

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING  
COURTHOUSE ANNEX, COMMISSION MEETING ROOM  
OCTOBER 6, 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, Michael Shuler-County Attorney, Michael Moron—County Coordinator, Lori P. Hines-Deputy Clerk to the Board.**

**Call to Order**

*A. Public Notice*

*To comply with CDC and Government social distancing requirements, the general public will not be allowed in the commission meeting room for this meeting; therefore, this Board of County Commission regular meeting will be conducted via livestream and Zoom. Those wanting to view the meeting can use the livestream link (<https://www.youtube.com/user/SGIBeachLife>) or go to Forgotten Coast TV's YouTube Page. The livestream feed will promptly start 5 minutes before the meeting commences. Those wanting to participate during "Public Comments" should use the Zoom log-in/call-in information provided below. There is a link to a list of videos and Getting Started Resources on the main "Agenda and Minutes" webpage for those unfamiliar with Zoom. If you are experiencing any issues with the livestream or Zoom, call (850) 653-9783 extension 373 for assistance.*

*Any person who wishes to appeal a decision made by the Franklin County Board of County Commissioners, with respect to any matter considered at the meeting, must have a record of the proceedings. He or she may need to ensure that a verbatim record of the proceedings is made.*

**B. Welcome to the Franklin County Board of County Commissioners Regular Meeting - October 6, 2020 9 a.m. (ET)**

This meeting is being held via Zoom and all attendees are muted by default. To join via computer, use the link on the meeting date and time: <https://zoom.us/j/99176344398>

If you do not have speakers or a microphone on your computer or prefer to call, you can dial in for audio. Call (301) 715 8592 or (312) 626 6799 or (929) 205 6099 and enter ID 991 7634 4398.

If you would like to speak during the public comment portion of the meeting, you have the following options:

Online - select the "raise your hand" icon.

Phone - press \*9 to raise your hand, \*6 to unmute to submit verbal comments.

Public engagement is important to us, and meeting remotely is still a new process. We appreciate everyone's understanding.

Chairman Lockley called the meeting to Order.

### **Prayer and Pledge**

Commissioner Jones said a prayer followed by the Pledge of Allegiance.

Mr. Moron stated the meeting is being delayed due to internet issues that are creating a problem with the livestream part of the meeting. He advised the Board people are calling the office and being directed to log in to zoom. He reported Mr. Royce Rolstad, Forgotten Coast TV, will record the meeting and post the video after the meeting is over.

### **Approval of Minutes**

- C. September 8, 2020 Special Meeting Minutes for Approval
- D. September 8, 2020 Budget Meeting Minutes for Approval
- E. September 15, 2020 Meeting Minutes for Approval
- F. September 22, 2020 Meeting Minutes for Approval
- G. September 30, 2020 Meeting Minutes for Approval

**On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the minutes from the meetings held on September 8, 2020 at 4:00 p.m., September 8, 2020 at 5:15 p.m., September 15, 2020, September 22, 2020 and September 30, 2020.**

### **Payment of County Bills**

- H. Bill List for Approval

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

### **Public Comments**

*This is an opportunity for the public to comment on agenda or non-agenda items. When you are recognized to be heard by the Chairman, please sign the speaker's log and adhere to the time limit. An individual will be allowed to speak for three minutes whereas a designated representative of a group or faction will be allowed to speak for five minutes.*

Ms. Pam Tullous, President of the Friends of the Franklin County Public Libraries, reported since the Wilderness Coast Public Library (WILD) lost their IT department, she understands the county has been negotiating with WILD and outside vendors to provide IT services for both branches of the library. She explained many patrons rely on the library for their computer needs and both branches are experiencing computer issues. She said staff is working around these problems but these are temporary fixes. Mrs. Tullous requested the county finish the negotiations quickly so the library patrons have the computer access they are used to having.

Mr. Alan Feifer, President of the Concerned Citizens of Franklin County (CCFC), stated he advised the Board of CCFC's research about potential losses and judgements against and involving Alliant and officers of that company. He said allegations have been made that CCFC falsified that information and they do not do business that way. Mr. Feifer reported he explained the internet search was incomplete and that they were unsure if the county ran a background check on Alliant or Mr. Jim Coleman. He explained one Commissioner was unaware if a background check was done and that is concerning. He stated no vote should occur until someone in Franklin County government has vetted these companies and individuals and received satisfactory answers. He asked if anyone has been directed to follow up on that information they uncovered. Mr. Feifer requested they put this matter on hold until their legal concerns over Alliant and their personnel have been successfully resolved. Mr. Feifer reported the CCFC did an analysis of the management contract and he detailed the concerns they have with this contract. He discussed section 6.4 of the agreement and the effect of this provision on the hospital. He asked if they can assure the public this is a non-issue and has been well considered as well as the other 12 items that were listed in their letter to the Commission.

Ms. Brenda Karlin, a resident of St. George Island, agreed with getting answers to the questions from Mr. Feifer.

## **Department Directors Report**

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

Mr. Moron stated Mr. Pierce is present via telephone to address Island View Park. Mrs. Brownell offered her report, as follows:

#### **K. Emergency Management Director Board Report**

##### **Action Items:**

1. Requesting the Boards approval and signing of the Community Emergency Response Team (CERT) Grant in the amount of \$5000.00

**On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve and sign the Community Emergency Response Team (CERT) Grant in the amount of \$5,000.**

2. Request the Boards approval and signing of the Hurricane Loss Mitigation Program Grant in the amount of \$194,000.00

Mrs. Brownell stated they will start advertising for the mitigation work. She explained they are going through the old applications and reviewing them again. She stated they are hoping to get more than 3 houses fixed this time. **Commissioner Jones made a motion to approve and sign the Hurricane Loss Mitigation Program (HLMP) Grant in the amount of \$194,000. Commissioner Massey seconded the motion.** Chairman Lockley inquired about this program. Mrs. Brownell explained this program addresses roofs, shutters and one outswing back door. She stated the county has participated in this program for about 4 years. She stated the City of Apalachicola did not apply so people in the city limits

can apply for these repairs through the county. She said she thinks the City of Carrabelle applied for funds. Mrs. Brownell stated her department can start advertising this week but the grant still has to go to the state to be fully executed. She reported they will start the process so people can start submitting applications to her department. She explained the state has changed the way they do the cost benefit analysis so they are checking to see if any of the old applications would qualify. She reported the state says the county's wind speed is 120 which is not correct and they have sent the documentation but it was done this way last year and they were only able to do 3 houses. She pointed out even with the waiver stating the shutters had to be below \$13,000 and a roof had to be less than \$24,000 there were only 3 houses last year that met that criteria. Commissioner Boldt asked if this is for Hurricane Michael repairs. Mrs. Brownell answered no, this grant is available every year. She said when the county applies the state decides how much they will receive and then the county receives the award of the grant and starts the process. Mr. Moron clarified that because the City of Apalachicola did not apply people within the city limits can apply directly to the county. Mrs. Brownell agreed that is correct. **Motion carried; 5-0.**

Mrs. Brownell informed the Board they are expecting Delta to be a Category 3 hurricane when it comes through the area. She stated they expect the storm to go in at New Orleans. She said the county will feel some affects from the storm on Wednesday and by Friday they are estimating the wave action will be 5 feet above the normal tide. She stated they will start sending information to Alligator Point residents advising them that over the weekend they should shelter in place or if they leave expect not to be able to return home. Mrs. Brownell said they do not expect much rain with this system. She cautioned everyone the storm is still far out and could strengthen once it is past the Yucatan peninsula. Chairman Lockley asked if there is adequate signage about swimming in this kind of situation. Mrs. Brownell stated there is a red flag right now but not double red flags. She reported this item should be addressed to Mr. Davis. Chairman Lockley said they need to make sure they get this information out to the public. Mrs. Brownell reported they will send information about rip currents and that people are advised not to go swimming over the Alert Franklin system. Commissioner Boldt questioned if they can coordinate Alert Franklin with the double red flags. He asked if they should automatically place a double red flag on the beach for safety. Mrs. Brownell reported they can broadcast the information but Mr. Davis would be the person to address this issue. She said Carrabelle claims they do not have rip currents and do not like the flags posted because they cannot go in the water.

### **Special Project Coordinator – Alan Pierce – Report**

Mr. Pierce reported he and Mrs. Brownell have never proposed a Program 428 but he thinks on the Island View Park project it may be worth trying. He explained FEMA Program 428 allows the county and FEMA to agree on a cost for repairing a facility and then the cost is capped at that amount. He stated the risk to the county is if the repairs come in above the obligated amount the county could not receive any more money but the benefit is FEMA would allow the county to receive some of the money upfront to start the repairs and then the rest of the money would be received on a reimbursement basis. Mr. Pierce said he thinks if the project comes in under budget then any money not spent on Island View Park could be used on other projects. He explained he would never recommend this program for a project such as Alligator Point Road or C.R. 30 that has engineering and safety standards because if those costs came in higher they could have a cost overrun. He reported in the case of Island View it is a park and they have a Project Worksheet (PW) obligated for about \$1 million and they can

design a park for the money that is available. He stated if the bid comes in over the funds available then they negotiate the price so they know the bid contract is whatever money has been obligated by FEMA. He reported the scope of work can be reduced to meet the money available. Mr. Pierce stated Program 428 requires the county to keep the facility in the same style as it was and it will remain a park. He said if they need to reduce the number of the parking spaces or shorten the boardwalks that is no problem as long as the function of the park remains and they can work within the money that is obligated. Mr. Pierce explained he proposed Program 428 because there is not \$500,000 in the Parks & Recreation budget to start repairing this park. He stated they would have to rely on the county's emergency fund or some other kind of funding and they could get reimbursed but they need some cash initially. Mr. Pierce pointed out the county is going to have a use cash reserves because the next project is Alligator Drive and they are going to move forward with that project. He recommended the county try and see if the Program 428 is still available to the county to be used for Island View Park so it would give them the money to start the repairs. He reported he has been working with Mr. Jason Ressler, Florida Department of Emergency Management (FDEM) contractor, whose company is paid by FDEM to help the county go through this process and provide guidance from FDEM. Mr. Pierce said they need a motion from the Board to have Mrs. Brownell contact the PDMG and ask for a fixed cost offer for the PW for Island View. He stated FEMA should have sent an email of this offer or a communication asking if they wanted a fixed cost offer but Mr. Ressler cannot find any evidence that it was done so they believe there is a window for the county to apply for Program 428 for Island View. He said this is worth the risk or they are going to have to wait to have it repaired until after Alligator Point Road and C.R. 30 are reimbursed because the county does not have enough cash to do all these major projects at the same time. Mrs. Brownell stated her understanding is if the county goes with Program 428 and changes the design of the park then the project would have to go back to FEMA and start all over again. Mr. Pierce agreed it must go back for a scope of work change and Mr. Ressler will help with that. He said even without the Program 428 they were going to do mitigation on some of the components. Mr. Pierce did not think there would be a big delay. Mrs. Brownell asked if they plan on keeping the mitigation portion that is already planned. Mr. Pierce answered yes. Mrs. Brownell stated if they turn that part down they will never be offered mitigation again. **Commissioner Boldt made a motion to engage the Program 428 and apply for a fixed cost offer.** Commissioner Massey asked if the county will go out for bids. Mrs. Brownell said the county is required to bid the project. Mr. Pierce stated Mr. Ressler and Dewberry will help with the design and scope of work and once FEMA approves the scope of work the county will go out for bids. Mrs. Brownell said it will need to be a fixed cost bid. Commissioner Parrish asked if they will have an idea what they are going to do before they submit a request for the Program 428. Mr. Pierce explained FEMA has obligated the PW for a certain amount of money and he assumes that amount may be the fixed cost offer. He said they will not know until they get the offer but they can always reject the fixed cost offer. Commissioner Parrish asked if they will have a scope of work and how much that work will be. Mr. Pierce replied they have a scope of work and a cost for the damages incurred by Hurricane Michael so they know how much FEMA is going to give the county based on the work Mrs. Brownell has already done. He reported they will go back and see what it will cost to repair the park to its pre-storm conditions with the mitigation Mrs. Brownell mentioned and then they will design the new park to be \$1 million or less and accept Program 428. Chairman Lockley said this happened in 2018 so they need to include extra since things have gone up since that time. Commissioner Massey stated if they get the right contractor the money should be enough to complete the work. Mrs. Brownell said that is why they must do a fixed cost contract. Mr. Pierce reported Island View Park was overdesigned before because there was a lot of BP money

available to put in extra items that were destroyed and will not be replaced. He stated some of the landscaping that was going to be hard to manage will not be replaced but they will put in some landscaping that will be easy for the Parks & Recreation Department to maintain. **Commissioner Massey seconded the motion.** Commissioner Jones asked if going this route will delay this project for another year. Mrs. Brownell said she cannot answer that because it will have to go back in front of the FEMA Grant Manager and they will have to tell them what the county wants to do. She explained the FEMA Grant Manager writes the scope of work and what the costs are and the amount may change if they are talking about not putting the park back like it was. Commissioner Jones questioned if they will de-obligate the obligated funds and go through the whole process again. Mrs. Brownell said she cannot answer that question. She reported someone from FDEM would have to answer that but she does know it will go back to FEMA. Mr. Pierce explained he would not recommend the county doing this on their own but he assumes Mr. Ressler is being paid by the state to reach out to counties and get these Hurricane Michael projects moving. He felt Mr. Ressler would be able to get this work done faster than the county could do on their own. He said the obligated money is what they base the fixed cost offer on and if there is a little difference they may de-obligate a little money but they use the damage report that has already been written. Mr. Pierce reported they do not have to re-negotiate what it is going to cost because they have already obligated an amount of money for Island View. Commissioner Jones clarified if they get the fixed cost offer in 6 months and do not like it then they can reject it and still have the obligated funds to move forward. Mr. Pierce said that is his understanding and they have 30 days to accept the fixed cost offer. Commissioner Jones said he would like to ask that question before they start in this direction. Mr. Pierce suggested the Board make their action contingent on that and he will contact Mr. Ressler. Mr. Pierce stated they are 2 years out and he does not want to lose any time or money. Commissioner Jones said he does not want to either but it does not seem as certain as it should. Mr. Moron stated if this project is going to take longer they need to provide a good explanation to the public because there are a lot of people that are upset because nothing has been done. **Commissioner Boldt amended his motion that they look into the cost of this that Commissioner Jones suggested and they make sure they have all this covered before they go forward with this motion. Commissioner Massey amended the second. Motion carried; 5-0.** Mr. Pierce reported he will contact Mr. Ressler and ask him that question and Mrs. Brownell can do the same with the PDMG. Commissioner Boldt encouraged any field trips they can take with FEMA staff to accelerate this project. Mr. Pierce stated Mr. Ressler is based in Tallahassee and has offered to visit the site. Mr. Pierce felt it was important for Mr. Ressler to look at the site so he understands what they are getting into. He reported when they arrange a visit they will invite Commissioner Boldt. Chairman Lockley said they should let everyone know in case other Commissioners want to be there.

### **Information Items:**

3. EOC Staff worked Hurricane Sally 09/12/20 and continues to work with FDEM and FEMA.
4. EOC Staff completed its monthly IPAWS test on 09/23/20.
5. EOC Staff continue to participate in the NOAA Tropical Weather Training.
6. EOC has submitted our New LMS Plan to the state and are awaiting approval.
7. EOC Staff along with our CERT Volunteers continue to distribute washable & reusable cloth mask throughout our community. We have partnered with the City of Carrabelle and City of Apalachicola Chamber of Commerce along with the St. George Island & Eastpoint Visitor Centers to assist with distribution to local businesses and residents. We will continue this effort as long as supplies are available.

8. EOC Staff are working diligently with DOH Staff regarding the COVID-19 virus. This includes hosting meetings with representatives from DOH, Sheriff's Dept. Weems, EMS, as needed. We also are assisting with Conference Calls, information distribution from DOH via Alert Franklin, Facebook and our EOC Website.

9. EOC Staff continue to participate in conference calls with State DEM, Region 2, DOH, FEMA, etc. regarding COVID 19. We also continue to update WebEOC with missions for PPE, Local State of Emergency, and SitReps.

10. EOC Staff continue to work on FEMA reimbursement claims from Hurricane Michael. (Please see below report regarding Hurricane Michael Projects). 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. We are in contact with our PDMG regularly regarding these projects and will update the Board as soon as the State Review is completed. EOC Staff has also began the FEMA reimbursement claim process for COVID-19.

Chairman Lockley asked Mrs. Brownell is they are storm ready. Mrs. Brownell responded if the citizens have a plan then they are storm ready. She said her office will start to push out information and will provide updates after they have conference calls.

Mr. Pierce said he hopes the storm does not make an impact on the road. He reported PW1152 has been obligated for Alligator Drive for approximately \$5 million dollars with the same scope of work they talked about. He explained finally 2 years later they are able to move forward and repair this road that the citizens of Alligator Point have been waiting for. Mr. Pierce reported this road was damaged in 2016 by Hurricane Hermine and they never got it finished because of Hurricane Michael in 2018. He stated the money has been obligated but because the bid they opened from Anderson Columbia is over a year old the county must write a letter to the company and see if they will honor the bid. He explained FEMA said the county can follow their bid policy but the county's bid policy is very short and does not deal with bids this old. He reported fortunately in Dewberry's bid documents there is a statement that if the county provides a written letter to a bidder asking them to hold their bid that is over 90 days old then the bidder can respond and say yes they will honor their bid. Mr. Pierce said the county needs to write the company and Mr. Clay Kennedy, Dewberry, has the specific language and can provide it to Attorney Shuler. He stated the county will write the letter asking Anderson Columbia if they will honor the bid they submitted in 2019 and if they say yes then the county can issue a Notice to Proceed and then they can start construction whenever they are ready. Mr. Pierce commented if they say no, then the county will have to re-bid the project. He explained with this amount of money the county cannot risk FEMA challenging the acceptance of a bid that is over a year old and over the original bid price. He said hopefully the re-bid would not take more than 90 days. Mr. Pierce reported Mr. Kennedy has already reached out to Anderson Columbia and they are already working with subcontractors to see if there is a price increase or not. He stated if the Board can get a letter out this week, Anderson Columbia is already working on a response so he hopes to have a response by the next Board meeting. **Commissioner Boldt made a motion to write a letter to Anderson Columbia and ask if they will honor their bid and include a first paragraph that introduces a summary of the bureaucratic procedures they went through that took them so long to get to this point.** Mr. Pierce stated Mr. Kennedy has been in contact every 2 months with Anderson Columbia so they are aware that funding was the hold up on this project. **Commissioner Massey seconded the motion. Motion carried; 5-0.** Mr. Pierce asked Attorney Shuler to contact Mr. Kennedy.

Mr. Moron read the following item from his report:

10. DEP Beach Management Funding Agreement: The County received the \$200,000 Department of Environmental Protection (DEP) Beaches Long Term Funding Request application for Alligator Drive. This funding will assist with beach and offshore surveys, revised design, permitting, easements, establishment of an Erosion Control Line, and bidding phase services. DEP also extended the submittal date to tomorrow October 7th. This funding will allow the County to move forward with a beach renourishment project to protect the road.

Request: Board action to authorize the Chairman's signature on the DEP application.

Mr. Moron said he gave the impression they had received the money but Mr. Pierce will explain they are applying for the money. Mr. Pierce reported they are applying for money that could be funded by the 2020/2021 legislature so they will not know until May, 2021 if they get the money. He said he knows they do not want to start spending any money until they have a maintenance program in place but they are just asking for the money. He reported this is the same \$200,000 they asked for in the 2020 session and did not get it. Mr. Pierce explained if they get the design money in 2021 they will have at least a year of design work and at least a year to get construction money which also must be appropriated by the legislature. He stated in that year is when they would negotiate and finalize who will maintain this area. He said if they do not request the \$200,000 then they will never get it and if they do not get it then they do not have to worry about future maintenance because they will not be able to do the design. Mr. Pierce stated the request is risk free for the county and the residents of Alligator Point. He explained they did not get the money last year and may not get the money this year but the DEP has changed the rules on scoring beach. He stated it is possible their representatives will help get funding this year. He reported if they get the \$200,000 then they can start talking with the people at Alligator Point about how they are going to fund the maintenance. Commissioner Parrish questioned if they apply and get the money to do the design work does that obligate the county to do beach renourishment. Mr. Pierce replied no but it puts the county in a position to ask for a special amount of construction costs. He explained they already had a bad situation 15 years ago when the county was awarded design money and construction costs and did not construct the beach. He agreed it is not good to go through the process and not finish the project. Mr. Pierce said in this case if they are awarded the design it would not hurt to do the design but they are not obligated to. Commissioner Parrish explained they have already been down this road and the people do not want to pay an assessment to create a fund to match the FEMA money to replace the beach. He said FEMA will only reimburse the county for 50% so there must be a mechanism in place to create an escrow account for the other 50%. Commissioner Parrish stated the Board agreed to fund \$4 million to do beach renourishment with BP funds but only if the people at Alligator Point are willing to establish a fund to provide 50% of the cost if the beach washes away. He reported from the way the road washes away it is obvious the beach will wash away. Commissioner Parrish explained if they go forward and apply for this money and do the design they need to find out if the people are going to do this. He said if the people are not going to establish an escrow account or Municipal Service Benefit Unit (MSBU) to pay the other 50% then he is not in favor of spending the \$4 million. He reported if they go forward with the design and then do not complete the project then it will be a bad reflection on the county with DEP. Mr. Pierce agreed that is correct. Commissioner Boldt said the people at Alligator Point are open to a solid education about the need for beach renourishment to protect the road. He stated this gives them the opportunity with the design to provide those facts. He commented this is a good step to inform the people at Alligator Point and he is in favor of it. **Commissioner Boldt made a motion to move forward and authorize this application. Commissioner Parrish seconded the motion.** Mr. Pierce said he understands what Commissioner Parrish is saying and there is going to be a point where



they must have a discussion with the residents of Alligator Point because the Board has the legal authority to impose a MSBU with guidance from the professionals. Mr. Pierce pointed out the Board has never imposed anything and has worked with the residents but if the Board is going to spend \$4 million of RESTORE money matched by \$4 million of the State of Florida's money the beach has to be maintained. He stated this may come down to a difficult decision if they cannot get a cooperative solution. Mr. Pierce said he will defer to Attorney Shuler but the Board has the legal authority to impose a maintenance fee as a last resort. Chairman Lockley reported if the county goes through all of this and the people vote against contributing then the county is stuck. Commissioner Massey said the people must work with them because the county has put a lot of effort into helping people at Alligator Point. Commissioner Boldt said he feels confident they will. Commissioner Massey stated the only solution is to dredge the dirt back up like they do in North Carolina and South Carolina and it will last for 20 years or more. Commissioner Jones asked if they are able to do beach restoration then it would be considered an engineered beach which would qualify for FEMA funding to put it back. Mr. Pierce agreed that is what Commissioner Parrish is referencing. He explained the price for putting the beach there the first time is on the county but once you have a beach there that is engineered and designed it becomes a manmade structure and the next time it is damaged FEMA will put the beach back. Mr. Pierce reported FEMA does not participate with the first designed beach. He stated FEMA only comes in to help if there is a Presidential declaration but does not help with the annual erosion or a storm that does not meet the level of a Presidential declaration and that is why they need the maintenance money. Commissioner Parrish stated if the beaches washes away and FEMA steps in they only provide 50% of the costs and that is the purpose of having the fund. Mr. Pierce said that is correct. Commissioner Parrish went on to say the other 50% is on the county or the landowners. Commissioner Boldt said the spirit of the motion also shows FEMA that they care about this \$4 million Alligator Drive rebuild and are looking at future protection of the area. Mr. Pierce reported he mentioned beach renourishment in front of FEMA hoping they would include it in the design but they reiterated if there is not a designed beach there they are not going to put one there in their project. Chairman Lockley stated if they want a beach and are ready to put their part then that is fine but he is not for charging the whole county for that one beach because there are beaches all over the county and they are subject to the same thing. Mr. Pierce agreed and said the erosion is also bad at Dog Island. He explained the same amount of houses have washed away on Dog Island as have washed away at Alligator Point. He stated if Dog Island had enough property owners and wanted to do a beach renourishment project they might be eligible. He reported Dog Island is washing away as rapidly as Alligator Point. Commissioner Massey said it is almost cut into. **Motion carried; 5-0.** Mr. Pierce asked Mr. Moron to have the documents signed by the Chairman and submit them to Mr. Mike Dombrowski and he will submit them to DEP. Mr. Moron agreed he will send them today as the deadline is tomorrow.

Mr. Moron reported the county received an amendment to the contract with the Department of Economic Opportunity (DEO) that increases the total contract to \$750,000. He stated these DEO funds will be used as a match on the Alligator Drive project for \$650,000 and the C.R. 30A project for \$100,000. He questioned if Mr. Pierce had any comments about this contract. Mr. Pierce said \$750,000 was awarded at the 2019 Legislative session and they knew they needed money for Alligator Drive so initially the contract was written up and they only identified Alligator Drive. He explained now that they have a PW for C.R. 30A so they are amending the contract to add C.R. 30A in the amount of \$100,000. He stated if the cost of Alligator Drive comes in less they could add a second amendment

and add another county facility. Mr. Pierce explained he wanted to make sure the county match was available for Alligator Drive because it is such a big project and the balance will be used for C.R. 30A. He informed the Board there is a time limit on spending the DEO money but he is not sure of that date. He stated if they get started they may be able to get another year extension. Mr. Pierce said they need to get these two projects started and then they can see where they stand. **On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the DEO amendment and authorize the Chairman to sign the amendment.**

Mr. Moron offered the following item from his report:

3. Triumph Airport Agreement: Commissioner Parrish participated on a Triumph Gulf Coast Council meeting where the County's application funding request for \$1,059,000 for the Airport Fuel Farm was approved. The total project cost is estimated at \$2,284,000, therefore a FDOT \$1,200,000 grant along with \$25,000 from the County will be used as a matching funds. If the Board is going to accept the funds, there is a Term Sheet and a Grant Award Agreement that requires the Chairman's signature. Request: Board action to accept the Triumph Gulf Coast Council \$1,059,000 award for the fuel farm upgrade and authorize the Chairman to sign the Grant Award Agreement and Term Sheet.

Mr. Pierce stated this Agreement was negotiated and Attorney Shuler reviewed the documents. He said the contract is currently underway and almost completed and Triumph is aware that they are using a match that is almost completed at this time. He recommended the Board sign the agreement. He said once this agreement is submitted to Triumph he will submit documentation to them and hopefully they will approve Avcon finishing the design and then in a few months they can go out for bid and get these improvements done at the airport. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to accept the Triumph Gulf Coast Council \$1,059,000 award for the fuel farm upgrade and authorize the Chairman to sign the Grant Award Agreement and Term Sheet.**

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

### **I. Road Department Board Report**

Mr. Nabors said they have already fixed the Alligator Point area 3 times this year and it may be 4 times with the next storm. He stated hopefully this winter they can get this project started and fix the area. Commissioner Massey agreed he will be working down there this weekend. Mr. Nabors reported this has been going on for many years. Chairman Lockley said they need a bridge.

Mr. Nabors stated there has been a lot of rain and some roads are washed out. He said there has been more rain than the pipes can handle so there has been some flooding. He reported he reviewed some of the areas with Commissioner Parrish. Mr. Nabors stated he looked at North Bayshore Drive with Commissioner Jones and the road is undermined and settling so they put up some barricades and signs. He reported if the road settles any more it will have to be closed. Chairman Lockley asked if they ever found out about the study for the ditches at the airport. Mr. Moron said he will check the status of this study. Commissioner Massey stated the Road Department is doing the best they can with

all the rain. Mr. Nabors explained they have unstopped pipes and removed items from ditches. Chairman Lockley stated the rain is an act of God and the water table is up.

The Board discussed the storm in the Gulf of Mexico and the rain that could be generated from the storm. Chairman Lockley stated there is still 50 days left in storm season. Commissioner Massey said they had a storm once in December that washed Alligator Point Road out. Mr. Nabors stated there was also a storm in March one year that washed out the road.

Mr. Nabors reported they are going to grade roads and cut grass this week. He explained they have not been grading roads or cutting grass as they were working on ditches and culverts. Commissioner Massey said they are doing a good job. Commissioner Boldt reported when Alligator Drive is fully rebuilt they will have a surplus in his budget. Mr. Nabors stated maybe they can get some equipment.

Commissioner Jones reported yesterday they were discussing FEMA looking at the dip in the road that was caused from Hurricane Sally and they need to watch this area because they may need to do something sooner like a change order with a contractor in the county. Mr. Nabors stated it needs to be fixed as soon as possible because this road has a lot of traffic.

Commissioner Massey asked Mr. Nabors to fix Ryan Drive. He explained this is a city road but the county put the grant in and is in the process of getting it fixed. Mr. Nabors agreed to take care of this issue.

Mr. Nabors asked Chairman Lockley about a tree on 16<sup>th</sup> Street he mentioned. Chairman Lockley stated someone cut down a tree at 16<sup>th</sup> Street and Avenue G and it is causing a problem. Mr. Nabors agreed to look at the tree.

Mr. Moron reported the contractor Commissioner Jones mentioned is almost finished and will be getting ready to demobilize and leave the area. He said they need to meet and discuss this work and contact the contractor before he leaves the county.

Mr. Moron stated Mrs. Cortni Bankston, Administration Assistant, contacted the warden at the Department of Corrections (DOC) and he let her know the DOC supervisors are returning to work tomorrow and the inmates may be available next week. He said Mrs. Bankston will follow up one more time at the end of the week and if there is an update he will let everyone know. Commissioner Massey reported they are transferring inmates from the work camp to the main unit and closing the work camp as they are short staffed. He said the county will then get the inmates out of the main unit. Chairman Lockley asked if there is an update on the Workforce workers. Mr. Moron stated there is no update on the funding for Hurricane Sally but Mr. Davis still has workers from Hurricane Michael. He said he will request an update from Ms. Kim Bodine, CareerSource.

Mr. Nabors reported FEMA looked at the dip in the road yesterday but they have to get the measurements and figure out what it will cost to fix the road. He explained if they dig up the road they need to go ahead and replace some pipes and then it will be finished. Commissioner Jones agreed if they do the repair they want to do it right. Chairman Lockley stated they should also let any utility company know so they can put in their lines and not cut the road later.

## Information Items

1. Detail of Work Performed and Material Hauled by District (see attached documents)

### Solid Waste Director – Fonda Davis

Mr. Davis presented his report, as follows:

#### J. Fonda Davis Board Report

##### Action Item:

Sylvester Williams Park:

1. I met with Chairman Lockley concerning some safety issues and repairs at Sylvester William Park. Chairman Lockley wanted the park accessed and recommendations made at the next Commissioners meeting.

#### **REQUESTED ACTION: Motion authorizing assistance in repairs with the Sylvester Williams Parks.**

Mr. Davis explained his recommendation is to assist with repairs to the concession stand, the field and move some chain link fence that was torn down during the storm and make room for more parking. He said there are also a few other items in the bathrooms. Mr. Moron explained the benefit is a lot of this damage was done during Hurricane Michael so the Workforce workers can do this work. Chairman Lockley stated this park will provide an area for the children and the other portion of the park is used more by adults. Commissioner Massey asked if they have been taking care of Classie's Park. Mr. Davis stated the only thing they need to consider for Classie's Park is some new playground equipment. Commissioner Massey agreed they need to apply for some new equipment. He stated they need to look at the old school at the city complex because there are some toys there that are in good shape. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to proceed with repairs to Sylvester Williams Park.**

Commissioner Jones thanked Mr. Davis for helping in his district. He explained they have been talking about getting an Americans with Disabilities Act (ADA) compliant Mobi-mat at St. George Island and they installed one last week. He said the state park already has one but now the county has one also. Commissioner Jones reported 2 days later there was a post on the St. George Island page where a family with a sick child visited and was able to use the Mobi-mat and a wheelchair to get the child to the beach because he wanted to fish. Commissioner Jones stated people donated fishing supplies and the child was able to fish.

Mr. Moron said Mr. Davis can ask about his equipment when Mrs. Griffith returns to work. Mr. Davis said he wanted to move forward with the new equipment that was approved in the budget. Mr. Moron explained when Mrs. Griffith returns they will get a price and purchase order and the Board will approve the purchase order and Mr. Davis can proceed with the purchase. Chairman Lockley asked if they need to wait until Mrs. Griffith returns. Mr. Moron stated they could approve the purchase

contingent upon Mrs. Griffith looking at the budget. Mr. Davis explained Mrs. Griffith usually verifies the prices they provided months ago are still the same. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed contingent upon Mrs. Griffith checking to make sure the prices have not changed that she would bring back what the costs are going to be that are already in the budget and then move forward with the purchases.**

Chairman Lockley asked Mr. Nabors to get with the neighbors about the tree that is down on 16<sup>th</sup> Street. Commissioner Jones left the meeting. Mr. Davis stated there was one tree they missed because it was under another tree. He said it may take a piece of equipment to move it. Mr. Davis reported he will contact the city as the tree is in the city limits. He explained if they move the tree out the county will pick it up with the knuckle boom truck.

#### **Information Item:**

2. Right-of-way Debris Pickup / Recycle Material Hauled – September 11, 2020 – September 29, 2020 (See attached)

#### **Extension Office Director – Erik Lovstrand**

Mr. Lovstrand said he has no other items in addition to his report.

#### **L. Extension Office Report**

##### **Informational Items**

General Extension Activities:

1. During this period, the Extension office assisted citizens on the topics of soil test results, disease on Ligustrum, obtaining a farm ID number from the Farm Services Agency, and more.
2. Extension Director assisted with hosting a webinar by the Natural Resources Program Team on the topic of “Planting successful food plots for deer”.
3. Extension office will be receiving additional shipments of *Tamarixia radiata* (small wasp that parasitizes the Asian citrus psyllid) to combat the spread of citrus greening in our area. One shipment per month, from September through November will be released at various locations where citrus trees have been found to have citrus psyllids.
4. Extension Director is participating in planning meetings for the annual County Extension Director’s in-service training, which will be virtual this year.

Sea Grant Extension:

5. Extension Director participated in a webinar with the Riparian County Stakeholder’s Coalition and the ACFS Apalachicola Caucus on ACF River Basin issues.
6. Extension Director is coordinating with other Panhandle counties to assist them with damage assessment to seafood and fishing industry sectors, related to Hurricane Sally.
7. Extension Director participated in webinar on how the flow in the Apalachicola River has been modeled so that impacts of various flow levels can be predicted for downstream habitats. Presenter was Dr. Steve Leitman.

4-H Youth Development:

8. District III Council members met to elect officers for the current 4-H year. Planning is underway for the annual Teen Retreat event.

Family and Consumer Sciences:

9. Transition to a distance-learning platform continues for programs to use in the local schools.

### **Library Director - Whitney Roundtree**

Mrs. Roundtree said she has no action items. She stated she included some annual statistics on her report and circulation and attendance were down due to the pandemic. She reported staff is brainstorming a way to get attendance up. Commissioner Boldt asked about the internet access. Mrs. Roundtree explained internet access is fine but printing services have been an issue. She stated staff has been patient and resourceful and worked around it but it is a disservice to the library patrons to be delayed due to troubleshooting. Mrs. Roundtree reported Mr. Moron and Ms. Gilleland are working on it so eventually it will be resolved. Commissioner Jones returned to the meeting. Mr. Moron read the following item from his report:

13. Library IT Contract: I was notified by Mrs. Pat Gilleland, Wilderness Coast Public Libraries (WILD) Administrator, that their IT technician was retiring. One of the benefits to Franklin County library system as a member of WILD is IT services. Mrs. Gilleland explained that WILD would seek vendors in each of their member counties to provide IT services instead of hiring another technician. After reviewing some proposals, Mrs. Gilleland recommends Eagle Tree Technology of Franklin County as the vendor for Franklin County Library system. Eagle Tree provides IT services for the Sheriff Department, Weems Memorial, and the ABC Charter School. WILD would prefer that the contract for the library IT services is with each member county, and WILD will provide a separate agreement to reimburse the county for the IT cost. Attorney Shuler has reviewed both agreements, and except for a few typos and wording corrections, has no issues with the agreements. Is the Board willing to approve the agreements subsequent to Attorney Shuler's approval of the final version?

Request: Board action to authorize the Chairman's signature on the Eagle Tree Technology agreement for the County's Library IT services and with WILD for the reimbursement of the IT cost based on Attorney Shuler approval of the final version of the agreements.

**Commissioner Parrish made a motion to authorize the Chairman to sign the agreement with Eagle Tree Technology for County Library IT Services and an agreement with WILD for the reimbursement of the IT costs contingent upon Attorney Shuler's approval of the final version of the agreements. Commissioner Jones seconded the motion.** Chairman Lockley asked about the public comment today about the library. Mr. Moron stated that was Ms. Tullous asking the Board to support this action.  
**Motion carried; 5-0.**

### **Library Director Board Report**

#### **Information Items**

Updates (General):

1. Annual Fiscal year stats: Franklin County (see attached)
2. September was National Library Card Sign-Up Month. FCPL issued 20 new cards for the month of September.

Events (General):

3. Diabetes Awareness Prevention class hosted by Ascension Sacred Heart will be held October 6th at 10:00 AM at the Eastpoint branch.
4. Book Chat will resume on the 2nd Tuesday of the month at 1:30 PM at the Eastpoint Branch. First meeting will be held October 6th.

5. Story Time for ages 1-6 will be held on the 2nd and 4th Wednesday of each month at 3:30 PM at both the Carrabelle and Eastpoint locations. Reading to children helps them to develop language and listening skills and prepares them to understand the written word.
6. Anime Club for grades 6th-12th will also be held once a month at both branches. October 8th at 4:00 PM at the Eastpoint branch and October 13th at 4:00 PM at the Carrabelle branch.
7. Writer's Forum with Dawn Radford will resume on the 3rd Wednesday of the month. The first meeting will be held October 21st at 1:00 PM.
8. A Special Halloween event for all ages will be held October 29th at 4:00 PM at both branches.

### **CARES Act Funding Consultant - Traci Buzbee - Update**

Ms. Buzbee reported on September 25th they submitted two quarterly reports (April-June and July-September) according to Treasury guidance and FDEM protocol. She stated these reports are for the initial 25% and they wanted actual expenditures and items that were encumbered so they met their deliverable for the first 25%. She stated last week they got the amendment for the full amount of \$2,115,719 million and that is on Mr. Moron's report to get the amendment ratified. She explained this allows for the full amount and the next step is 20% and it will be a deposit into their account just like the 25% was once they submit the spending plan for those dollars. Ms. Buzbee reported they will complete that spending plan for the other 20% this week after this meeting and the Oversight Committee meeting. She explained if they know how they can spend the remainder of the money before December 30<sup>th</sup> they can submit a spending plan and get those funds deposited. She said the Oversight Committee talked about the business grant program being a high priority with the 20%. Ms. Buzbee pointed out there were some expenditures on the original spend plan that went above the 25% so some of the funds will be for the business grant program if that is what they decide to do and some funds for the expenses they were not able to capture with the 25%. She explained the report only wanted expenses to the penny on the initial 25%. Ms. Buzbee stated new details have been released on expenditures so they are going through everything that was reported on the initial 25% along with items that were identified for future expenditures. She said they are verifying everything to make sure what they sent is going to be reimbursed. She explained some of the items they said were eligible may not be eligible. Ms. Buzbee reported they need to review everything they put forward to make sure it will be 100% eligible for reimbursement and they do not have to pay it back. She said this also includes the business grant program and references the backup documentation that is going to be required. Ms. Buzbee said she does not recommend lessening any of the requirements for this program because they do not want to be in a position of giving funds to businesses and then trying to get them back after December or they will just be out the funds. Ms. Buzbee stated they also contacted the constitutional officers and got their needs list and that was put in the first 25% allocation. She reported they will be reaching back out to the constitutional officers about their line items and about the things they want. Ms. Buzbee stated the Oversight Committee discussed the business grant program and if they want to move forward with this program then they need to determine the maximum amount a business would receive and when they want to start advertising. She asked if anyone had any questions. Commissioner Jones said when he expressed having lesser paperwork it was more like a pre-application to try and find out if 50 businesses will apply or if it will just be 20 businesses. He questioned how they will determine how much they receive if they are not sure how many businesses will apply unless they set aside a certain amount of money. He said it is hard to know how much money you need if you do not know how many businesses will apply. Ms. Buzbee stated she agrees with the questionnaire to find out and they had put that out but then the application

starting getting out and they need documentation on the application. She expressed her opinion that the questionnaire asking if they would apply could be out today but when they start granting funds to businesses they need to get all the backup documentation that Treasury will require. Commissioner Jones said the funds will be limited so they need to know how many will apply. Ms. Buzbee recommended advertising now. Chairman Lockley inquired about the deadline. Mr. Moron responded the deadline to spend the money is December 31, 2020. He said there is language pending at the federal level to change the date until December, 2021. Ms. Buzbee stated if the Heals Act goes through the deadline would be March, 2021. She said she will double check but she has not seen another date. Mr. Moron questioned if they will do a preliminary and short list, set a maximum amount for businesses and move forward with advertising. Commissioner Jones agreed. Mr. Moron suggested they set \$400,000 for the business grant program and include non-profits and set an amount per business of \$7,500 and if have money left over they could go back and spread that money evenly between the businesses that qualify rather than doing a pre-application and then advertising it because of the time involved. Commissioner Jones questioned if he is talking about giving a second round of money to the same businesses if money is left over. Mr. Moron answered yes like a second phase. He said they will know these businesses qualify. Mr. Moron explained he is not sure if Ms. Buzbee would need anything to qualify them for a second round of money. Mr. Moron stated when SHIP pays a bill the next month they have to re-certify the person is still in the same situation. Commissioner Massey asked about people that have already received money. Mr. Moron said he is not sure if it disqualifies them or restricts how much money they can receive. Commissioner Massey stated they need to check on this. Ms. Buzbee reported the Paycheck Protection Plan (PPP) is from Treasury and they are doing a second round of these funds and that is one of the questions they must ask and if the business received these funds they need to know what they did with the money because there were strict guidelines. She reported every day there is news about fraud in this program so this is a huge item because they must insure the person is telling exactly what they did with the money and showing the backup documentation. She pointed out as time goes on the businesses are reopening and they have to prove people are actually in that financial hardship. Ms. Buzbee reported the county needs to insure the funds they are given will not have to be given back because a business falsified something or did not need the funds they were asking for. Commissioner Jones questioned if businesses will be disqualified for a second round of money if they received money in the first round or if they must just answer the same criteria about what they have done with the money. Ms. Buzbee said they will have to re-evaluate the business as a whole. She said it is on an individual basis of the business and how they are answering questions and what their backup documentation is. Ms. Buzbee pointed out if the Board sets the amount at \$7,500 there may be businesses that qualify for more and businesses that qualify for less. She explained they cannot give an amount across the board to each business because that is a disqualification of the program. She reported it must be done on an individual business basis. Mr. Moron questioned if they are allowed to have a maximum cap. Ms. Buzbee explained they can but the businesses cannot automatically receive the cap amount. Mr. Moron stated they can say up to \$7,500. Ms. Buzbee answered yes. Commissioner Parrish said he would like to see the maximum amount set at \$10,000. He stated if they qualify for less then that is what they will get. He reported if they qualify for PPP that is between them and Treasury and not between the business and the Board. Chairman Lockley said \$400,000 at up to \$10,000 will allow them to at least address 40 businesses. Mr. Moron stated if they have more businesses apply can they handle that under the reimbursement plan because they still have \$1.3 million left. Ms. Buzbee replied they can place \$1 million in the spend plan toward the business grant program and say as a fiscally



constrained county they need the money to fund this program. She explained it is based on what they submit in the spend plan and not done as a reimbursement process. Ms. Buzbee reported whatever amount they want is what they will put in the spend plan. Mr. Moron stated they have a \$10,000 cap and now they need to decide how much money they want to set aside for the business grant program. Commissioner Jones clarified if they want to use \$1 million for the business loan program instead of it being a reimbursement they could ask for the money to fund the program. Ms. Buzbee answered yes. Chairman Lockley said they should ask for \$1 million. Mr. Moron asked if they could move any remaining funds into another item on the spend plan if they request \$1 million for the business grant program and do not spend all the money. Ms. Buzbee replied yes. She explained tomorrow at the Oversight Committee meeting they need to discuss this and be precise on what they are submitting as the spend plan. She reported they need to get the plan submitted as soon as possible because it will probably take the state 30 days to get the money to the county. She questioned if the Board wants to advertise the program now or wait until the funds are deposited. Mr. Moron said he worries about advertising and then something happens and they do not get the money. Chairman Lockley stated they will just tell them they did not get the money. He said there are more than 40 businesses in the county. Mr. Moron questioned if they will all qualify and have the information that is required by Treasury and FDEM. Chairman Lockley reported they do not want to help someone that is cheating but they want to be able to help someone who is qualified. Mr. Moron suggested they set the amount at \$750,000 with a maximum of up to \$10,000. He asked when they would like to advertise.

**Commissioner Massey made a motion to wait until they get the money to advertise.** Commissioner Parrish questioned if they are getting \$423,000 now. Mr. Moron answered yes. Commissioner Parrish stated he would like to set the total at \$500,000 with a \$10,000 maximum. He said the county may need to supply the extra to fund the program. He reported if they get more inquiries then they will have to look at it again. Mr. Moron stated they would have to amend the plan. Ms. Buzbee pointed out that money is in addition because they will not get the \$423,000 until they submit the spending plan. She said this money will not be sent like the first 25% was so there will still be a delay in when they receive the funds. Commissioner Parrish expressed concern that they will not get the money until November and it must be spent by December. Commissioner Parrish stated he would cap the money at \$500,000 with a \$10,000 maximum. Commissioner Boldt suggested the motion be contingent upon the funds being deposited in their account because they want applications on a timely basis. Chairman Lockley stated if they do not spend the money they will lose it anyway. Mr. Moron agreed.

Commissioner Massey asked Attorney Shuler to comment because they do not have long to spend the money and they want to do this right. Ms. Buzbee stated they could do what Commissioner Jones suggested and get the ad out now and then starting processing these pre-applications on an individual basis. She said they could submit information that they are interested and then they would qualify them, get their backup documentation and work the grant. She reported when the funds are received they can advertise the full program. Attorney Shuler said he has not been involved except in the discussions at the Board meetings but it sounds like they need to set a cap on the amount of money and start taking pre-applications because they are on a short deadline to spend the money. He said the application needs to state that it is subject to availability of funds so the public knows they are applying for the money and do not already have the funds. Mr. Moron stated he likes the suggestion of \$500,000 but they can also change the plan. Commissioner Parrish reported they may be able to provide funds to more than 50 businesses because they may not all qualify to receive the maximum.

**Commissioner Massey made a motion to set aside \$500,000, that each business could receive up to \$10,000, to advertise the pre-application now and that it should say subject to availability of funds.**

**Commissioner Boldt seconded the motion.** Chairman Lockley asked if they will tell them when they get close to using the \$500,000. Mr. Moron agreed they will so the Board can add some more money. Commissioner Jones agreed they need to know if they need to adjust the money. **Motion carried; 5-0.**

Mr. Moron provided the following item from his report:

6. Bridge Clean-up Contract: At your September 19th meeting I explained to the Board that your current bridge clean-up contractor, Capt. Dave Landscaping, could not continue the bridge clean-up service for the current amount due to insurance increases. The Board, by motion, directed me to advertise this service for bids. At your September 30th special meeting, I informed the Board that Sheriff Smith was interested in providing that service if the Board would transfer the current budgeted funds to his budget. The Board asked Attorney Shuler to research any liability issues the County may face if the Sheriff used inmates to clean the bridges. On Thursday, October 1st, Attorney Shuler submitted a draft contract to the Sheriff for his review and explained there is no workers compensation coverage for inmate labor, which appears to be common for both county and state inmates that currently provide roadside clean-up. As of the time of this report, Attorney Shuler did not receive a response regarding liability coverage in the event of injury or death. With this information, is the Board still willing to proceed with allowing the Sheriff to use inmate labor to clean the bridges?

Request: Board discussion and possible action on assigning bridge clean-up to the Sheriff and transfer the current budgeted funds for this service to his budget on a monthly basis.

Mr. Moron stated currently the budgeted funds are \$22,000. Attorney Shuler reported he received an update yesterday and their insurance underwriter said there would be coverage for injuries or deaths that could occur if the county is sued as a result of the bridge cleanup service subject to the normal deductibles. He said there is insurance coverage for liability. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to assign the bridge clean-up to the Sheriff and transfer the current budgeted funds for this service to his budget on a monthly basis.** Attorney Shuler explained he does not have clarification of when this service will be transferred from the current provided to the new provider. Mr. Moron stated he was waiting for action on this matter before contacting Capt. Dave's Landscaping. Attorney Shuler said the Board needs to authorize someone (he or Mr. Moron) to contact Capt. Dave's Landscaping about the termination of the existing contract and enter into the contract with the Sheriff. **Commissioner Parrish amended his motion to authorize Mr. Moron or Attorney Shuler to contact Capt. Dave's Landscaping about the termination of the existing contract and enter into a contract with the Sheriff. Commissioner Jones amended his second. Commissioner Parrish amended his motion again to try this agreement with the Sheriff for 6 months. Commissioner Jones amended his seconded. Motion carried; 5-0.**

The meeting was recessed at 11:05 a.m.

The meeting reconvened at 11:16 a.m.

### **RFP / RFQ / Bids Opening**

N. CR 30A Widening and Resurfacing CEI Services: The Franklin County Board of County Commissioners is seeking civil engineering services relating to the construction engineering and inspection (CEI) for the widening and resurfacing improvements on County Road 30A from the Gulf County line to

Thirteen Mile Road. The total length of the project is approximately 1.55 miles. The scope of the project includes widening the existing roadway from 22' to 24' wide and resurfacing the existing travel lanes, adding 5' wide paved shoulders, necessary drainage improvements, and upgrading signage and pavement markings. Consideration will be given to only those firms that are qualified pursuant to law and that have been prequalified by FDOT to perform the indicated types of work.

Mr. Moron and Attorney Shuler opened the RFP's. Mr. Moron reported the committee to review the bids will consists of him, Ms. Lauren Luberto, Finance Department and Mr. Steve Patterson, Building Inspector. Mr. Moron read the RFP's as follows:

<u>Company</u>	<u>Location of Business</u>
exp.	Tallahassee, FL
Southeastern Consulting Engineers, Inc. (SCE)	Wewahitchka, FL
DRMP	Tallahassee, FL
Atkins	Chipley, FL
AECOM	Monticello, FL

**On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to send the bids to the review committee for review and a recommendation.**

O. CR 67 Widening and Resurfacing CEI Services: The Franklin County Board of County Commissioners is seeking civil engineering services relating to the construction engineering and inspection (CEI) for the widening and resurfacing improvements on County Road 67 from State Road 30 to the Crooked River Bridge. The total length of the project is approximately 6.044 miles. The scope of the project includes widening and resurfacing the existing lanes, the addition of 5' paved shoulders, shoulder stabilization and culvert extensions. In addition, signage and pavement markings will be upgraded or replaced. Consideration will be given to only those firms that are qualified pursuant to law and that have been prequalified by FDOT to perform the indicated types of work.

Mr. Moron said the same committee will review these RFP's. Mr. Moron and Attorney Shuler opened the RFP's. Mr. Moron read the RFP's as follows:

<u>Company</u>	<u>Location of Business</u>
exp.	Tallahassee, FL
Southeastern Consulting Engineers, Inc. (SEC)	Wewahitchka, FL
DRMP	Tallahassee, FL
Atkins	Chipley, FL
AECOM	Monticello, FL

**On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to send the RFP's to the review committee for review and a recommendation.**

## **Weems Memorial Hospital CEO - David X Walker - Request**

Mr. Walker appeared via zoom along with Mrs. Courtney Alford, Director of Nursing, and Mr. Richard Lewis, Director of EMS. Mr. Walker presented the following report:

### **P. Weems Memorial CEO Request**

#### **Action Items:**

#### **New Franklin County EMS Vehicle:**

1. We have made a significant investment in new equipment for EMS during Fiscal Year 2019. As our continued investment, Weems Governing Board approved the purchase of new EMS vehicle. The vehicle will aid the County efforts to respond, treat and transport individuals who need emergency medical treatment services. This vehicle will come equipped with updated patient care equipment, and no other purchases will be needed to outfit the vehicle when it is delivered. The purchase will be made from the hospital's CARES Act funding. The cost of the vehicle is \$272,530. (see attached document)

**Board Action:** Request Board approval to purchase of the new EMS Vehicle for \$272,530

**On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve the purchase of the new EMS vehicle in the amount of \$272,530.** Commissioner Boldt asked if they were able to get a four wheel drive vehicle. Mr. Lewis responded they were not able to get a vehicle with four wheel drive.

#### **New Inpatient/ED Telemetry System**

2. Weems Governing Board approved the purchase of a new Inpatient/ED Telemetry System for the hospital. This system will allow remote patient monitoring and offer advance technology for early detection of an ambulatory patient's changing condition. It will be used on every single patient that enters the doors of Weems. Every single ED patient will be connected to the Passport 8 to monitor their vitals during their ED stay which will be viewed at ED and Med/Surg nurses stations by all nurses. Then if patient is admitted, they will wear the portable monitors when ordered which will allow continuous monitoring of their vitals during their stay. Our original quote for the new telemetry system using Weems current purchasing contract was \$177,776.58. Jim Coleman has agreed to allow Weems to use Alliant's purchasing contract for the item at a cost of \$154,011.86. This is a \$23,765 savings to the hospital. The purchase will be made from the hospital's CARES Act funding. (see attached document)

**Board Action:** Request Board approval to purchase a new Telemetry System for \$154,011.86

**Commissioner Boldt made a motion to approve the purchase of a new Telemetry System in the amount of \$154,011.86. Commissioner Jones seconded the motion.** Chairman Lockley inquired about the equipment. Mr. Walker replied it will allow them to monitor the vital signs of the patients. Mrs. Alford explained the equipment will remotely monitor the vital statistics of everyone that comes into the Emergency Room and all patients that are on the floor. She said this system includes the monitors that each patient uses when they are in the Emergency Room and small portable monitors that will be worn when the patient is admitted. She reported the system will also come with large screens that will be viewed at both nurses' stations allowing the nurses to remotely monitor every patient that is connected to the system. Mrs. Alford stated there are 15 portable monitors which is one for every inpatient bed in the hospital and 4 passport systems which are the Emergency Room monitors. She explained they already have 3 passport systems that were purchased in 2014. Chairman Lockley thanked Mr. Walker and Mrs. Alford for explaining the system because he wants people that

are watching to know what the equipment is for. Commissioner Boldt said there is also a benefit of almost \$24,000 in saving because of the utilization of the potential new management services company. **Motion carried; 5-0.**

Mr. Walker reported they had an impromptu visit from the Agency for Health Care Administration (AHCA) last Monday and one of the things they found was the Comprehensive Emergency Management Plan was not approved by the local Emergency Operations Center (EOC). He stated they are working with Mrs. Brownell to get this plan approved. He said there are some issues they have to address but AHCA representatives were very complimentary of how the facility looked compared to how it looked when they visited last year. Mr. Walker stated they also offered some great suggestions. Mr. Walker reported they are trying to update their inpatient rooms and Emergency Department rooms. He stated they are doing work at the clinic in Apalachicola. He reported they want to invest in their patients as well as their equipment and employees. Mr. Walker thanked the Board for their support. Chairman Lockley thanked them for their work.

Mr. Moron read the following item from his report:

4. Alliant Management Contract: At your September 15th meeting you discussed the Alliant Management contract for Weems Memorial with Alliant's CEO, Mr. Jim Coleman Jr. The Board requested some changes to the draft agreement at that meeting. As reported by Attorney Shuler, Mr. Coleman agreed to the changes and incorporated those changes into the agreement. That final draft was sent to you by Attorney Shuler for your review. Is the Board ready to proceed with this contract?

Request: Board action to approve the Alliant Management Agreement of Weems Memorial Hospital.

Mr. Moron said the concerns of the public this morning were forwarded to Mr. Coleman and the Commissioners were sent a copy of his response. He stated an email from Mr. Mark O'Bryant, Tallahassee Memorial Hospital, was also sent to the Commissioners. Mr. Moron clarified they did check on the items that were mentioned. Commissioner Boldt stated the County Commission is a gateway for the public to be involved in county business and the Commissioners are open and welcome input. He explained it is important in sensitive or controversial matters that individuals' present well documented researchable evidence based material. He said this management contract was very well vetted on many different levels. **Commissioner Boldt made a motion to approve the Alliant Management Agreement with Weems Memorial Hospital. Commissioner Parrish seconded the motion.** Commissioner Parrish asked Attorney Shuler if there is an out for the county in the contract. Attorney Shuler responded yes, it is 90 days without cause or cost. Commissioner Parrish said one of the comments this morning was about this issue. He explained if they do not like what is going on they can be free of the contract in 90 days. Commissioner Jones pointed out he and Commissioner Parrish raised the issue of sustainability for the hospital and making a go of it and that is why this is a step in the right direction. He stated if it does not work then they have 90 days to get out of the contract and then the Board would have to decide where they go from there. Commissioner Jones reported this is the only proposal on the table at this time for the Board. Commissioner Parrish said Alliant owns some hospitals and is managing 25 hospitals and they will help Weems Memorial Hospital start collecting some of the money that is being billed and not collected and that will raise the revenues for the hospital. He reported that is one of the big selling points for him. He said they will get some help with coding so they can get the money back to Weems Memorial Hospital so they can address some of the shortfalls. Commissioner Parrish stated the CEO has wonderful ideas but they

must be able to sustain the items without going to the Health Care Trust Fund for more money. Chairman Lockley said the Commission does not play games but is doing business. He stated if people do not like the situation they should not try to hold up the process or lie about people. **Motion carried; 5-0.** Commissioner Boldt said this is another turning point that recognizes the most valuable asset in the community which is the health of the people. Chairman Lockley stated this had to be done and is part of their job.

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

Mrs. Belcher appeared via zoom and offered her report to the Board:

#### **Q. CDBG Administrator Board Report**

##### **Action Items:**

1. The County is eligible to apply to the Florida Department of Economic Opportunity (DEO) for the initial round of Hurricane Michael Community Development Block Grant Disaster Recovery (CDBG-DR) infrastructure funding. Up to 5 projects may be submitted, each for a minimum of \$250,000. All projects must have a direct tie to Hurricane Michael. It is preferable that a majority of the beneficiaries of each project are low/moderate income (LMI), although funding may be awarded for non-LMI projects with strong community impact (economic, health or safety). Applications are due 11/30/2020. This is separate from the CDBG-DR matching for FEMA HMGP grants, which will be coming in the near future.

**Requested Action: Provide direction on potential projects to pursue.**

Mrs. Belcher was not sure how many months it will be before the money is awarded. She reported she contacted Eastpoint Water & Sewer District to make sure they did not have any items that needed to be taken care of but they had damages that were either already taken care of or will be with their insurance. She reported the cities can apply separately. Mrs. Belcher asked for direction on whether or not to apply for infrastructure directly related to Hurricane Michael damages. Chairman Lockley asked if it will cover stormwater. Mrs. Belcher said stormwater is eligible. Commissioner Parrish said Alligator Point Road was damaged and so was Ell's Court. Mrs. Belcher asked if these projects have been funded. Commissioner Parrish answered yes, by FEMA. Mrs. Belcher clarified there will be a separate allocation of money for HMPG matching funds so if there is a FEMA HMPG project and they have matching needs that is covered under a different part of the grant program. Commissioner Parrish asked if this is offered through DEO. Mrs. Belcher responded yes, there are different components and it is a separate application process but it is not in affect at this time. Chairman Lockley questioned if regular CDBG covers stormwater projects. Mrs. Belcher replied it must be related to Hurricane Michael and they have to define the service area. Mrs. Belcher and the Board discussed Island View Park. Mrs. Belcher said she does not know if this is a good fit if there are already funds earmarked. Commissioner Boldt asked about beach renourishment. Mrs. Belcher did not think that was a good fit for CDBG since they must have a maintenance agreement in place. Commissioner Parrish stated Mr. Pierce and Mr. Brownell are not present to discuss the projects. Mrs. Belcher addressed beach renourishment for Alligator Point. Commissioner Boldt questioned if dune restoration could be addressed at Alligator Point at beach access areas and along the homes. Mrs. Belcher questioned if these are public access areas. Commissioner Boldt said one area is public. Commissioner Jones reported in reading through the DEO paperwork that is attached it says one area

that is a priority for receiving funds is zip code 32328. Mrs. Belcher agreed that is the priority area. Commissioner Jones stated St. George Island could use some dune restoration and the county has described an area from 12<sup>th</sup> Street E to 12<sup>th</sup> Street W. He reported there are a lot of dunes gone and if they get another Hurricane Michael there are going to be a lot of homes and businesses gone. He said if dune restoration is a good option that is a good place for it. Mrs. Belcher confirmed the Board is interested in dune restoration at Alligator Point and St. George Island. The Board agreed that is correct. Commissioner Parrish questioned if these funds could be used as matching money for the Eastpoint Fishing Pier and then they would not to use the other funding. Commissioner Jones said that might work too. Commissioner Jones explained there is currently a FEMA obligation and the project is being designed to include mitigation dollars from FEMA on the Eastpoint side of the Fishing pier but the county also has to provide a match. Mrs. Belcher inquired is this is an HMPG project. Commissioner Jones was not sure but said it is from Hurricane Michael. Mrs. Belcher said her understanding is the state has set aside funds out of this overall grant program to pay all HMPG matching funds. She explained they are dividing the allocation and all the housing items will be handled in-house by DEO. She pointed out there will also be a commercial/economic round of money later. Mrs. Belcher explained the infrastructure component is the first round and there will be a HMPG match component, an economic component and a housing component. She stated they can go for dune restoration but she does not know how competitive the process is going to be. Mrs. Belcher explained if this item does not work under this component they may be able to address it as an economic issue for tourism and submit it again. She said they must have one public hearing before the application is submitted so the public hearing would be scheduled in November. Commissioner Jones reported in this round it said there is an opportunity for commercial businesses that were destroyed to be bought out with some of these funds. Mrs. Belcher stated they have not received details but this item will be on the economic/commercial round. Commissioner Jones reported he needs to know before they get to that part because some businesses in the county cannot be rebuilt post Hurricane Michael and if the businesses could be bought and torn down the public would be better served. Mr. Moron stated Clerk Johnson came up with an excellent idea because the 1940's Courthouse has leaks that have flooded the building. He said there is also stormwater infiltration into the city sewer system and that is flooding the city's lift station and the county has to pay for pump outs. He explained once the stormwater level is down then they must get an engineer and contractor find out where the infiltration is and where the sewer pipe is broken and get that fixed. He expressed concern that this is not going to be a small amount of money. He questioned if this program can address any of the Courthouse issues. Mrs. Belcher reported the Courthouse is considered a function of general local government which is not eligible. She stated the stormwater in the city sewer would qualify and the City of Apalachicola could apply separate from the county. Chairman Lockley asked if the problem could be on the road blocked off on the side of the Courthouse. Mr. Moron said it could be Leslie Street. He stated a meeting is set up with the City on Thursday so maybe they can show him the film that was taken from under Leslie Street. Mrs. Belcher questioned if they think the infiltration is occurring on county property. Mr. Moron answered yes but they have to wait until the water level is low enough for Dewberry to run a camera to determine where the actual break is. Mr. Moron said this was done some years ago and they need it updated. He explained Dewberry also did this for the City of Apalachicola on Leslie Street. Ms. Belcher stated the minimum project size for this grant application is \$250,000 and any corrections on the county project would be considered a separate project but the City could make it part of their project. Mr. Moron stated he and Mrs. Belcher need to talk to the City of Apalachicola. Chairman Lockley questioned when this happened. Mr. Moron explained it happened

during Hurricane Sally. He reported they are getting pump outs 2 times a day and the pump station is still flooded. Ms. Belcher said these items must be related to Hurricane Michael. Mr. Moron stated he will try to set up a meeting with the City of Apalachicola this week. Mrs. Belcher asked for formal direction to pursue dune restoration. Commissioner Boldt inquired if boat ramp restoration will qualify. Mrs. Belcher asked if that was funded with HMPG. Mr. Moron said he will need to verify this information with Mrs. Brownell. Commissioner Boldt stated he heard that the boat ramps are in disrepair from the hurricane. Commissioner Jones stated the boat ramps have received FEMA obligation but the work has not been done yet. Chairman Lockley said the damage at the Courthouse could be from Hurricane Michael because the water table has not been up that far since then. Commissioner Parrish said he thinks it is the stormwater system and not a Courthouse pipe. Mrs. Belcher reviewed the items they have discussed and said they can apply for dune restoration at public access but the private areas may be an issue. She stated the concept is eligible. **Commissioner Jones made a motion to do an application for dune restoration from 12<sup>th</sup> Street East to 12<sup>th</sup> Street West on St. George Island because that area was washed away in Hurricane Michael. Commissioner Parrish seconded the motion.** Chairman Lockley questioned if they need to submit more projects. Mrs. Belcher asked about dune restoration on Alligator Point. Commissioner Boldt stated that is in relation to beach access at Alligator Point. Mrs. Belcher asked if they are speaking about items that are not already funded and are publicly owned. Commissioner Boldt stated the other project was beach renourishment relative to the rebuilding of Alligator Drive. Mrs. Belcher reported she will look at this item but thinks this will be a huge project and there is a need for maintenance. She said she does not want to spend time on a project that will not move forward with the property owners. Commissioner Boldt reported the property owners are going to want Alligator Point Road protected and they are looking at Municipal Service Benefit Unit (MSBU) funds to maintain it. He said it is a public safety issue. Mr. Moron suggested they include it contingent upon Mrs. Belcher checking with Mr. Pierce. Mr. Moron said they have 3 items-dune restoration from 12<sup>th</sup> Street East to 12<sup>th</sup> Street West on St. George Island, dune restoration for public accesses on Alligator Point and Alligator Point beach renourishment to protect the road. **Commissioner Jones amended his motion to include Commissioner Boldt's comments contingent upon whether they are doable or not. Commissioner Parrish amended his second. Motion carried; 5-0.** Chairman Lockley asked what Mrs. Belcher recommends. Mrs. Belcher explained she was not making recommendations just seeking direction. She informed the Board she will need some kind of feasibility check from an engineer. She asked who is working on this matter at this time. Commissioner Parrish said Langston Consultants are handling some dune restoration. Mr. Moron agreed to get this information to her.

Mrs. Belcher reported they currently have 2 homes that are the 100 year flood plain and one has been completed under the CDBG mobile home placement and one is in the process. She stated they are eligible if the county wants to pay their first year of flood insurance from the CDBG funds. She explained they have one more potential situation like this coming up. She stated she wants to see if the Board wants to authorize paying the first year of the flood insurance with the CDBG funds. Mrs. Belcher reported this is for the Eastpoint fire grant not the disaster recovery grant. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize paying the first year of the flood insurance for the homeowners with the CDBG funds.**

#### **Information Items:**



2. I will be advertising CDBG bid package #4, request for mobile home replacement bids for Eastpoint Wildfire victims. Although Ironwood Homes of Perry submitted generic bids for us to use for new applicants, they have been hit with large price increases from the factory, primarily due to a spike in lumber prices, and they can no longer honor the prices they submitted 7/9/2020. Bonnie Langley's home replacement was delayed due to her desire to obtain title to the lot she is currently living on instead of the adjacent lot she actually owns, so her home will be included in this bid package #4. Derek Henry, 683 Ridge Road, will also be assisted in this round. There are a couple of other applicants who might qualify for assistance, so there will be provisions to include those jobs if appropriate. I hope this will be the last round of bidding for this grant.

Mrs. Belcher stated they will get some generic bids they could award if anyone else qualifies. She reported when the bids come in, she will bring them back to the Board for approval.

Mrs. Belcher said there will be a CDBG COVID application cycle but they do not have the details. She stated she will bring this item back to the Board when the grant is available.

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

Clerk Johnson stated her report is just for information.

R. Clerk Board Report

#### **Information Item**

1. For information, the following days have been set for holidays for my office for 2021:

New Year's Day	Friday, January 1, 2021
Martin Luther King Jr.'s Birthday	Monday, January 18, 2021
Good Friday	Friday, April 2, 2021
Memorial Day	Monday, May 31, 2021
Independence Day	Monday, July 5, 2021
Labor Day	Monday, September 6, 2021
Afternoon Seafood Festival Friday	Friday, November 5, 2021
Veteran's Day	Thursday, November 11, 2021
Thanksgiving Day	Thursday, November 25, 2021
Friday After Thanksgiving Day	Friday, November 26, 2021
Christmas Discretionary Court Holiday	Thursday, December 23, 2021
Christmas Day (Observed)	Friday, December 24, 2021
New Year's Day (Observed)	Friday, December 31, 2021

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

Mr. Moron read his report, as follows:

S. County Coordinator's Report

## Action Items

1. Census Update: Mrs. Cortni Bankston, Census Complete Count (CCC) Committee Chairperson, would like to update the Board on recent Census events and changes to the official ending date on the Census.

Mrs. Bankston reported 2020 Census barbeque events were held on Friday, September 18<sup>th</sup> in Eastpoint and Thursday, September 24<sup>th</sup> in Lanark Village as a last effort. She stated 14 people completed their census on site. She said it may not appear to be a lot but a census representative explained that each person represents a household of 2 people. She stated both events were a success. She reported a mobile questionnaire assistance (MQA) operation was set up at the food pantry and 13 more people completed their census. Mrs. Bankston said a co-worker told her a census enumerator came to their home and said they did not complete the census which she did. She explained she asked the census liaison if this is one of the reasons the county's numbers were low and according to the Census Coalition Group some of the census forms were being kicked back for numerous reasons. She said she asked how the homeowner or county would know the census was kicked back and if the numbers in the household will still count but she was unable to get verification on the concerns. Mrs. Bankston reported on September 24<sup>th</sup> the self-response rate was 33.4% and they have done their best to spread awareness about completing the 2020 Census. She thanked the CCC Committee and everyone that had helped with this effort. She thanked Mr. David Adlerstein, The Apalachicola Times and Mr. Michael Allen, WOYS Radio, for getting the 2020 Census information out to the public. She thanked the census liaisons for providing the MQA's. Mrs. Bankston reported Congress has continued data collection until October 31<sup>st</sup> <sup>which</sup> was the original deadline so there is still time to complete the census and get the numbers up. She stated all of the grant funds have been spent and they will continue to get the word out through social media and public service announcements (PSA's). She said the Atlanta Regional Office was emailed requesting assistance with mailing paper surveys in the county. She explained the email was forwarded to Mr. Victor Cora that has been assigned to Franklin County as one of Florida's top priority areas. Mrs. Bankston stated he answered a lot of questions and assured her for the rest of the month a MQA would be stationed in two locations every week of the month. She said today they are stationed at the Gulfside IGA and Landmark Market and she thanked the businesses for allowing them to set up. She explained these are high traffic areas and will help as Carrabelle and Lanark Village are still the lowest response areas. Mrs. Bankston reported they will also set up at every food pantry event for the month once she confirms the location and makes sure the food pantry is okay with them setting up. She stated Mr. Coro also sent her a link to the Census Mail Contact Strategies Map. Mrs. Bankston said this was provided to the Board today and this map shows the high and low broadband areas. She pointed out an area on the map that should have received paper questionnaires but said they have not been able to confirm this was done or that it will be done prior to October 31<sup>st</sup>. She said they do have the door to door enumerators and MQA's at this time so if the Board has any suggestions on great locations for the MQA's they can forward them to her and she will get them to Mr. Coro to get a MQA assigned. She thanked the Board for entrusting her and Mrs. Pat O'Connell with the 2020 Census. She reported they have a meeting scheduled with Ms. Rhonda Skipper next week about ways to identify second homes and how to better position the county for the next census in 10 years. She said the map sets a precedent on areas that still need assistance with getting better broadband service. She thanked the Board for this opportunity and said she was glad to assist in making sure Franklin County counts. Chairman Lockley thanked them for their work and said they have done a good job. Commissioner Boldt said Mrs. Bankston cannot

confirm the paper questionnaires were mailed and Mr. Coro cannot confirm it either. Mrs. Bankston said that is correct and no one has reported in the area that they received paper copies. She stated she is pretty sure they were not sent. Commissioner Boldt reported another busy area is the St. James Crooked River Grill on Sunday afternoon from 11:30 a.m. until 3:00 p.m. He agreed to provide a contact to Mrs. Bankston.

Mr. Moron reported he just received a notification that Hurricane Delta is a Category 4 with 130 mph winds.

2. Courthouse Sewer Update: Hurricane Sally and recent rainstorms have "revealed" leaks in the Courthouse sewer system. Since Hurricane Sally, including today, ground stormwater has been infiltrating the Courthouse's sewer lines, flooding the City's lift-station where it becomes inoperable. When the lift-station is off, the Courthouse bathrooms are closed. Shane and I met with City staff and determined that the best short-term fix would be to have the lift-station pumped twice a day until the stormwater level reduces. This may take up to a week, depending if there are no more major rain events. After the stormwater level decreases, the County will have to hire a contractor to determine where the leaks are and then repair those lines. Keep in mind the age of the sewer lines we are discussing here today. The City has purchased a larger new pump out truck that should be delivered this week. When the new truck arrives, the City has agreed to let the County use their old truck to do the daily pump outs. County staff would do the pump outs and drive the truck. Until then, I authorized Collins Construction to do the daily pump outs at a cost of \$500 per day. Again, this was the only way to keep the bathrooms in the Courthouse operable. Request: Board action to ratify my action on engaging Collins Construction to do the daily pump outs at a cost of \$500 per day until the City provides their old truck to allow County staff to do the pump outs or until the stormwater subsides that would allow the lift station to operate without stormwater flooding issues.

Mr. Moron reported someone from the Road Department or Solid Waste Department will drive the truck. Chairman Lockley stated the lift station should be pumping the water somewhere else. Mr. Moron said there is too much water and it cannot pump it out. Commissioner Jones asked if this is the county or city's lift station. Mr. Moron responded the lift station belongs to the city. Commissioner Boldt asked why the county is paying for the truck. Mr. Moron said their stormwater is coming into the sewer system and overwhelming the city's lift station. He explained even on the weekend when no one is at the Courthouse there is a lot of water coming through the Courthouse sewer system flooding the lift station and that is the problem. Commissioner Jones stated that is a city wide sewer problem not just one lift station. Mr. Moron reported they have fixed other areas but they also want to talk to the county about the same problem at the hospital. Commissioner Jones explained Eastpoint Water & Sewer has lift stations and they are their responsibility. He went on to say if there is a problem the residents are not charged as Eastpoint Water & Sewer has to take care of the issues. Mr. Moron referenced an issue that occurred with things being put in the sewer at the jail. Commissioner Jones clarified stormwater is not man made and the county did not cause that from mismanagement. Mr. Moron stated there may be a leak in a pipe under the Courthouse and stormwater is getting into the sewer pipe. Commissioner Jones inquired if the county will get their money back if there is no leak. Mr. Moron stated probably not and if they have a better idea that is fine but he is trying to keep the bathrooms open. Chairman Lockley reported they are supposed to be pumping this area and it should never fill up. Mr. Moron stated when it fills up the City has to turn it off temporarily until the stormwater is pumped out and then they turn it back on and it operates. He said he is not a specialist but this is what he is being told and he took the best option to keep the bathrooms open. Chairman

Lockley stated he has done the right thing and he does not have a problem with it. Mr. Moron explained he is not trying to defend the City but until they can get the engineers in there to tell them what is wrong he is stuck because the City is saying it is the county's responsibility. Commissioner Massey stated the line that runs down the road belongs to the City but the one to the building belongs to the county. Commissioner Jones reported when you hook up to water and sewer all the lines are theirs. Commissioner Boldt asked if Collins Construction is coming to the Courthouse twice a day at \$500 per day. Mr. Moron replied yes first thing in the morning and last thing in the evening. Commissioner Parrish asked where all the water is coming from because it cannot be the ground because the Courthouse is on a hill. He said the water must be coming from the road or infrastructure. Mr. Moron said the problem with Leslie Street may be tied to this problem. Commissioner Parrish stated he thinks it is because there is no way there could be that much water. He reported when Hurricane Michael flooded the Courthouse they did not have this problem and now there are problems and the street is washed out. He said if it their problem then they must fix it. Mr. Moron reported as soon as the water level is down Dewberry will look at the problem because they looked at the problem with Leslie Street for the City. Chairman Lockley asked if they found a leak on Leslie Street. Mr. Moron explained they found other problems and Leslie Street will probably not reopen before next year. He stated there are plans from when the Courthouse was built but he was informed sometimes the contractor did not follow the plans. He explained years ago the county paid a contractor to look at the lines and they did not find any leaks. Chairman Lockley said they installed sleeves in the pipes not long ago because he was on the Board and remembers it. Mr. Moron stated that is what they are trying to find out. Commissioner Jones reported that is probably what they need to do because the county can pay for it but no other lift stations in Apalachicola are getting charged for anything. He commented if the stormwater is infiltrating it is not just in one spot. Commissioner Parrish said the hospital is county owned too. Commissioner Jones reported the whole system got backlogged and they are going to have problems after that. He explained the only time this happened in Eastpoint it took employees working overtime for a solid week to unclog the system. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to ratify Mr. Moron's action to engage Collins Construction to do the pump outs at the Courthouse for \$500 a day.** Mr. Moron stated if this goes on longer than a few days he will report back to the Commissioners individually. Chairman Lockley said they have to take this action to keep the Courthouse open. He asked Mr. Moron to send all of them the outcome when the cameras film the pipes.

3. This item was addressed during Mr. Pierce's report.

4. The Board handled this item as part of the Weems Memorial Hospital report.

5. CARES Act Agreement: As Mrs. Traci Buzbee explained earlier, since your last meeting the State has authorized an additional 20%, which translates to approximately \$423,000, of CARES Act funds to the County as a disbursement. The County should receive these funds once the initial 25% is either encumbered or expended (Mrs. Buzbee will clarify during her presentation today). The remaining 55% percent of funds will be paid as reimbursements based on allowed expenditures. As time was an issue, Chairman Lockley signed the amended contract so that Mrs. Buzbee could upload it to the DEM system to expedite the approval process.

Request: Board action to ratify the Chairman's signature on the amended CARES Act funding agreement amendment.

Mr. Moron said this is the new contract for the 55% and the 20%. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to ratify the Chairman's signature on the amended CARES Act Funding Agreement.**

6. The Board addressed this item earlier in the meeting.

7. The Board handled this item under Mr. Pierce's report.

8. CR30A & H67 Advertisement for Construction Bids: At this point in the meeting the Board should have opened and read aloud the sealed Request for Proposals for construction engineering and inspection (CEI) services for the County Road 30A resurfacing project from the Gulf County line to 13-mile and Highway 67 resurfacing project from Highway 98 to the Crooked River Bridge. The next step is to advertise for bids for construction of these projects. These bids will have a November 16th submission deadline and will be opened at your November 17th meeting.

Request: Board action to authorize the advertisement for CR 30A and Highway 67 construction projects.

**On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize the advertisement for the C.R. 30A and Highway 67 construction projects.**

9. SGI Bathroom Contract: The County received the contract for the St. George Island new bathroom facility project. In order to expedite the project so that the Notice to Proceed could be issued as soon as possible, I asked the Chairman to sign the agreement. I will inform the Board when the Notice to Proceed is ready and John Solomon (TDC Chairman) should contact you sometime this week about the upcoming official groundbreaking ceremony for this project.

Request: Board action to ratify the Chairman's signature on the St. George Island new bathroom facility project.

Mr. Moron said the groundbreaking ceremony is October 20<sup>th</sup> at 2:00 p.m. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to ratify the Chairman's signature on the contract for the new St. George Island Bathroom facility project.**

10. This item was addressed during Mr. Pierce's report.

11. SHIP Program Request: Florida Housing has issued Amendment #1 to the Corona Virus Relief Fund agreement (attached to agenda packet) to incorporate language pertaining to the technical bulletins that are used to explain updated processes, provisions or monitoring requirements as Florida Housing receives updates, clarification and additional guidance from the U.S. treasury. This amendment will be effective as of October 1st.

Request: Board action to approve and sign Amendment #1 to the Corona Virus Relief Fund agreement.

Update: For the Corona Virus Relief Funds we have received 53 applications to date. As of the September 30th meeting we have spent \$34,540.48 and are continuing to receive and process applications.

**On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve and sign Amendment #1 to the Coronavirus Relief Fund Agreement.**

12. Purchase Order for Building Department Truck: Back in May the Board enacted new permit fees for the County, and based on the new fees, the Building Department has seen a revenue increase in their budget. There isn't enough history to determine how to adjust that budget to reduce the amount of ad valorem taxes to offset the revenue increase; however, what is currently available is enough to purchase a new truck for the Building Department. The current vehicle, a 2013 GMC Terrain with over 100,000 miles, was a transfer from the Administration department. The new truck, from the State purchasing contract, is a 2021 Ford F-150 Crew Cab XL 4x4 for \$30,202.00. As previously requested by the Board, it is a four-wheel drive that would allow the truck could be used during storm recovery efforts.

Request: Board action to authorize the purchase of the 2021 truck for the Building Department paid from collected permit fees.

**On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize the purchase of the 2021 truck for the Building Department paid from collected permit fees.** Mr. Moron stated when the vehicle gets here then he will ask the Board to transfer the GMC vehicle currently in the Building Department to the Library so they will have a vehicle to travel between the branches. Chairman Lockley asked if they got this vehicle off the bid list. Mr. Moron responded yes the state bid list and it is coming from Duval Ford in Jacksonville.

13. The Board took action on this request during the Library Report.

14. Beautification Grant: The beautification project for the state-owned land between the Bryant Patton Bridge exit and Bayshore Drive on St. George Island is ready to be advertised for construction bids. The advertisement will run for two weeks with a November 16th submission deadline. The bids would be opened and read aloud at you November 17th regular meeting.

Request: Board action to authorize for construction bids for the St. George Island Beautification Grant project.

**On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize advertising for construction bids for the St. George Island Beautification Grant project.**

15. State's Phase III Plan & Public Meetings: Florida governor Ron DeSantis recently moved Florida into Phase 3 reopening plan. However, Governor DeSantis also extended Executive Order 20-69 (EO 20-246) until November 1, 2020, which allows local government bodies to utilize communication media technology (CMT) to meet remotely, instead of requiring a quorum of that government body to meet at a specific place. After November 1st, there must be a quorum of the government body in a specific place to conduct a public meeting. The expiration of EO 20-69 as stated by the Florida Association of Counties says, "the remote meetings only affected members of the body, so the expiration of the remote meeting executive order does not affect the discretion afforded local governments to make rules governing public access and participation in meetings." I bring this to the Board's attention as there have been emails and social media posts incorrectly stating what Phase 3 and the expiration of EO 20-69 means regarding public meetings. As I previously asked the Board to consider, when the Board is ready to allow the public back into the meeting room, I would like the opportunity to create a policy for Board review and adoption that would state how meetings would be conducted in a "hybrid" style to incorporate virtual and in-room participation.

Request: Board discussion and direction.

Mr. Moron said zoom and livestream will continue but when the Board has public hearings like the one scheduled in November the Board will have to balance the issue of people that want to participate by

zoom and people that want to attend in person. Mr. Moron asked the Board to let him know when they are ready and he will create this policy and have Attorney Shuler review the policy. Commissioner Boldt questioned if they are getting feedback from other counties. Mr. Moron said he has not checked with other counties. Commissioner Jones suggested they also check with the Florida Association of Counties (FAC). **Commissioner Parrish made a motion to direct staff to do some research and come back at the next meeting with recommendations. Commissioner Jones seconded the motion.** Commissioner Parrish asked how many more people they can accommodate after the department heads are present and still socially distance properly. He questioned if they will be required to wear masks in the building. Mr. Moron said if the Board does not mind he would also like to work with the court because they are in Phase 2 and the Board shares this room with the county judge. The Board agreed with that request. **Motion carried; 5-0.**

16. Code Enforcement Update: As directed by the Board, staff has been researching the creation of a County Code Enforcement department. As a result of this research, I realized that most, but not all, of the complaints are related to RVs and travel trailers that may or may not be illegally on properties with electrical connections. With that in mind, would the Board consider authorizing staff to research and review RV/Travel Trailer complaints over a period of time, look at your current travel trailer ordinance, and recommend some changes to that ordinance that may stop some of the prohibited RV/Travel Trailer uses and allow use in certain areas. Staff would pause code enforcement efforts and focus on RV/Travel Trailer use in the unincorporated areas of the County.  
Request: Board discussion and direction.

Mr. Moron reported code enforcement is not just an officer but also a board and/or special master because the complaints must be heard by someone. He suggested they discuss this matter with the Sheriff as he would be a good person to do code enforcement. He asked if the Board wants him to continue to research both options. Commissioner Boldt stated he brought up the idea of code enforcement and he appreciates the large number of RV issues but there are also a huge number of other code enforcement violations. He explained there is a man in his district that appears to be doing a high level of commercial work in his residence and that has been challenged. Commissioner Boldt said another person moved a shed on property and has been camping there for many years. He reported there are other issues concerning huge amounts of trash and unsanitary conditions. Commissioner Boldt commented he knows this is a delicate matter but he sees the need for enhancement and beauty in the county and consistency on how they manage their codes. Commissioner Boldt stated they need to consider code enforcement because he is seeing more and more concerns. He reported he would like to broaden this discussion to include more than RV issues. Commissioner Boldt said code enforcement sounds disciplinary so maybe it should be code educator with some enforcement to change the environments they are seeing. He stated he likes the idea of the Sheriff because he brings the legal credentials. Commissioner Boldt said they need to continue to look at code education, facilitation and enforcement because the county needs it. He reported the other Commissioners probably think of areas in their districts that are challenging like areas in his district. Mr. Moron said he just wanted some direction. He explained they must decide what codes will be enforced because the code enforcement process is a long process. He stated they must decide if final decisions are made by a volunteer board or a special master. He pointed out there are additional costs plus the cost of the code enforcement officer. Mr. Moron reported they may also need to address some of the codes which is a timely issue and he was trying to address some of the issues. Commissioner Jones stated he favors the step by step approach of taking a specific issue and

researching it. He said they can see what is wrong but there are processes that must be followed to accomplish this. Mr. Moron explained they have codes for the RV issues and they can do something but is the Board ready for the push back if they kick people out of RV's and who will deal with the homeless problem. Commissioner Parrish said they will want the county to build a homeless shelter and they are going to have to feed the people and address their health care. He stated some people are doing the best they can. Commissioner Parrish reported the county has laws but with the downturn of the bay and COVID where are the people going to go. He said the people could go to other counties but they will stay here. Commissioner Parrish questioned if the Board or the taxpayer is ready to fund all these items. He explained some places are worse than others but they all have problems. Commissioner Parrish said some of these things go back a long way and are generational. He reported in some of the campers it is not just electrical issues but they also have sewer running on the ground. Commissioner Parrish stated if they are ready to do this then they need to be ready to address all the other issues they are going to create. Chairman Lockley agreed they need to get a study done. Mr. Moron stated that is why they need a step by step approach to start with the biggest problem and fix that and then move on to the other problems. He reported he can come back with a list of what is creating all the code enforcement complaints and they can select what to pursue or he can just keep moving forward. Commissioner Massey said he should come back with a list. Commissioner Boldt agreed a list is good. Commissioner Boldt suggested they look at other counties that are dealing with these issues. Mr. Moron said he will compare other small rural counties. Commissioner Jones said sometimes they need to make decisions to head off the problems and then move forward. Mr. Moron agreed he will bring back a list at the next meeting and the Board can decide how to address it. Chairman Lockley stated they also need to know how many people are doing these things so they have all the details and then they must decide how to approach them.

17. Proclamation Honoring Mrs. Ella Speed: On September 24th, Mrs. Ella Speed, a well-known and respected resident of Franklin County turned 100 years young. Mrs. Speed was honored here in Apalachicola with a parade and event. As part of the celebration, Mrs. Cortni Bankston authored a proclamation from the County honoring Mrs. Speed which was signed by Chairman Lockley. Request: Board action to ratify the Chairman's signature on the proclamation honoring Mrs. Ella Speed.

**On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize Chairman Lockley to sign the Proclamation, as follows:**

**PROCLAMATION RECOGNIZING THE 100<sup>TH</sup> BIRTHDAY  
OF MRS. ELLA SPEED**

**WHEREAS**, longevity of life is a blessing for Mrs. Ella Speed and the Franklin County community which benefits from the knowledge, innovation, and experiences she brings to all; and

**WHEREAS**, Franklin County recognizes with respect and admiration of senior citizens in our community; and

**WHEREAS**, Mrs. Ella Speed was born in Apalachicola, Florida on September 24, 1920. Mrs. Ella was raised in Apalachicola, Florida alongside her four sisters and one brother. She and her husband Willie B. Speed Sr., were married for 68 years before his passing. Together they were blessed with four children, three boys, Willie B Speed, Jr., Allyson Speed, and Oryan Speed, and one daughter, Gayle Speed Ringo. Ella Speed



also has Eight Grandchildren and Three Great Grandchildren. She is described by others as a woman of faith, very humble, grateful, and kind; and

**WHEREAS**, Mrs. Ella Speed worked for a short period of time in New York as a volunteer during World War II. Also during her life, Mrs. Ella Speed worked as a Bookkeeper for the school district for 20 years and was a hairstylist for many years; and

**WHEREAS**, in addition to being a wife and mother, Mrs. Ella Speed is a great woman of faith. Her son Oryan stated "Church is her life." She has served as a Missionary, an Elder, and a Bishop for the Love & Worship Center Holiness Church of the Living God; and

**WHEREAS**, Mrs. Ella Speed will be honored by friends and family for her 100 years on this earth; and

**NOW, THEREFORE, BE IT PROCLAIMED** that the Franklin County Board of County Commissioners and the citizens of Franklin County extend the greatest honor to Mrs. Ella Speed for her long life and prosperity and wish her many more.

This **RESOLUTION** adopted this 22<sup>nd</sup> day of September, 2020

s/Noah Lockley, Jr.

Chairman

ATTEST:

s/Marcia M. Johnson

Clerk of Court

Chairman Lockley stated Mrs. Speed had a parade to celebrate her birthday.

Mr. Moron read Items 18 and 19 for the Board's information.

### **Information Items**

18. Airport Master Plan Meeting: Inform the Board that AVCON will be holding a public hearing to receive public comments about their recommendations for the Airport's Master Plan update. These public hearings will be virtual and hosted by AVCON. All comments from the public will be reviewed by AVCON and will be part of the final report to the Board of County Commissioners.

19. Planning & Zoning Ordinance: Attorney Shuler scheduled the public hearing to amend the Planning and Zoning Ordinance on October 20, 2020. This amendment will reduce the membership on the Planning & Zoning (P&Z) Commission. I ask each Board member to have your appointee to the Planning & Zoning Commission ready for that same date. If the amendment to the ordinance passes, then the Board could approve the new P&Z Commission members allowing the November P&Z meeting to proceed as scheduled.

20. Warden Conner Update: Based on an inquiry from County staff, Warden Conner stated that his DC supervisors will be returning to work tomorrow and hopefully inmates will be available to the County

sometime next week. I would like to express my thanks to Warden Conner for his immediate response to our inquiry.

21. Senior Citizen Update: Attached to my report is an update from Area Agency on Aging on senior services in Franklin County. Let me know if you have any questions.

22. Forestry Report: Attached to the agenda packet is the Florida Forest Service Annual Report to the County Commission. If you have any questions or comments, feel free to contact Mr. Charles Harris, Forest Area Supervisor.

23. SGI Lighthouse Event: Inform the Board that the Lighthouse will be hosting a "Spooktacular" free, fun, family event on Friday, October 30 from 6:30 p.m. to 8:30 p.m. A copy of the event poster is attached to the agenda packet. I bring this to the Board's attention as it will be held on the area in front of the SGI Lighthouse.

24. LSE COVID-19 & Hurricane Sally: As previously authorized by the Board Chairman Lockley signed COVID-19 Local State of Emergency Declarations on September 7th, 14th, 21st, and 28th. He also signed Hurricane Sally Declarations on September 15th, 22nd, and 29th.

Commissioner Boldt stated he has a convenient opportunity in his district to resurface a road where Delaware Street, Kentucky Street and Georgia Street border Oak Street. He explained half the road is milled asphalt and the other half is limerock. Commissioner Boldt reported there is a contractor in the area so they would not have to pay the mobilization fee. Mr. Moron said he will call the contractor and has him contact Commissioner Boldt and he can show the contractor the road and they will send a proposal the Board can approve. He stated the cost will come out of Commissioner Boldt's paving funds. Mr. Moron said he will find out the balance in this account. Commissioner Parrish reported he has the same issue in his district and if the contractor is not there now he will be shortly. He stated he wants to get this done so he also does not have to pay the mobilization fee because it is in the same neighborhood the contractor will be working in. Commissioner Parrish said he wants to get Board approval when the contractor is here. Commissioner Boldt discussed saving money on the mobilization fees. Commissioner Parrish said they can pave more roads with the money they save. Mr. Moron stated he will bring back the proposals for Board approval.

### **County Attorney – Michael Shuler – Report**

Attorney Shuler reported typically Mr. Moron brings bid packages and bid awards to the Board but Mr. Clay Kennedy, Dewberry, called with a legal question about one of the bids opened on September 15<sup>th</sup> for the Alligator Point Bike Path. Attorney Shuler explained he has already told the Board in writing and personally that he has a potential conflict of interest involving one of the bidders that he needs the Board to resolve by either waiving the potential conflict and allowing him to give legal advice to the Board or the Board can obtain a legal opinion from an outside counsel. Attorney Shuler explained Mr. Kennedy is present via telephone and will explain the review process and the issues. Mr. Kennedy reported in the bid package there were a list of items that are required to be turned in as attachments to the bid. He said in this case it was the FDOT pre-qualifications, evidence of doing business in the state and things of that nature. He explained the one item Attorney Shuler is referring to is Item D. Contractor's License Number. Mr. Kennedy reported when he looked up the number on the Department of Business and Professional Regulation (DBPR) website it showed up as delinquent. He said he starting questioning Attorney Shuler about how to proceed. He reported under Attorney Shuler's direction he called DBPR to see what delinquent meant. Mr. Kennedy stated it means they have either not paid their renewal fee or completed their continuing education classes that are required but they did not tell him which one was delinquent. He reported this information was sent to

Attorney Shuler. Attorney Shuler asked Mr. Kennedy to rank the companies based on the apparent low bidder. Mr. Kennedy said Capital Asphalt was the low bidder, Roberts & Roberts was the next low bidder with approximately a \$100,000 difference and then North Florida Construction. He stated Capital Asphalt is the bidder they are discussing today. Attorney Shuler asked if Capital Asphalt is the apparent low bidder and their license has expired. Mr. Kennedy agreed this is correct. Attorney Shuler reported he has not answered Mr. Kennedy's question because he thinks he has an apparent conflict of interest. He explained he emailed the Board he has a potential conflict of interest and provided a written Memorandum today and provided a copy to the Clerk. Attorney Shuler stated the issue is one of his companies entered into a paving contract with Roberts & Roberts 3-4 months ago and they are waiting on them to do the project. He said according to the facts presented by Mr. Kennedy if Capital Asphalt is disqualified then Roberts & Roberts would be awarded the bid. He explained he was not comfortable without making that disclosure and asking the Board to waive the apparent conflict of interest before he rendered legal advice to the Board or to the engineer. Attorney Shuler said the Board can either waive the apparent conflict and he will provide the advice or get an outside opinion. **On motion by Commissioner Parrish, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to waive the apparent conflict.** Attorney Shuler stated his recommendation is to reject the bid submitted by Capital Asphalt because their license is delinquent and the bid notice and documents require the company to present their licensure to do business in the State of Florida. He said the license number they provided is delinquent and Mr. Kennedy sent a message that even as of 12:34 p.m. today the license is still showing in a status of delinquent. **On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to reject the bid submitted by Capital Asphalt because their license is delinquent.** Commissioner Parrish stated since he has been aware of this it has bothered him that they let their license expire and as of today it is still expired. He explained someone told him this company did not do good work but they are the low bidder and government agencies take the low bidder but everyone is held to the same standards. Commissioner Parrish said it does not seem good if a big company lets their license become delinquent. He questioned how this company is doing work for other people without a license. Commissioner Parrish stated it concerned him to do business with someone that does not have a license to do business in the state. Attorney Shuler reported at this point the county will notify Capital Asphalt that their bid has been rejected and the reasons for the rejection and they will have a chance to protest or file a lawsuit if that is what they choose to do. He stated with the Board's rejection of the apparent low bid of Capital Asphalt being non-responsive which company does Mr. Kennedy recommend the Board award the contract to. Mr. Kennedy reported the next low bidder is Roberts & Roberts and they are responsive with the information they were required to turn in. Attorney Shuler asked if Mr. Kennedy wants the Board to make a decision at this time or there is some reason to wait. Mr. Kennedy replied there is no reason to wait on his side but he does not know legally on the procedural side. He questioned if the company decides to take a legal approach does that hinder the second low bidder from proceeding to work. Attorney Shuler stated that would ultimately be up to a judge but he thinks the county should notify Capital Asphalt of the rejection and send the second bidder a notice of intent to award the contract to them as the lowest responsive bidder. **Commissioner Massey made a motion to give the bid to Roberts & Roberts.** Commissioner Jones asked if a motion is needed if the bid policy says if the first company does not meet the criteria then it goes to the second bidder. Attorney Shuler stated that is correct. He said they can award to the lowest responsive bidder which is Roberts & Roberts without a motion.

Commissioner Boldt reported the conflict of interest issue was well handled by having this discussion and made the issue very ethical.

### **Commissioners' Comments**

There were no Commissioners' comments.

### **Information Items**

- T. Northwest Florida Water Management District Budget and Resolution
- U. Forest Service longleaf pine restoration proposal in Apalachicola National Forest (Liberty County)

### **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 1:05 p.m.

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Noah Lockley - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts