will be contingent upon the DEP permit. Request submitted by Timothy Small, applicant. (House is Under Construction)  
P&Z Action: Unanimous Vote in favor- contingent upon receiving the DEP Permit.  
**Request:** Approve, Table or Deny- contingent upon DEP Permit.

**On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve this request contingent upon the DEP permit.**

### **Land Use and Re-Zoning Applications**

8. Consideration of a request for a Public Hearing for a Land Use Change of a 1.23 acre parcel from Residential to Commercial and a Re-Zoning from R-4 Single Family Home Industry to C-2 Commercial Business on property described as 1001 Bluff Road, Apalachicola, Franklin County, Florida (Bluff Road Storage Units). Request submitted by Charles and Fay Thompson, applicants.  
P&Z Action: 4/1 Vote in favor of a Public Hearing  
**Request:** Approve, Table or Deny Request for Public Hearing

**On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve this request for a public hearing.**

9. Consideration of a request to Re-Zone a 22.77 acre parcel from R-1A Single Family Subdivision to R-1 Single Family Residential on property described as Shell Bay 3D, lying in Section 35, Township 7 South, Range 5 West, 2163 US Highway 98 West, Carrabelle Franklin County, Florida. Request submitted by Garlick Environmental Associates, agent for William Simmons, applicant.  
P&Z Action: Unanimous Vote in favor of the request for Public Hearing  
**Request:** Approve, Table or Deny the request for Public Hearing

Commissioner Parrish asked if this is reducing the density. Mr. Garlick answered yes. **On motion by Commissioner Parrish, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve this request for a public hearing.**

### **Plat Abandonment Application**

10. Consideration of a request to abandon the Shell Bay Plat. This property is lying in Section 35, Township 7 South, Range 5 West, 2163 US Highway 98 West, Carrabelle, Franklin County, Florida. Request submitted by Garlick Environmental Associates, agent for William Simmons, applicant.  
P&Z Action: Unanimous Vote in favor of abandoning the plat  
**Request:** Approve, Table or Deny request to abandon the plat

**Commissioner Massey made a motion to approve the request to abandon the plat. Commissioner Parrish seconded the motion.** Commissioner Jones asked if this is the same piece of property they just asked to rezone. Mrs. Ham-Kelly answered that is correct. Mr. Garlick suggested they make this contingent on the public hearing being approved. Attorney Shuler did not recommend making this contingent as they are just moving forward on whatever they decide to do based on the facts that are before them when they decide to hold the hearing. **Motion carried; 5-0.**

### **Sketch Plat Application**

11. Consideration of a request for Sketch Plat approval of a 16 lot subdivision named "Shell Bay Subdivision" on a 22.77 acre parcel lying in Section 35, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida. Request submitted by Garlick Environmental Associates, agent for William Simmons, applicant.  
P&Z Action: Unanimous vote in favor of Sketch Plat approval  
**Request:** Approve, Table or Deny the request for Sketch Plat approval

Attorney Shuler said it is premature to take action to approve a new plat of an existing platted subdivision. He suggested this matter be tabled until the Board makes whatever decision they are going to make on Items #9 and 10. He stated the action of the Planning & Zoning Commission should be held in abeyance until they make a decision on the other matters. Mr. Garlick said he concurs with Attorney Shuler. Attorney Shuler reported they cannot approve a sketch plat of property that is already platted. **Commissioner Massey made a motion to table this matter.** Mr. Garlick explained they wanted to get all these items through the Planning & Zoning Commission at one time and not go back and forth. He agreed to this matter being tabled. **Commissioner Jones seconded the motion. Motion carried; 5-0.**

The meeting recessed at 10:04 a.m.

The meeting reconvened at 10:24 a.m.

#### **Texas A & M University – Presentation**

Dr. Nancy Dickey, Texas A & M University Center for Optimizing Rural Health, CORH, stated they appreciate the opportunity to present about rural health care and what they are here to do. She explained CORH is a part of the Texas A & M Rural Community Health Institute (ARCHI). She reported they are funded by the health resources part of the Centers for Medicare & Medicaid Services (CMS). She explained Health Resources and Services Administration (HRSA) funds many projects that have to preserve access to care in rural areas. Dr. Dickey stated they are a technical assistance center and they fund ARCHI and CORH so people can provide input and assistance. She said they are here to provide expertise on how to move forward and what will work best for the hospital. Dr. Dickey reported they work with 30 hospitals a year and make on site visits to 5 hospitals. She stated all the other hospitals receive virtual support. She said they are pleased to be here and this is one of the hospitals they are making a site visit to. Dr. Dickey introduced the members of her travel team as Ms. Kayla Cline, Professor at the Mays Business Center, Texas A & M University, who brings finance expertise and Dr. Bree Watzak, Clinical Pharmacist, Doctor of Pharmacy, who is an expert beyond pharmacy. Dr. Dickey said they are supported by a larger team at Texas A & M. She conducted a power point presentation about rural healthcare. She discussed the population shifts and the high tech change in medicine. She addressed the impacts on communities when they lose their hospitals and access to health care. Dr. Dickey said they are not here to do a study but to provide alternates on what may work best for Franklin County. She offered to answer any questions. Commissioner Boldt asked how they found out about this hospital. Dr. Dickey said there is an application process once a year and they select 30 hospitals. She explained the State Office of Rural Health in Florida helped fill out the application and the local hospital appeared to have enough challenges financially to appear at the top of their list. She reported the hospital may benefit from their team coming in and looking at things they are doing that

they may have suggestions or solutions for as well as alternatives if they decide not to move forward with the hospital. Commissioner Boldt asked if they will visit often over the next year. Dr. Dickey said this is their introductory visit and they will be here for 2 days and then they will be in touch telephonically every 2-3 weeks over the year with projects that they have agreed upon with their Hospital Board. She reported they will be back around November to bring the cycle to an end. She explained there will be monthly activities that involve the Hospital Board and other hospitals they are looking at this year. Dr. Dickey stated there will also be projects specifically for Weems Memorial Hospital. Commissioner Boldt asked if they will look at other entities within their emergency medical services, outpatient services and how medical personnel is balanced throughout the county to an anchor facility. Dr. Dickey stated they will also work with other counties that are similar to Franklin County and there could be recommendations because of their work with those counties. She stated health care is always changing so whatever decisions are made are usually good for 5-8 years because technology and policy is moving so fast. Dr. Dickey reported what does not change is if they do not have good local access then the chronic diseases do not get well cared for and emergencies increase in volume. She said they must decide what the community wants and what they will help support. Chairman Lockley inquired if their studies have helped the communities they worked with. Dr. Dickey said they have received nothing but positive feedback and the change was sometimes positive if they took the actions that were recommended. She explained they will also look at studies that have already been done. Dr. Dickey reported some groups decided to close hospitals and that is a different kind of recommendation because then they need to determine if they have adequate care and how far is it to the next level of care. She explained the solution is probably there but they must decide which alternative best suits the community. Chairman Lockley asked if they will follow up after their visit in November. Dr. Dickey reported they will follow up but HRSA only provides funds to address 30 hospitals per year. She said they will still be around and are still continuing to work with their first group of hospitals from last year in terms of finishing projects or new questions. She explained the level of support is not as intense as this year but they will continue to be in touch. Chairman Lockley asked if she knows of doctors that would want to come here. Dr. Dickey stated there are people and they will recommend ways to recruit more providers and a mix of people who bring a variety of skills. She reported because of the complexity of medicine now they move away from having one doctor and put together team care to have as much care as Franklin County can afford for their citizens. Commissioner Parrish said he is glad to see them here and look forward to seeing the tools they can provide. Commissioner Boldt reported they have landed here at a time when the Board is deliberating about what kind of tool kit they want to utilize. He explained they have two primary hospital providers and it seems they would want to get involved in what this discussion is about. He stated they may need to come back often and help them with the priority they are looking at. He said they may have examples of other communities that have been in the position they are now. Dr. Dickey said they believe one of the top decisions is making a decision about the alignment but they will not make the decision for them. She explained their role will be to show the advantages and disadvantages of each one and hopefully that will help the Board with their decisions. Dr. Dickey said this will also help the people that make recommendations to them have a clearer understanding of what the implications are depending on the decision. Mr. Moron stated on their agenda they have a meeting tonight in the same room at 5:30 p.m. for a community forum. Dr. Dickey explained their position is any decision made by this Board or the Hospital Board affects the community so they believe the community's understanding

and knowledge makes them better participants in the discussion as they will share their views with the Commissioners to try and influence their decisions. She said they will start with a similar power point tonight talking about rural health care and what the center does and what they will anticipate doing here. She stated they will also have more time for questions and answers. Mr. Moron announced that one of more Commissioners may be present at this meeting. Chairman Lockley said if they know some hospitals that closed then maybe this hospital here can use the staff. Dr. Dickey explained the best time to recruit physicians is when they are finishing their training or when they are further in their career and want to slow down a little. She reported there is a new medical school close and is committed to training primary care physicians which is what they need here. She stated the most successful communities they visit in terms of recruitment are ones that found a way to get medical students and residents to come and spend some time in their community because some of them may decide they want to live here.

### **"Ward" Reef Project - Grayson Shepard – Update**

Mr. Shepard stated he is a charter captain that lives in Apalachicola and appeared about 3 years ago about this project. He announced they have finally received the federal permit approval for the artificial reef. He explained he started working with Buddy Ward Seafood to find an area that would not impact the shrimping fleet but was inside of state waters and near Bob Sikes Cut. He stated they decided to name the site the Buddy Ward Memorial Reef because the Ward family is still strong and influential in the community. Mr. Shepard identified the location of the site on a map and showed the demarcation line between state waters and federal waters. He explained over the last few years regulations governing fishing are starting to separate between the two bodies of water. Mr. Shepard said to fish offshore they must have a federal permit and the cost is about \$30,000 so there are not a lot of federal charter captains in the community. He reported there are a lot of state captains that are bay fishing and those captains are allowed to take charters in state waters. He explained when they determined where to put the reef they wanted to make sure it was inside state waters so it was accessible for everyone. Mr. Shepard said it is 8 nautical miles from shore and in 40 feet of water. He explained he tried to get it as close to due south as possible so they can go north and get in easily to Bob Sikes Cut. He presented photographs of the kind of materials that are used for reefs. He said they can reuse old concrete for this reef. Mr. Shepard stated the tourist industry is increasing and fishing is a component and anything that will make the fishing better will benefit everyone and bring in people and tax dollars. Mr. Shepard said they have formed the Apalachicola Artificial Reef Association and they have a Board of Directors and are a 501.3©. He stated Mr. Moron has a copy of all their documentation. He explained they want to serve for the Board in doing these reefs. He explained the Organization for Artificial Reefs (OAR) out of Tallahassee has been doing this on the east side of the county for 25 years and they would like to be the western component and work with them. Mr. Shepard stated yesterday someone with OAR called him and said they have a barge in Carrabelle that they do not have a suitable site for. He reported their new site is suitable for that barge and they will work and try to get this barge into their site but there are money and logistics issues that they are working on. He explained as the Artificial Reef Association they are working on applying for grants and getting funds for this project and not asking the county for the money. Mr. Shepard reported there may be requirements for matching funds but they will address that issue when they get to it. He

discussed the use of memorial reefs balls and said the cost is about \$2,500. Mr. Shepard said there is ongoing paperwork with these reefs and they will keep up with the paperwork and have a dive team that will keep up the maintenance and monitor the site so the county will not be responsible. He stated the county must be the permit holder as it must be a government entity but their association will do the work. Mr. Shepard explained periodically he will be coming back to the Board and they would like to put a bigger reef in deeper water later but right now they are focused on this project. He said their goal would be to get a big ship or boat to deploy. Mr. Shepard offered to answer any questions. Chairman Lockley asked who can fish this reef. Mr. Shepard answered anyone that has a boat and can go to the reef. He pointed out the Franklin Reef and the L-Buoy on the map which are the only sites in state waters. He said this new reef will be between these two areas. Mr. Shepard the distance from Bob Sikes Cut to the new site is about the same as the distance between Bob Sikes Cut and Apalachicola. He explained the bottom in this area is just sand so this reef will help attract fish. He reported they will do a fundraiser and some of the memorial reefs may appeal to residents. He stated he will keep the Board updated. Commissioner Jones questioned how big the finished project will be. Mr. Shepard responded 1 nautical mile by 1 nautical mile square which is 856 acres but they are limited to one acre of actual footprint of materials on the bottom which is 43,560 square feet. He explained this new site will be between C-tower and Bob Sikes Cut. Chairman Lockley thanked Mr. Shepard for his work on this project.

### **Public Hearings 11:00 AM**

12. 11:00 am (ET) - (Second of Two Public Hearings) The Franklin County Local Planning Agency will meet at 11:00 am (ET) to accept public comments on a proposed ordinance to amend the St. George Island Corridor Overlay District by removing the prohibition against single family residential uses on the ground floor for property located within a 2,100-foot radius of the center point of the intersection of Franklin Boulevard and Gulf Beach Drive, on St. George Island, Florida, as described in Plat Book 2, page 7, Franklin County, Florida, excluding the area east of the east boundary of Third Street East and west of the west boundary of Third Street West; providing for exemptions; providing for severability; and providing for an effective date.

Attorney Shuler asked Chairman Lockley to recess the Board of County Commissioners meeting and open the meeting of the Local Planning Agency (LPA). Chairman Lockley recessed the Board of County Commissioners meeting and opened the meeting of the LPA. Attorney Shuler explained this is a public hearing of the LPA to have a second and final meeting on the ordinance and he read the caption of the ordinance for the Board. He said as written if the Board adopts this ordinance it will exempt all C-4 properties from the St. George Island Overlay restriction that presently prohibits residential uses on the first floor of the same C-4 zoned properties. Attorney Shuler reported they have already had one public hearing on this matter and there seemed to be sentiment not to have an across the Board exemption from the overlay restrictions as to all C-4 properties. He said there seemed to be public sentiment to just exempt the developed C-4 residential properties that already have a structure that was being used exclusively for residential purposes. He explained there was also the question of what to do with vacant C-4 properties in the middle of the Island and it seemed to him that the public was in favor of trying to preserve that and make it subject to the overlay restrictions which would prohibit residential uses on the first floor. Attorney Shuler stated there was also some limited discussion about

seeing if there was a basis for exempting the waterfront lots along the bay and gulf. He said there are some platted roads and streets in front of the lots on the bay side that have not been opened but he is going to refer to the lots as waterfront along the bay. He reported if they exempt some, all or part of these properties from the overlay district then they would then be governed by the current C-4 zoning ordinance which allows either pure residential use on the first floor and above, pure commercial use on the first floor and above or a mixed use on the first floor and above. Attorney Shuler said unless there are other comments from the Board the Chairman can ask for public comments.

Commissioner Parrish read from the proposed ordinance. He said if they live between 3<sup>rd</sup> Street East and 3<sup>rd</sup> Street West and their property is currently zoned C-4 then they could build pure residential on the first floor. Attorney Shuler responded if this ordinance is adopted as written. Commissioner Parrish commented he has received calls from people who own C-4 properties and think they are taking away their property rights if this ordinance is adopted. He explained if they come back after this is adopted and want C-4 then that will be a different issue. Attorney Shuler reported in February, 2018 the Board adopted the St. George Island Overlay District within that geographic area of 3<sup>rd</sup> Street East to 3<sup>rd</sup> Street West and at that time there were some 70 properties that had already been constructed which he refers to as C-4 residential which means there was a purely residential use on those structures and those structures would be grandfathered in and continue to operate as a C-4 residence until they were destroyed or damaged by more than 50%. He reported when they rebuild the structures the overlay restrictions would apply to them and they would not be allowed to have residential on the first floor. He clarified they would be required to have commercial on the first floor and residential on all floors above that. Attorney Shuler said the vacant properties as of February, 2018 are not be allowed to have residential structures on the first floor. He explained if they were not a grandfathered existing C-4 residence then the overlay restrictions apply and they are required to have commercial on the first floor. He stated if this ordinance is adopted as written it would reset these things and it would allow the C-4 zoned properties to be exempted from the overlay restrictions and just the C-4 zoning would apply which would be purely residential, purely commercial or mixed use. Chairman Lockley asked for public comments. Ms. Marti Ramont, a homeowner on St. George Island, said it is hard to get changes made on the island and sometimes the changes do not make sense. She stated the Board voted for the new overlay and she understands some people are grandfathered in and if there was a storm they should be able to rebuild but the way the ordinance was written it does not accomplish what they want to do. She explained it is saying they will go back to the rules before February, 2018 and anyone can do whatever. Ms. Ramont stated part of their house is ground level and at the last storm insurance would not cover them. She reported if they allow this reset and people are allowed to build residential on ground level and there is a storm they will not be allowed to have insurance or coverage. She said it is important to protect the people that are already here and she questioned why they are encouraging new residential that will probably not have insurance, will change the whole commercial area and will change what they voted for in February, 2018. Ms. Ramont suggested this ordinance be struck down and rewritten to protect the people that are already there and not allow for any new residential building in that area. She inquired who decided this had to be reset and who is the driving force in changing the overlay. She said if this ordinance is not the way it should be then they need to table it and redo the amendment. Attorney Shuler clarified the county is not authorizing anyone to build on the ground floor or ground level. He explained the first floor would have to be elevated to whatever the FEMA guidelines require. He said the ordinance

was drafted this way because there was a number of competing interests and some wanted grandfathering and some wanted to go back to C-4 zoning before the overlay was in place. He reported the County Commission is the party driving the changes and they are responsive to the people. Attorney Shuler the ordinance was drafted so the Board in this setting can make a policy decision on how they want to see the overlay amended if at all. He reported they can reset all the C-4 zoned properties back to what they were and exempt them from the overlay or do something less and grandfather the existing built C-4 residential properties. He explained they are already grandfathered so they are talking about exempting them from the overlay so in the event they have to be rebuilt the property owner can choose to rebuild them as a C-4 residence or as commercial. He said all the options are on the table for the Board to make a policy decision. Ms. Angela Troy, a property owner on St. George Island, said she has a C-4 lot on the bay which has a platted street in front of it that cannot be built and she cannot build a commercial business on this lot as there is no parking. She reported the maximum she could build would be less than 500 sq. ft. to allow for parking. She said this is why she asked them to consider changing the ordinance to exempt properties along the bay waterfront and beach waterfront to allow them to do C-4 residential because there is residential around these areas. She went on to say in the center of the island because there are streets on both sides they can accommodate parking. She stated she has built 4 houses on the bay and they start on the ground floor but it is only the stairs to get to the first floor. She reported they are trying to exempt these lots but the center of the island should retain its commercial entities as it is. Attorney Shuler stated he had some discussions this morning with Mr. Mark Curenton, County Planner, about the ability of the exempting from a planning standpoint the waterfront properties along the bay and the gulf and at this time they should not include action on this item but direct he and Mr. Curenton to do a study and see what they can come up with about justifying the exemption of the vacant waterfront properties along the bay and the gulf. He explained this needs to be looked at a little more and they need to come up with a factual professional basis for them to consider exempting those vacant C-4 properties from the overlay. Attorney Shuler stated if they decide to exempt all the C-4 properties then that is different but if they are looking at vacant interior versus vacant waterfront they need to study it a little more. Ms. Elaine Rosenthal, a homeowner on St. George Island, reported she is opposed to this amendment. She stated it is important for St. George Island to have a commercial district and if this amendment comes forward then it may be more economical for people to have residences than businesses and they will lose their commercial district and she does not want that to happen. Mr. George Plymel, a property owner at St. George Island, said he owns 7 of the shotgun houses and he is asking if they have damage more than 51% they can repair the structures. He explained he owns 16 houses and this is a part of his business and he has invested here for many years. Mr. Plymel reported over the last few years they have done a lot of work in maintaining their properties and making them attractive for everything on the island and he would like to be able to maintain the properties if they have problems with a fire or storm. Commissioner Jones stated in reference to the comment about the county allowing him to rebuild if the structure is damaged more than 51%, that is a federal requirement that is passed on to the state and the county enforces it for them. He reported the county does not have any leeway if the structure is damaged more than 50%. Mrs. Gail Riegelmayr, a homeowner on St. George Island, stated they are wanting to preserve the character and quality of St. George Island and she applauded the Board for what they did in February, 2018. She explained she has fought for years to stop the residential encroachment into the commercial district. She stated she does support the



existing properties that are already build and they should be allowed to rebuild in the event of a catastrophic storm. Mrs. Riegelmayr said she envisions a pedestrian friendly business center for the commercial district on St. George Island similar to Carrabelle and Apalachicola. She stated it would be great to see more businesses have a place to build but if they allow this ordinance as written it will override what was done in 2018 and then the highest and best use will occur which will be residential and that will take up the commercial district. Mrs. Riegelmayr asked the Board to grandfather what is already there but do not let any more residential in the commercial district. Attorney Shuler stated since there are no more public comments it is now time for the LPA to discuss the ordinance and direct any questions they have to him. Commissioner Jones thanked everyone for attending the public hearing. He said land use is important and he does not take any land use decision lightly. He explained he was one of the ones that pushed for this to be a true C-4 because he realized the importance of the business district. Commissioner Jones said he is not opposed to a discussion about the bay front and gulf front lots but does not want this to revert back to what it was. He reported he believes they are heading in the right direction by providing a place for commerce to be. Commissioner Jones explained some of the decisions they have made are based on that so if it is on a state road or borders it or is close to it that is where commerce should be and not residences and that is how he feels about this issue and he wanted to make sure the Board was aware of it. Commissioner Parrish suggested moving the amendment from Gulf Beach Drive to Bay Shore Street and Pine Street and reverting everything back to what it always was so C-4 could have a residence, mixed use or a business like it was prior to 2018. He explained some comments wanted to have residences on the bay and along the gulf beach and all the rest would be no residences allowed on the first floor. He said this is the way it was going to be in the overlay until they make this proposal for the amendment to the ordinance. Commissioner Parrish said they have to understand that the lots are 25 ft. wide so to do a commercial venture in the commercial district they would need multiple lots. He described the area he thought should be covered in the commercial district. Attorney Shuler asked for another map to be shown. A new map was provided. Commissioner Parrish stated this issue has been going on for 15 years but it is hard to preserve the commercial district with 25 ft. lots and have parking and other items that are required. He went on to say if they want to do a residence above the business then it requires even more parking so a mixed use is almost impossible without multiple lots. Commissioner Parrish said the lots are so expensive that very few people own multiple lots within the commercial district. He explained all these issues are why it is hard to preserve the commercial district on the island. He reported these lots were platted many years ago but this Board is trying to resolve the problems. Chairman Lockley stated they will not be able to resolve the problems if the lots are not big enough. Attorney Shuler reported one of the problems with the overlay as it relates to the vacant C-4 zoned properties is meeting the parking requirements. He stated most of the vacant C-4 zoned lots within the overlay could meet the parking requirement; however there are a number of the lots that would not. He explained the difference according to the County Planner is the lots that front on a usable street and have an alley can meet the parking requirement but it would be a small commercial area because they are required to have 2 parking spaces for the residence and 1 parking space for every 200 sq. ft. of commercial space. Attorney Shuler stated there is a number of lots that do not have both a street and an alley they may need to look at them because they would have development challenges in terms of meeting all the requirements. He reported there have been creative solutions on the island before and they should not discount that. Attorney Shuler said if the Board wants to pursue exempting C-4 lots along

the bay and the gulf or some other area his recommendation after speaking with the County Planner is they do not move forward as to those particular C-4 zoned properties as they need to develop that factual and legal basis a little further. He explained if the Board wants to take this in steps then they could decide to grandfather in the existing C-4 residences and then move forward in looking at some but not all the C-4 vacant properties. Attorney Shuler stated if the Board decided to exempt all the C-4 lot that is different because they are not trying to create a factual basis for the difference between a waterfront lot and an interior lot. Chairman Lockley asked how many lots can meet the parking requirement. Attorney Shuler was not sure of the exact number of lots. He said there are about 70 lots that have been developed as C-4 residential properties and about 70 that are vacant C-4 properties. Chairman Lockley said they cannot do anything about the ones that are already doing this but he is worried about the future. Commissioner Boldt asked if it is possible to consider zoning specific to the address of the facility and the current use. Attorney Shuler stated it is zoning specific as they are only dealing with the C-4 zoning within the overlay. He explained they do not have an address list he can present today but Mr. Curenton at his request is working on compiling a legal description for all the C-4 residential properties that have been developed and were in place and operating prior to the adoption of the overlay. Attorney Shuler reported if the Board's action was to grandfather in the existing C-4 residential properties then a list would be provided by Mr. Curenton and it would be included in the ordinances as being exempted from the overlay and the Board could defer the issue of what to do with the vacant lots. He explained they need to develop the issue of the vacant lots whether they are waterfront and/or interior unless there is an exemption of all the vacant C-4 properties. Chairman Lockley asked if the owners of the lots are present. Attorney Shuler said some of the owners are present. Mr. Pierce said he was the County Planner when this got started and they were responding to a market driven issue where people were not interested in building commercial property on St. George Island at the time but they saw a need and value for rental property. He explained the history of the Musgrave lawsuit and how the skinny minis got started. Mr. Pierce recommended exempting the C-4 properties that have been rezoned either vacant or not and he said he would not expand on it because he thinks the marketplace will balance this out. He said the people that rezoned thought they would have straight residential and he thinks they should exempt those people. Commissioner Parrish asked them to identify the different lots on the map. Attorney Shuler said the blue are the existing C-4 residences and the yellow on the bottom left is the Villas of St. George and they are not zoned C-4 but are a residential uses within the area. Attorney Shuler stated the yellow on the right side are C-4 lots that were reconfigured and instead of being configured north and south the Board reconfigured the lots lines and authorized a development of potentially 8 residential structures but only 2 were ever built which means the remainder of any development on that property under the current overlay would be commercial on the first floor and residential above. Mr. Pierce stated Mr. Curenton probably identified the Villas of St. George because they are a non-conforming use and are zoned commercial but are a condominium structure and if destroyed cannot be built back so that is a future problem. Commissioner Parrish showed the area on the map which they could identify as the commercial district and then treat everyone fair because people in one area are getting treated one way and people in another area are getting treated another way. He stated everyone should have the same rights and just because they haven't built anything yet does not mean they should not be allowed to build it. Mr. Pierce reported those people have not made a request for C-4 because no one has ever been turned down. Commissioner Parrish said there are some people

zoned C-4 and now they think the county is taking away the rights they had under the original C-4 to have residential, commercial or mixed use. Mr. Pierce explained if they were zoned C-4 then they should have the right to have your existing residential structure (skinny mini) without a commercial component because that is what they saw being done. Commissioner Parrish reported that is what this amendment would do but now there have been people here today saying they do not like the amendment. Mr. Pierce explained the property owners thought they were given something when they got the zoning. Commissioner Parrish agreed and said they were but now they are telling him the county is taking away what the Board gave them 15 years ago and telling them there cannot be a residence and they want the option for a residence. Commissioner Massey asked if people were wanting to do this back then. Commissioner Parrish said they wanted the option. Commissioner Massey questioned if they wanted the skinny minis and not have commercial. Commissioner Parrish responded yes because they cannot meet the parking requirement. Mr. Pierce explained there was a big demand for residential at the time and they wanted to build a small house and rent it out and the county tried to work with them. He reported they warned people they could not homestead these units and were building a residential structure in the commercial district and they did not care because it would be a rental anyway. Mr. Pierce stated for the 32 years he has been here the island has been slow to develop commercial properties. He said they should allow the people who have C-4 to continue to have straight residential and give them an exemption. Chairman Lockley stated some of them in the commercial district are not going to have parking anyway. Mr. Pierce agreed and said that is why they were stuck with skinny minis. The Board discussed public comment. Attorney Shuler said there will be another opportunity for public comment once they close the LPA meeting and reconvene the County Commission meeting. Mr. Pierce presented an area that would basically represent the C-2 areas. Mrs. Griffith said this area would not encompass any of the properties highlighted in blue. Commissioner Parrish asked if these are also properties that have not been rezoned to C-4 yet. Mr. Pierce said to his knowledge they have not been rezoned. Mrs. Griffith stated they would need to confirm that information with Mr. Curenton. Commissioner Massey asked how many commercial areas are left to build on. The Board discussed the size of the lots and the original plat. Commissioner Parrish asked what the setbacks are. Mr. Pierce reported they have the same setbacks but they gave them variances because of the double wall construction. He explained they could build a 15 ft. wide building with a 5 ft. variance on one side and a 5 ft. variance on the other side if the neighbor is doing the same thing. Mr. Pierce stated they should provide an exemption in the overlay district for the properties zoned C-4 and have the overlay apply to everyone else. Commissioner Parrish reported if you have C-4 then you have 3 options residential, mixed use or business but if they come back later and apply for C-4 they will not have those options. Mr. Pierce explained there are many factors controlling development on St. George Island which are zoning, market forces and the federal flood insurance program. He said the federal flood program requires structures to be elevated and there is not much demand for elevated commercial structures. Mr. Pierce stated these flood requirements and no central sewer system plus other factors will impede and interfere with a true commercial development on the island. The Board agreed these are issues with development. Chairman Lockley stated the only time it may happen is when they get central sewage. Mr. Pierce said there have been less than a dozen commercial business built on St. George Island since he has been here and there has not been a big demand for it. Mr. Pierce reported there is a seasonal influx of people but people are not going to build a business based on a seasonal basis. He stated some of the existing businesses

close down in the winter. Attorney Shuler advised the Board if this concludes Commissioner Comments as the LPA then they can close the LPA meeting and reconvene as the County Commission. He stated they do not have the ability to make a decision as the LPA. He explained when they reconvene as the County Commission they will retake public comment and can have further discussion and make a decision. He said there are 4-5 different options for the Board to consider in the Agenda he provided and the last option is further options determined by the Board. Chairman Lockley closed the LPA meeting.

13. 11:05 am (ET) - (Second of Two Public Hearings) The Franklin County Board of County Commissioners will meet at 11:05 am (ET), or as soon thereafter as is possible, to accept public comments on a proposed ordinance to amend the St. George Island Corridor Overlay District by removing the prohibition against single family residential uses on the ground floor for property located within a 2,100-foot radius of the center point of the intersection of Franklin Boulevard and Gulf Beach Drive, on St. George Island, Florida, as described in Plat Book 2, page 7, Franklin County, Florida, excluding the area east of the east boundary of Third Street East and west of the west boundary of Third Street West; providing for exemptions; providing for severability; and providing for an effective date.

Chairman Lockley reconvened the meeting of the County Commission. Attorney Shuler read the caption of the ordinance. Chairman Lockley asked for public comment. Mrs. Ramont stated there seems to be a lot of confusion and they need to table this matter and do more research. She said they are creating a community at St. George Island that will be more and more residential and the areas that grow have commercial to support the residential. She stated they need to do something to promote more commercial growth on the island. She asked the Board to think about this matter before they vote because there is not enough information and they are changing something they just adopted in 2018. Mrs. Ramont suggested the Board come up with a plan that will work for the people at St. George Island and promote commercial growth and not create an environment where there are no services to support the people that live or rent there. She questioned what will be allowed if all of the property is residential. Mrs. Riegelmayr said if they preserve the commercial district it does not make the 25 ft. lots worthless someone will just need multiple lots to use them. She explained if they do away with the encouragement for commercial and open all residential then they will have spot building of the skinny minis. She reported if they preserve the commercial then the property owners of the 25 ft. lots will not be able to build a home and will sell to someone that can build a building. Commissioner Massey stated he watched people parking their vehicles in the county public parking area and walking to the restaurants to eat because there was no room to park at the business. Ms. Troy said she has commercial property and has seen commercial property vacate and join the area. She reported there is not much commercial development that can happen. She explained someone having to sell a 25 ft. lot to be able to use it is not use of the lot. Ms. Troy reported people zoned the properties C-4 because that was the best use at the time and they are stuck with the 25 ft. lot and trying to make something useful as they go forward. She stated there is a need for parking and the county may need to purchase some of the lots and make some public parking. She said they do need to look at it because what happened in 2018 probably should not have happened because it is not the solution because they cannot build residences and they cannot build much else. Ms. Troy stated they could have a commercial district and described the area but said they cannot do it if they only have 1

lot. She agreed this whole matter needs to be looked at in a way that it can move forward. Mr. Jim Waddell, 2015 Center Pointe Blvd, Tallahassee, said he is representing Roger & Patty Crawford that own one of the skinny minis at 112 Gorrie Drive and he identified the area on the map. He explained in his experience with commercial development even when there were multiple lots involved providing the parking, septic system and stormwater management was a difficult task. He discussed the most recent commercial construction of Doc Myers' Restaurant and said were it not for a portion of the building being exempt from the building code requirements because it was a tiki hut it is his opinion the project would not have been possible. He reported the portion of the business that was required to meet the commercial code is elevated 16 ft. and required stairs, an elevator and bathrooms to be elevated and it is on 7 lots. Mr. Waddell said it is important in a discussion but not relevant to the Board in making policy of whether there is common ownership of multiple lots. He explained his clients' concern is under the present ordinance and overlay they are not allowed to rebuild their home and they have a loss of value of their property. Mr. Waddell reported if the vacant lots need further evaluation that would be wise but there is an immediate need for relief for the existing homes in C-4 to have the ability to rebuild if their home is destroyed. He stated his client's concern is specific to 112 Gorrie Drive but it is logical to extend that to the other residences on the island that were built under the same terms and conditions. Chairman Lockley asked again for public comments. There were no additional public comments. Chairman Lockley asked for Commissioner comments. **Commissioner Parrish made a motion to table this matter. Commissioner Massey seconded the motion.** Commissioner Parrish said he would like county staff and the County Attorney go back and look at this item and see if they can address any of these concerns. He stated if they cannot then the Board will have to take action. Attorney Shuler explained typically they would table to a date and time certain that is announced publicly but he does not have the ability to tell the Board when staff will be able to return with a recommendation so they will need to re-advertise the public hearing. He stated if the Board wants to set a time then staff will do their best to meet the deadline. Chairman Lockley asked how much time they will need. Attorney Shuler requested at least 30 days due to his schedule and a trial he has coming up. He said they could reschedule the public hearing for the second meeting in February or the first meeting in March. **Commissioner Parrish amended his motion to include continuing the public hearing to the first meeting in March (March 3, 2020) at 11:00 a.m.** **Commissioner Massey amended his second.** Commissioner Boldt asked if they have direction on what outcome they need. He questioned if re-platting is an option. Mr. Pierce replied re-platting is not an option. He said one way to move forward would be to make some residential properties with larger lots as commercial property and swap the location but he is not proposing that. Commissioner Massey agreed that is the only way to do it. Mr. Pierce discussed the changes to the area and said short time rentals are driving everything along the coast in Florida. Commissioner Boldt asked about land use planning for clear outcomes and better visuals to guide them. Mr. Pierce said they can provide some better maps but land use planning was done when the area was platted. He discussed the size of the lots and said it is a problem. Commissioner Jones reported the Commission has taken steps to try and address flooding in the business district on the island. He stated they do own some places there that they can possibly put additional public parking and these things have been discussed. Commissioner Jones reported the only problem he has with tabling this matter is there are still people living in houses that have no immediate relief and have an unintended consequence from when they passed this originally. He said if the Board wants to look at something different he thinks they should take care of

the people that have houses now and then follow the same plan they are doing. Chairman Lockley said the 25 ft. lots are not big enough to call them a commercial lot. Mr. Pierce agreed and said when they were created there was not even a bridge to the island and people took the ferry and walked around. Chairman Lockley said he worked over there when they caught the ferry. Attorney Shuler reported when these lots were platted the county did not have zoning categories either. Commissioner Jones stated he would like to see the Board do away with the unintended consequence affecting the current buildings there and then address the rest of the issues together with staff. Commissioner Jones said there are people right now that if something happens to their home there is nothing they can do. Mr. Pierce agreed the lots in blue that are already constructed would have a problem if they were destroyed. Attorney Shuler reported at the beginning of the discussion he reported that he spoke with the County Planner and there are some questions factually from a planning standpoint where they need to look further at the issue of vacant lots along the waterfront and the interior and how to make a distinction if there can be one on whether some or all of the vacant lots should be exempted. He said as Commissioner Jones suggested if the Board was to exempt out the existing constructed C-4 residential properties and then give some direction to him and staff to look at the issue of the vacant C-4 properties and come back to the Board then they would take action to approve this ordinance as amended and give him some instructions to look at the vacant C-4 properties and see what path forward is available. Commissioner Parrish stated he does not like splitting this up and exempting the people who have houses and then leave the other people in limbo about whether they come back and address it or not. He said he would rather recess for lunch and then come back and work out the agreement. Chairman Lockley agreed. Commissioner Parrish offered to rescind his motion and adopt the amended ordinance if that will better satisfy the Board. He explained he is receiving calls from people saying when they rezoned their property 15 years ago this is what they could do and now they can only do a business with a residence above so they are limiting what was given by the Board 15 years ago and if they are not going to address that then he does not want to address any of it or they can come back after lunch and address all of it. Chairman Lockley reported there will not be any changes after lunch. He said he is not going to help a few and hurt a few either. Commissioner Boldt reported the blue areas should be considered now. He said they still need to do some work on the others by a certain date. **The motion passed by the following vote of the Board:**

**AYE: PARRISH, MASSEY, LOCKLEY**

**NAY: BOLDT, JONES**

The meeting recessed at 12:30 p.m.

The meeting was reconvened at 1:30 p.m.

### **RESTORE Coordinator – Alan Pierce – Report**

Mr. Pierce said he will have Chairman Lockley sign the Notice to Proceed on the Airport Access Road Project today so the contractor can start to work tomorrow. Commissioner Jones pointed out the 21<sup>st</sup> is today. Mr. Pierce read the following items for the Board:

Information Item(s)

17. Alligator Drive Hurricane Michael Update- Over the Christmas holidays, the FEMA contractors working on the Alligator Drive repairs completed their work and sent their report to the Consolidated Resource Center (CRC) in Virginia for approval. After the CRC approves the scope and cost of the project, the project will have to be authorized through some sort of congressional approval because the proposed project cost is above what FEMA can authorize on its own. The FEMA contractor I talked to said that the congressional authorization is standard process because of the cost, and it should not take that long to acquire. The contractor said that his staff has labeled this project as "RUSH", so we will see what that means to FEMA.

As I understand it, the FEMA contractor did not modify the design so the project should be what the county has submitted. (The Board may recall that I reported at the Dec. 17 BCC meeting that the contractor had initially found some \$1M of construction costs in the county design that they thought were not FEMA eligible. That issue was resolved, and the county's design has been kept intact.) The project still does not have a PW assigned to it, so anyone seeking information on the status of the project through federal elected officials will have to describe it as "Hurricane Michael Alligator Drive Repairs."

Mr. Pierce said he will also provide this information to the Alligator Point Taxpayers Association (APTA) in February. He stated he is counting on getting approval in time for them to start in March. He explained if they do not start in March then at some point the contractor, Roberts & Roberts, is going to say there are cost increases and he warns FEMA about this every time he talks to them.

18. Alligator Drive Beach Protection Project- As the Board may recall, at the Dec. 17 meeting I reported that Rep. Shoaf strongly encouraged the county to push forward with a beach renourishment project to protect Alligator Drive. To that end I contacted our beach renourishment project consultant, Mike Dombrowski, and asked if we could accelerate the project. For the 2020 legislative session, the county has asked for \$200K of design funds for the project, and Rep. Shoaf suggested we ask for the \$5M FDEP construction funds as well.

Mr. Dombrowski consulted with his FDEP contacts and was told that it was too late to change the county's request because FDEP had already turned in its budget request to the Governor's Office. I have advised Rep. Shoaf's office of this. On Tuesday, Jan. 14, Rep. Shoaf's Office contacted me for additional information, so I know he is attempting to find a way to get funding.

Mr. Pierce reported the two ways to get the additional funding is if the Governor amends the budget of DEM and includes the \$5 million or for Representative Shoaf to get a line item appropriation through the Legislature. Mr. Pierce said he is not overly optimistic about the county getting \$5 million for beach construction. He stated he hopes they get the \$200,000 for design but that is not for certain as the county is not ranked very high on DEP's list. Mr. Pierce reported the Alligator Point people are working on some funding proposals to help pay for beach maintenance. He explained they are accepting some responsibility and recognize the county is making an effort and they are trying to match that effort. He said the county will probably not have a beach there until 2021 or 2022 but they need to build the road anyway and not delay the FEMA project.

Commissioner Massey asked when they are going to start dredging. Mr. Pierce said he called the Corps of Engineers (COE) and there have been no delays. He stated they have a new project manager at the COE in Mobile and he left him a message asking for an update on the project. He explained the next step is for the COE to show up with 3 designs based on what they think is feasible and then the county will work with them to pick the best design. Mr. Pierce stated the COE said that would be done the end of January.

### **Community Action Agency - Angela Webster – Request**

Ms. Angela Webster provided the following report:

14. Capital Area Community Action Agency (CACAA) was contacted by a survivor from 582 Ridge Road. It appears the actual property owner is applying for CDBG home, and would like to donate his trailer from the Sheriff to this survivor. The survivor is requesting assistance with the cost to breakdown, move and setup trailer donated by Sheriff's office. I have a letter from EOC confirming this survivor has not received any assistance since the time of the fire.

According to contractor the cost would be \$5500 to include plumbing connection. The request includes allowing the trailer donated by the Sheriff to be moved to 714 Buck Street. We currently have a survivor residing at this address in a camper trailer. The survivor currently residing in the camper has been approved to receive a CDBG home, pending land is secured which meets all stipulations of the grant.

According to the contractor (3) loads of dirt would be required to build the surface pad. Jason White Construction quoted me \$200 - \$240 per load.

There is also the need to have an electrician once the trailer is set. I spoke with Cates Electric and they are unable to provide a quote without an exact location of the trailer to determine distance to the power pole, but he estimates the cost would not exceed \$1000.

Will the Board please approve use of fire relief funds in the amount of \$7300 to pay for the cost to breakdown, move and setup trailer donated from one fire survivor to another, to include dirt required for surface pad and cost for power to be connected?

Commissioner Massey asked who the trailer is for. Ms. Webster responded Mr. Paul Z. Sanders. Commissioner Parrish stated this survivor never had a home during the fire and lived with his father. Ms. Webster replied from the information provided to her by the Emergency Operations Center (EOC) he had a trailer in the father's back yard. She said there is another brother with the camper and that is the one that lived in the house with his father. Commissioner Parrish reported that was an illegal trailer because they are only allowed one per acre. Ms. Webster agreed that is correct. Commissioner Parrish stated that is probably why he did not receive any assistance to begin with. Commissioner Parrish asked if they allowed one person to take one of the trailers the Sheriff donated and move it to Carrabelle. Mrs. Belcher replied they moved it outside Carrabelle. Commissioner Parrish asked if he paid for the transportation and set up because he thinks that was a requirement. Mrs. Belcher answered they can transport the trailer a reasonable distance and it is included in the pricing they are getting for the CDBG purchase because otherwise they would have to demolish it and clear the site anyway so that part is not a problem. She explained all the rest of the set-up is their responsibility or



some non CDBG source. Commissioner Parrish said his problem is all of the people from the day of the fire to now deserve to be treated with equality and follow the same rules and they cannot continue to change the rules as they move forward when other people were held to a certain standard or rules. He explained as they move forward they are changing these rules. Ms. Webster reported the person receiving the donated trailer Mrs. Belcher is doing is not one of the Eastpoint fire victims. Mrs. Belcher clarified he was a fire victim but not from Eastpoint. Commissioner Massey said he had to pay for all the set-up. Mrs. Belcher stated they will pay for moving the trailer but not the set-up. Ms. Webster explained the person she is referring to did not receive anything from the fire relief fund because he was incarcerated at the time. Commissioner Parrish left the meeting at this time. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve this request.**

### **CDBG Administrator – Deborah Belcher – Report**

Mrs. Belcher presented the following report:

#### 15. REPORT TO THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS HOUSING CDBG GRANT for EASTPOINT FIRE VICTIMS

January 15, 2020

##### Current activities:

Continuing to take and process applications for CDBG housing assistance; taking calls from individuals who are not eligible for assistance; working on site-specific environmental reviews to submit to DEO for clearance; assisting Shelby and Colby Nowling with their new modular home at 275 Smith Street which is now ordered; assisting individuals who do not currently have title to property but might become eligible for CDBG assistance; ongoing administrative and fair housing tasks; and confirming bids for mobile homes.

Annie R. and William Banks, 638 Ridge Road, have signed the purchase contract for their new mobile home, as well as the CDBG mortgage. Ironwood Homes of Perry has ordered the home, which is expected to arrive in February, 2020. Colby and Shelby Nowling are awaiting the delivery of their new modular home, which will be located at 275 Smith Street.

##### Bid Approval:

Kathy Hill's replacement mobile home was included in the second CDBG mobile home bid package. Ms. Hill's home was specified to be a 2-bedroom model, but she has decided she wants a 3-bedroom model because she frequently has one or more grandchildren staying with her. The 3-bedroom homes are typically around \$6,000 more than a 2-bedroom model, and the CDBG grant is sufficient to fund a 3-bedroom home. We can request proposals from the 3 responding bidders, for a 3-bedroom model based on the original specifications and instructions for the site. Ms. Hill's property at 773 Buck Street is in a floodplain and will also require demolition of the existing home, so prices for her contract are higher than previous contracts that did not have those factors.

**Requested Action:** Authorize the County Coordinator and Deborah Belcher to obtain and review proposal updates for a 3-bedroom mobile home for Kathy Hill, and to approve Ms. Hill's selected proposal not to exceed \$80,000. Approve CDBG funding for the contract and CDBG mortgage recording.

Commissioner Parrish returned to the meeting. Mrs. Belcher explained the bidders submitted 3 bedroom plans on the other locations and she would like to get an updated plan for this location. Chairman Lockley asked what Ms. Hill had before the fire. Mrs. Belcher responded she had 2 bedrooms with an addition so the 3 bedroom would be comparable. She explained her mobile home was damaged but did not burn down. Mrs. Belcher reported she is still living in the trailer but it is in bad condition. **On motion by Commissioner Massey, seconded by Commissioner Boldt and by unanimous vote of the Board present, it was agreed to authorize the County Coordinator and Mrs. Belcher to obtain and review proposal updates for a 3 bedroom mobile home for Kathy Hill.**

Homeowner Application Approval:

Paul J. Sanders was residing in a mobile home at 582 Ridge Road at the time of the Eastpoint fire. He was purchasing the property under an unrecorded agreement for deed. Sanders received one of the Sheriff's donated mobile homes. Mr. Sanders has obtained a deed to the property, and has applied for a CDBG replacement mobile home. He wishes to donate his current mobile home to his son, Paul Z. (Pete) Sanders, who has made arrangements to locate it at 714 Buck Street. The Capital Area Community Action Agency is separately requesting authority to use recovery funds to pay for the setup of the mobile home at the Buck Street location.

Mr. Paul J. Sanders is now eligible for the CDBG mobile home replacement program. Anticipating his eligibility, I included his property in the last mobile home replacement bid package. **We do not yet have environmental clearance for this home replacement.** I also need to confirm the completeness of one of the dealer's proposals before making a recommendation for funding award for the purchase. I will come back to the Board for approval of the CDBG funding.

**Requested Action:** Approve the application for mobile home replacement for Paul J. Sanders, subject to environmental clearance and final arrangements for the relocation of the donated mobile home for his son, Paul Z. Sanders.

**On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve the application for the mobile home replacement for Paul J. Sanders subject to the environmental clearance and final arrangements for the relocation of the donated mobile home for his son, Paul Z. Sanders.**

Homeowner application approval:

In November 2019, the Board discussed the application for home replacement for Mary Louise Thomas, 633/645 Ridge Road. She is living in a camper with her husband and baby grandson. She is eligible for CDBG mobile home replacement, although her ex-husband (Kelley A. Shiver) still owns the land with her. During that discussion, I recommended that the County have a mortgage against the mobile home only. Based on some inaccurate information, I said the County would own the title until the CDBG mortgage was satisfied. The County Attorney advised that the County would be liable for problems that might occur while the County owned title. Since that time, I have confirmed with the County Attorney that Ms. Thomas would be the owner (title holder) of the home, and that County would only be a lien holder against the title. Mr. Shuler is apparently satisfied that this does not pose a risk to the County.

I recommend that the Board waive the local CDBG policy and approve funding a replacement mobile home for Mary Louise Thomas, with a modified CDBG mortgage against the replacement mobile home only. The mortgage would be between Thomas and the County, which Shiver (ex-husband) would not be party to. Ms. Thomas is already co-owner of the property, so she could grant the County right of entry to the property. She is under extreme hardship, and meets all eligibility requirements other than having the co-ownership, and cannot obtain disposition of the property from her ex-husband. DEO has issued environmental clearance for this property.

We obtained proposals for this mobile home replacement in the last bid package, but need to confirm the proposed prices and owner selection before requesting contract approval from the Board.

**Requested Action:** Approve the application for a new mobile home for Mary Louise Thomas, 663/645 Ridge Road, subject to final verifications, and allowing for a CDBG mortgage to be issued against the mobile home and not the land.

Chairman Lockley asked where they are going to put the trailer. Mrs. Belcher said on the property she owns where she is living now. Commissioner Massey asked if they have children. Mrs. Belcher stated she is remarried and has a grandchild with her and 2 more she would like to get back. Commissioner Massey reported she had to move the other 2 out because she did not have room for them. **On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve the application for a new mobile home for Mary Louise Thomas subject to final verifications and allowing for a CDBG mortgage to be issued against the mobile home and not the land.**

Homeowner Application Approval:

James Alvin and Mary C. Banks, 754 Ridge Road (Property Appraiser address), have applied for replacement of their mobile home. The home only sustained minor damage, but is in such poor condition that it should be replaced. The Banks are an elderly couple, and Mr. Banks is totally disabled. This is not a request for contract award.

**Requested Action:** Approve the application for a new mobile home for James A. and Mary C. Banks, subject to final verifications and environmental clearance.

Mrs. Belcher said it is not feasible to rehabilitate this mobile home. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the application for a new mobile home for James A. and Mary C. Banks, subject to final verifications and the environmental clearance.**

Chairman Lockley asked what the status is for Mr. Devin Creamer. Mrs. Belcher replied the last communication she had from him was through Mr. Moron. She stated she showed pictures of the property to Commissioner Jones and Chairman Lockley. She said the issues are an incomplete application and the yard. Mr. Moron asked if they must just clean up the yard. Mrs. Belcher reported they must also verify their income and submit an application. Mrs. Belcher explained she was there many times and got pictures of the driver's license but never got an application. Chairman Lockley inquired if he is a fire victim. Mrs. Belcher answered yes, they had some damage. Chairman Lockley stated if they are fire victims then he would like to see them get some help.

Commissioner Jones asked about Mr. Dennis. Mrs. Belcher said Mr. Reiner is over the income limit and she tried to help him as most of his income is going to his wife's assisted living facility. She stated she cannot help him with CDBG funds because there is a federal income limit they cannot exceed. Commissioner Jones explained they run into that a lot in this county because they say the medium income is \$43,000 and he only knows a few people in his circle that exceed that. Mrs. Belcher said he exceeded the HUD limit considerably but she does feel bad for him because his income is all gone because his wife's care is so expensive. Commissioner Jones reported that is how a lot of assistance programs are and there is a limit they cannot do anything about. Commissioner Jones said he is repeating what the other Board members have said when they started down this path it was to help everyone that was burned out so that is what they are dealing with personally. Mrs. Belcher explained he did receive insurance compensation. Commissioner Jones asked if she could help him if he used those funds toward a home. Mrs. Belcher answered no, not with CDBG funds but they may be able to help him with donated funds. Chairman Lockley stated if they had damage then they are a fire victim. He said some people that had damage are getting another trailer and donating their trailer to who they want and some people are victims and even if they have issues they need help too. Ms. Webster said she spoke with Mr. Thornburg who is Mr. Reiner's son-in-law and they are looking for Mr. Reiner a trailer. She explained she has talked with Mr. Mike Morrison, Ironwood Homes, and they are looking to see how much Mr. Reiner can put on the home and wants to know if they will use fire relief funds for what he is short. She stated they will provide her with the contract from Ironwood Homes saying how much it will cost and she will bring that back to the Board.

#### **Clerk of Courts – Marcia M. Johnson – Report**

Clerk Johnson said she does not have a report today.

#### **County Coordinator – Michael Morón – Report**

Mr. Moron presented his report, as follows:

#### **Action Item(s)**

19. CR 67 Sidewalk Project: The low bid for the CR 67 Tallahassee Street Sidewalk, which were opened at the January 7th regular meeting, is \$342,540.95 above the available funds in the grant. Mr. Mark Curenton has checked with FDOT, and they cannot provide any additional funds. The remaining choice is to reduce the scope of work to bring the project within the available budget. This means eliminating some of the sidewalk. The original contract with the design engineers, Inovia Consulting Group, did not include revisions to the plans after the bid opening, so they have provided a cost estimate for revising the plans and negotiating a reduction in the scope with CDM Contracting. The cost is \$4,610. This is a City of Carrabelle project that the county is administrating for the city (City of Carrabelle isn't LAP certified) so the final decision on reducing the scope of work and paying the associated fee to Inovia should be the city's responsibility.

**Request:** Board action to inform the City of Carrabelle of the project's budget issue, discuss the option of reducing the scope of work, the associated cost, and negotiating the reduction with the low bidder CDM Contracting.

**On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to inform the City of Carrabelle of the project's budget issue, discuss the option of reducing the scope of work, the associated cost and negotiate the reduction with the low bidder CDM Contracting.**

20. Armory Sprinkler System: To try and guarantee the County keeps the \$100,000 allocated by the Legislature in 2018, the State Fire Marshal wants to go ahead and contract with Franklin County for these funds to help build the fire sprinkler system in the Fort Coombs Armory. To do this, Franklin County also needs to contract with EMO Architects so we can show where the funds will be spent.

**Request:** Board action to authorize the Chairman's signature on the contract with EMO and the contract with the State Fire Marshal's office.

Mr. Moron said the county has until the end of the month to encumber the money. He stated there is no time to advertise for bids even in an emergency situation so since Mr. Warren Emo is familiar with the project they have a contract with him for first \$100,000 so he can start to do the preliminary work as they seek additional funding to complete the project. **On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present it was agreed to approve the contract with EMO Architects and the contract with the State Fire Marshal's Office.** Commissioner Boldt said they need to press on since this is a fire safety issue. Mr. Moron said Legislative Days are coming up and the Board really needs to push for funding for this item. Mr. Moron explained it may help that Visit Florida is using the Armory for a conference. Commissioner Boldt asked if he will create an informal white paper on talking points. Mr. Moron said he can.

21. DRI Procedure: Mr. Mark Curenton, County Planner, stated that it has been years since Franklin County has discussed a Development of Regional Impact (DRI), but we might have a request for an amendment to the St. James DRI in the future. Previously, the State and Regional Planning Council reviewed DRI's, and for that reason, Franklin County did not have our P&Z Commission review them. Now the State and Regional Planning Council no longer review amendments to existing DRI's. Therefore, the County Planner recommends that requests for amendments to DRI's be reviewed by the P&Z before they come to the Board of County Commissioners.

**Request:** Board action to have the Planning and Zoning Commission review all amendments to Development of Regional Impact prior to being sent to the Board of County Commissioners.

Mr. Moron asked Commissioner Parrish to explain what DRI's are. Commissioner Parrish said it is basically a large scale land use project. Mr. Moron explained these amendments will be reviewed by the Planning & Zoning Commission and then come to the Board on a report from the Planning & Zoning Commission. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the Planning & Zoning Commission**

**reviewing all amendments to DRI's prior to the amendment being sent to the Board of County Commissioners.**

22. This item was addressed earlier in the meeting.
23. Alliant/TMH Special Meeting: Around mid-December Mr. Jim Coleman (Alliant/TMH) and I discussed the concerns and feedback that I received from County Commissioners, Weems Board of Directors, and the public regarding their proposal. I had the same conversation with Mr. Roger Hall (Ascension Sacred Heart) right before Thanksgiving in November. Mr. Coleman contacted me about a week and a half ago and stated that Mr. Mark O'Bryant, Tallahassee Memorial Hospital (TMH) President and CEO, would like an opportunity to address the Board to further explain TMH's role in Alliant/TMH partnership with Franklin County. The earliest available date for this Board, Mr. O'Bryant, and Mr. Coleman to meet is Wednesday, February 5th.

**Request:** Board action to authorize a Special Meeting on Wednesday, February 5th at 10:00 am for the opportunity to have Mr. Mark O'Bryant and Mr. Jim Coleman address the Board regarding healthcare in Franklin County.

**On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize a special Board meeting on Wednesday, February 5, 2020 at 10:00 a.m.** Commissioner Boldt stated they have also offered Mr. Roger Hall, Ascension/Sacred Heart the opportunity to come back also. He explained because they did not required a Request for Proposals (RFP) the Board has an opportunity to get as much information as possible from the two providers as this Board and the Hospital Board make these careful decisions. He stated his opinion is the health of the people is the most important asset they have to be considered so it is appropriate for them to gather with the Hospital Board to make these decisions. Mr. Moron reported Mr. Hall's secretary requested a conference call and it will be conducted this afternoon at 3:30 p.m. He stated if Mr. Hall has a date he would like to meet with the Board then he will let them know. Commissioner Jones reported that is good because that is where they are and there were proposals and if what they proposed to begin with is not good enough they need to ask for what is good enough. Mr. Moron said it does not matter how many times they come back as long as the Board gets what they want for Franklin County. Commissioner Boldt explained that is their role and publicly he would like to say there has been no agenda given to them by the Hospital Board and no agenda set by the Hospital Board about their opinions. He reported they are delegating much of this to the Hospital Board and they are still gathering data on behalf of good health care in the county.

24. Library Assistant: At the January 7<sup>th</sup> meeting the Library Director was terminated. So that there isn't a repeat of previous issues and based on the Labor Attorney's report, I am recommending that Mrs. Whitney Roundtree is allowed to serve in the capacity as a library assistant supervisor over both library branches as a temporary position. Mrs. Roundtree additional duties in this role would include, but are not limited to, employee scheduling, time and attendance, reviewing invoices, managing library programs, book orders, conferring with WILD, and other duties as assigned. I recommend a temporary \$2500 salary increase for these additional responsibilities. Mrs. Roundtree will confer with me on a daily basis. If the Board is inclined to agree to this temporary role, I also request that the Board authorize

travel and expenses so that Mrs. Roundtree can attend Library Day on January 22nd in Tallahassee.

**Request:** Board action to authorize Mrs. Whitney Roundtree new temporary role and salary as the library assistant supervisor effective January 16, 2020 and travel and expenses to allow her attendance at Library Day on January 22nd in Tallahassee.

**Commissioner Massey made a motion to approve Mrs. Whitney Roundtree to a new temporary role and salary as the Library Assistant Supervisor effective January 16, 2020 and authorize travel and expenses for her to attend Library Day on January 22, 2020 in Tallahassee. Commissioner Jones seconded the motion.** Commissioner Parrish asked if she will appear and report to the Board. Mr. Moron answered yes. Chairman Lockley asked how temporary this position is. Mr. Moron said until they go out for bids. He explained he is working with the Wilderness Coast Public Libraries (WILD) on creating job descriptions and he is also getting some input from other counties. Mr. Moron stated he will bring those descriptions to the Board and they will select one and advertise. He stated the Board gave him the impression they want to control and treat this position like any other employee and department head instead of how it was done before. **Motion carried; 5-0.**

#### Information Item(s)

25. Permit Clerk Hire: Mr. Mark Curenton and Mrs. Amy Ham-Kelly interviewed 14 candidates for the vacant permit clerk position in the Planning and Building Office. After conducting the interviews and reviewing the applications Mr. Curenton and Mrs. Ham-Kelly recommends Ms. Angela Lolley for the permit clerk position. Ms. Lolley will start on Monday, January 27<sup>th</sup>.

Mr. Moron stated he received an email from Ferrovia notifying the county that the lighting contract is in place and they will start replacing the lights on the bridges and the navigational lights within the next week or so. Chairman Lockley said they better do the navigational lights first.

Commissioner Boldt referenced Item #21 and asked that people that present reports provide the actual name of the initial the first time so they know what the initials mean.

Commissioner Parrish stated he received an email from Tri-Rivers Waterway Development Authority that has to do with the water wars. He explained they referenced an invoice that was from November 26, 2019 and he keeps forgetting to bring it. He inquired if Mr. Moron got this email. Mr. Moron said that does not sound familiar to him. Commissioner Parrish said it was from Mr. Billy Turner who has been here before and addressed the Board. Mr. Moron stated he does not remember receiving this email but will check on it. Commissioner Parrish reported he deleted it by mistake and it had the invoice with it.

Commissioner Massey asked if everyone is going to Tallahassee next week and staying. The Board discussed the trip to Tallahassee. Commissioner Massey asked about their paperwork. Mr. Moron said he will check on it. He stated the Small County Coalition has a meeting Tuesday night. Commissioner Massey reported the meeting is at 7:00 p.m. Commissioner Boldt said he will be staying a little longer for certification training.

#### County Attorney – Michael Shuler – Report

Attorney Shuler presented his report, as follows:

Action Item

1. Bay City Workcamp drawing and additional acre requested by the Sheriff

Recently, I received the attached draft drawing from the county's engineer. Based on my understanding of the board's action, I directed that the drawing would be of the fenced-in area of the old Bay City Workcamp site. Does the board concur?

During my discussions with the Sheriff, he asked if the board would also convey additional property outside the fenced area for a garden and exercise area. I told the sheriff that I would bring his request to your attention. The drawing shows, south of the fenced-in area, a proposed one-acre area for the board's consideration.

The Sheriff has reviewed and approved the drawing with the two parcels, as shown. I have communicated with both the county airport manager and the airport engineer, who expressed no concern based on my verbal description of the two parcels.

I have prepared a draft of a contract between the Board and the Bay City Wellness Center, a copy of which is also attached. The sheriff has also seen and approved of this draft.

A proposed deed is also attached. The sheriff had no objection.

Unless the board directs otherwise, I plan to finalize all documents and present them all to the sheriff for his final review and approval, before returning to you for consideration by the Board

BOARD ACTION: Does the board approve of the drawing for the following purposes:

- (1) Does the drawing correctly show the area the board agreed to convey to the Bay City Wellness Center; i.e. the fenced-in area of the old workcamp?
- (2) Does the board approve of the additional acre of land south of the fenced-in area of the old Bay City Workcamp?

Attorney Shuler directed the Board to the maps attached to his report and described the locations of these areas. Chairman Lockley asked if they are just giving this property to the Sheriff's Department and not a double party. Attorney Shuler stated it is not going to the Sheriff but is being conveyed to a non-profit called Bay City Wellness, LLC. He reported a draft contract is attached to his report and at present the officers are listed as Mr. A.J. Smith, President and Ms. Kristy Banks, Secretary. He said he wants the Board to know that principals can change but he is not aware of any reason that these principals would change. Chairman Lockley stated if they change he would like the Board to know. Attorney Shuler reported it will not make any difference if the officers change from the way it is presently structured. He explained the reverter will only kick in if they fail to live up to the terms of the contract or they fail to use the property as a rehabilitation center or they improperly expand the uses.



Attorney Shuler reported if they expand the uses then they need to come back to the Board and get prior approval before they do it or the property could revert. He stated a change in the officer structure will not trigger a reverter provision. **Commissioner Massey made a motion to approve. Commissioner Boldt seconded the motion.** Commissioner Parrish read the portion of the contract stating Franklin County shall not now or in the future provide any ad-valorem funds or non-ad valorem funds from any source for any part of the costs or expenses of the rehabilitation center. He stated he agrees with this and has told the Sheriff that on numerous occasions at the Board meetings that they cannot fund this rehabilitation center. Attorney Shuler said those were the directions from the Board and that is why the contract was written this way. Commissioner Parrish stated his other issue was about the reverter and he knows it is in the contract. Attorney Shuler agreed it is in the contract. Commissioner Parrish said the property is not given to the Sheriff, it was given to the 501.3©. He explained they cannot use this facility just any way without coming back to the Board. Commissioner Jones asked if subletting is a change to the structure of the contract like someone else being stationed there with that entity. Attorney Shuler said he was not asking the Board to take action on the contract today and there is a provision that they cannot sell or convey the property and cannot mortgage it. He reported the Board's agreement is with Bay City Wellness Center, Inc. only so if they try to mortgage the property or transfer the property that triggers the reverter provision and that would automatically entitle the county not only to the return of the fee simple interest in the property but also automatically entitle them to the possession of the property. Commissioner Parrish asked about the personnel used to run the facility and questioned if there is anything in the contract that says the Sheriff cannot take 15 deputies and put them there and then ask the county to hire 15 more deputies which would cost more ad-valorem tax dollars. Attorney Shuler answered yes and read Paragraph 2 on Page 2 of the contract. He reported the Sheriff has seen the contract and approved it but he did not bring the contract or deed back for this Board's approval until they confirmed today the accuracy of the legal description for parcel 1 the fenced in area they already agreed to convey and authorize the additional conveyance of the additional one acre. Attorney Shuler said once those items were addressed he will finalize the contract and present it to the Sheriff and then bring it back to the Board for final approval. Commissioner Parrish stated they want to make sure deputies are not used at the facility and then the county has to hire new deputies. Attorney Shuler asked if they don't want to use any sheriff's deputies at the rehabilitation center. Commissioner Parrish clarified county employees. Commissioner Boldt asked about county equipment. Clerk Johnson stated she is not sure her concerns were addressed like they ask the Sheriff to go over with the County Attorney because no one has talked to her about it. She said it was part of the motion but she is not sure if they have been addressed. Clerk Johnson explained one of her concerns was can the Sheriff legally as his non-profit have his county employees out there working at the rehabilitation center on non-profit property. Commissioner Massey agreed she is correct about this matter. Attorney Shuler stated he does not see how they can take a staffed county employee and placed them into a non-profit situation at public expense. Clerk Johnson said you should not be able to do this. Commissioner Parrish explained the

motion he made at the time was to include the Clerk's concerns and see how they could be addressed. Clerk Johnson stated she knows it was included in the motion but she has not had any conversations with the Sheriff or anyone else about the concerns. Clerk Johnson reported the County Attorney and the Sheriff got together and maybe they covered all the concerns. Commissioner Boldt stated they do not want any Sheriff's Department equipment there either because this is a stand alone entity and is coming from resources and funding that are not owned by the county. He stated that is people and equipment not to be there. Commissioner Parrish agreed and said if they take the people and equipment away from the public and put them into a non-profit and then the next year the Sheriff asks for more equipment and personnel based on his utilizing them at the work camp. He said all of that is supposed to be done by the non-profit LLC not the Sheriff's Department and the taxpayers should not have to fund it. He explained that is part of what Attorney Shuler has in the contract but he wants it to be clear. Commissioner Boldt reported the sheriff has already got a bill going through the Legislature now for funding of this facility. Commissioner Parrish explained he has someone applying for it but it has not gone through the Legislature yet. He stated there may be some federal money available also pertaining to the opioid epidemic. Attorney Shuler explained he did not submit the contract for discussion and read the remaining portion of Paragraph 2 of Page 2. He stated that paragraph is clear that they get zero funding from the county. He reported people can donate but it is not coming from public funds. He agreed to have this discussion with the Sheriff. Commissioner Parrish suggested adding personnel and equipment. Commissioner Jones said he is confused on the drawing and is not comfortable saying yes to the additional acre until they know what they intent is. He explained when they have a zoning category there is all these uses and then when they get the property they can use it for what you intend to. Commissioner Jones said unless they are going to include in the contract that there will not be any subletting of any of these properties he is not good with it. Commissioner Massey stated they are asking for gardening. Commissioner Jones reported unless they are going to put in the contract that the properties are not going to be sublet to another entity he is not good with it.

**Commissioner Massey rescinded his motion.** Commissioner Parrish clarified they do not want the Sheriff leasing this property to someone else. Attorney Shuler reported he will work on this issue and bring it back.

Commissioner Jones stated the Florida Association of Counties (FAC) already has wording on this but he would like Attorney Shuler to bring it back to the Board possibly at the next meeting a Resolution for the Board to consider adopting the 2<sup>nd</sup> Amendment Sanctuary for this county. Attorney Shuler said he will be glad to if that is the will of the Board. **Commissioner Jones made a motion to direct Attorney Shuler to draft a Resolution for the Board to consider adopting the 2<sup>nd</sup> Amendment Sanctuary for the county. Commissioner Parrish seconded the motion.** Commissioner Parrish reported he had people come talk to him about this issues yesterday and he also watched what was going on in Virginia on television. He stated the Sheriff in one of the counties said he would not enforce it and our Sheriff said he wouldn't enforce taking people's guns from them so they do need to move forward with this. Commissioner Boldt stated the sheriff is already beginning to work out his own gun range to make it better. **Motion carried; 5-0.**

### Informational Items

#### 2. City of Carrabelle

The list of questions that Mr. Davis presented to me at the last meeting concerning Animal Control issues, is the same list of questions that Mr. Moron previously responded to. I am still reviewing the matter.

#### 3. Alligator Harbor- Dead-End of Angus Morrison Road

A property owner has requested that Franklin County agree to allow her to fence across a dead-end, unconstructed and un-opened, portion of Angus Morrison Road, Alligator Point, Florida. It is a parcel of land that is in its natural state and is approximately 50 feet wide and 125 feet long. She informs us that by February 1, 2020, she will own all of the lots surrounding the dead-end part of the road. Presently, she owns all but two such lots and is supposed to purchase those two before the end of January 2020.

I have consulted with Mr. Curenton, the county planner, and he is without objection to the request because the county will still own the road and it is not currently being used by the public, provided that I prepare a document which protects the county's interests.

I am preparing a paper for the board's consideration in which the landowner will acknowledge and that:

- a. The county will always own the property for the benefit of the public.
- b. The fence will be a non-permanent structure.
- c. The property will be left in its natural state.
- d. She will indemnify and hold the county harmless from liability.
- e. The county can remove the fence at anytime at her expense, if she does not remove it promptly when asked.
- f. She acknowledges that she has no contractual rights to the property.
- g. The county can open the road to the public at any time.

A proposed draft is attached.

If the landowner actually purchases the remaining two lots at the dead-end, then I will bring this matter back to you for consideration. She already owns all of the other lots, except for two.

### **Commissioners' Comments**

Commissioner Jones said the basketball team is playing at home tonight at 7:00 p.m. and they continue to be second place in the district. He stated they play Port St. Joe Saturday at home and they have not lost to them since 2017. Chairman Lockley asked why they are not number one. Commissioner Jones

stated because the Florida High Association took a team that was above them and moved them down to their level.

**Adjournment**

There being no further business to come before the Board the meeting was adjourned at 2:36 p.m.

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Noah Lockley - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts