

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
COURTHOUSE ANNEX – COMMISSION MEETING ROOM  
REGULAR MEETING, DECEMBER 17, 2019 9:00 A.M.  
MINUTES**

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

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

**Call to Order**

Chairman Lockley called the meeting to Order.

**Prayer and Pledge**

There was a prayer followed by the Pledge of Allegiance.

**Approval of Minutes**

1. 1. Minutes-November 19, 2019
  - o [Minutes-November 19, 2019.pdf](#) (1.17 MB)
2. 2. Minutes-December 3, 2019
  - o [Minutes-December 3, 2019.pdf](#) (1.00 MB)

**On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve the minutes.**

**Payment of County Bills**

1. 3. Bill List for Payment

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

**Public Comments**

Mr. Moron announced the application for Alligator Point has been withdrawn so the public hearing will not occur today.

Mr. Moron reported there are also people here about the proposed Dollar General in Lanark Village but there is not a public hearing scheduled today. He stated the Board will decide today if they will schedule a public hearing. He said there is no other time to be heard about the Lanark Village application so individuals need to speak during Public Comments.

Mr. Shawn Oxedine, a resident of Carrabelle, said he is a builder in the county and he addressed a situation with a friend of his in relation to the 50 ft. setback in the Critical Habitat Zone (CHZ). He asked the Board to consider looking into the 50 ft. CHZ ruling as the rule was made in the 1980's and things have changed since then. Mr. Oxendine stated his friend has 3 lots and they combined the lots and cannot get a house on the property within being in the CHZ. He explained the setback for the City of Carrabelle and the City of Apalachicola are 20 ft. Mr. Oxendine pointed out Wakulla County has recently deleted their setback but they cannot get in the wetlands. Mr. Oxendine stated the setback was taking away from the tax base in Wakulla County and people were not able to build because of the regulations. He reported Liberty County has a 35 ft. setback. Mr. Oxendine questioned why both cities are one way and the county's requirement is different. He said they have a pending item at the Board of Adjustment now and they will be before this Board in the future. Attorney Shuler stated this item was at the last Board of Adjustment meeting and the acreage as configured has the house slightly into the CHZ so according to the county's rule the home would be reduced to 1,000 sq. ft. He reported this matter was tabled at the last meeting and is still being looked at by the Board of Adjustment. He stated since the Board of Adjustment has not made a decision there is nothing for this Board's consideration yet. He said this Board does not take action under public comment. Attorney Shuler reported the item is being looked at and according to the property owner there are some new facts that may possibly provide an exemption to the rule which reduces the square footage. Attorney Shuler was not sure if the building plans had been turned in yet but said they are waiting on information. He recommended the Board wait until the Board of Adjustment makes a decision and then the item will return to this Board. Chairman Lockley said they will get back in touch with Mr. Oxendine.

Mr. Michael McLoad, a resident of Franklin County, discussed the rezoning in Lanark Village and said he wants to go on the record as objecting. He said everyone received the long letter he sent objecting to this rezoning. He presented a question for the applicant's attorney about the language in Chapter 163. He said the application does not include the exhibits posted and he would like to see the exhibits. He stated it is the responsibility of the Commission to protect the peaceful enjoyment of the resident's lifestyle and of their residential property. He reported Lanark Village is one of the prettiest areas and doing the rezoning will negatively impact the quality of life in Lanark Village. He said the Department of Transportation has approved the traffic flow in the area but he thinks it will be dangerous not to have a center turn lane particularly east bound because there is not a shoulder. He explained the Putnal Station property is zoned commercial and would allow this use. Mr. McLoad said the Board should let the free market decide if the people who own the Putnal's Station property want to sell or not but that is not a reason to add more retail zoning. Mr. McLoad stated there is no need for

another Dollar General Store when there is a store 5 miles away in Carrabelle. He asked the Board to think a long time about this decision.

Ms. Christina Saunders, a resident of Franklin County, stated she owns the property that Dollar General is looking at and progress is needed for the county to grow. She said the Dollar General Store in Carrabelle is nice and this store will be too. She reported this store will be convenient to the elderly so they do not have to travel. She requested the Board approve a public hearing for this matter.

Mr. Bill Michler, a resident of Lanark Village, said his property is across the street from the proposed Dollar Store property. He discussed the impact on his quality of life and how he will have to endure 100+ days of construction if this project moves forward. He reported in the presentation he has not seen anything about the 7 residences that surround this existing commercial property. He stated the property that they are attempting to join up to has not been operated as a commercial site for 57 years and there is no commercial activity within 1 mile in either direction of the proposed site. He expressed concern about the process and said it has been going on since July but they have not known about it. Mr. Michler said they have heard that this project is going to be approved but if they are following the process how do they know it will be approved. Mr. Michler explained going to Carrabelle to shop is a ritual and they ask their neighbors if they want to go. He suggested they may need a rideshare program in the Village which also encourages the spirit of a village. He stated commerce goes on when they travel from Lanark Village to Carrabelle and shop. He reported Lanark Village has existed over 100 years without a commercial property existing. He said the land use and rezoning are the biggest issues.

Mr. Chris West, present with the developer on the project, said they will have another meeting with time just to address public comments on this project. He asked that they hold the rest of the comments until the next meeting as they were not going to address them today but he will leave it to the Board's discretion. Chairman Lockley stated they have a right to present public comments.

Mr. Mark Hopkins, a property owner in Lanark Village, said his property is across from the item being discussed. He stated there is a list of reasons why they do not want commercial development but if this property is developed then the lights will shine in his house when anyone leaves the store and that will destroy some of their peace and quiet. He explained he bought the property to retire and the property is residential and needs to stay residential. He said they discussed the Putnal property and said they are using that property to allow the rezoning but he is against it. Mr. Hopkins stated nothing in this area has been commercial for half a century and the existing landowners do not want it to be commercial. Mr. Hopkins reported if they rezone in a residential area then it will open up the area for other development. He explained they cannot disallow other requests if they approve this one. He requested the Board reject this project today. He said he has no objection to the store but not in this place.

Mr. James B. Putnal, a property owner in Lanark Village, stated he and his children inherited the property where the Putnal Station was. He said the property is half residential and half commercial but he does not have plans to start a business or bring it back to commercial status because of stipulations from the county's rules. He explained they want him to destroy the existing buildings and build new and his grandfather would not have wanted that. Mr. Putnal said he has lived on this property all of his life except for 10 years when he was out of state. He reported he does not have plans to develop the property. He stated this is a large commercial piece of property but he was never approached by a developer to do any building.

Mr. Jaime Larks, Teramore Development, stated his family owns property down from this site. He reported there is a lot of support for this project but people are too intimidated to speak out about the project. He said they started the process in July but had to make strategic steps to be able to be here today. Mr. Larks commented he held a community meeting and it was informative for the community. He said over 150 letters were sent out to people in the community according to the Tax Assessor's website. Mr. Larks stated he has answered every phone call and email about the project. He said his family and people adjacent to the property are in favor of the project. He stated they will make improvements and it will be a nice store. He explained they are also property owners in Franklin County.

#### **Mayor Kevin Begos - City of Apalachicola – Comments**

Mayor Begos thanked Mr. Fonda Davis, Mrs. Erin Griffith, Mr. Michael Moron and Attorney Shuler for helping over the last few months. He apologized for some things that happened in the past between the City of Apalachicola and the county. He stated the City Commission unanimously passed a Resolution endorsing a full hospital in Apalachicola but not some kind of emergency room. He explained they are not specifying which company the Board chooses but believe there should be a full service hospital in Apalachicola to honor the interlocal agreement.

Mayor Begos stated he has some individual comments that are not something the City of Apalachicola has addressed yet. He said in relation to the water wars decision the last ruling that sent this matter to a Special Master was a 5-4 vote but one of those votes to keep considering this item has retired so whether or not the Supreme Court keeps hearing this issue may come down to this change.

Mayor Begos reported everyone is trying to help the bay recover but there are concerns from local oyster dealers about the FSU/Triumph Grant. He said they should give more feedback to FSU in the future about what they are doing because there are concerns about how the project is moving forward.

Mayor Begos stated he will be glad to work with the county on anything and if they need more guidance on the Weems Memorial Hospital issue please let them know.

#### **Department Directors Report**

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

### 1. 4. Report

#### **Action Items**

No Action Items

#### **Information Items**

Mr. Nabors stated he does not have a report for the Board. Commissioner Jones asked if they have done anything about the trees on the south side near where the building will be constructed for the Road Department. Mr. Nabors answered no, not until they know the exact location of the building and then they will remove the trees. Commissioner Jones said they do not want any trees near the new building.

Chairman Lockley asked about the holidays for the Road Department. Mr. Nabors responded they will work on Monday and are off Tuesday-Thursday unless there is an emergency.

Work Performed/Material Hauled Report (Agenda Packet)

- [RD Work Performed Material Hauled Report.pdf](#) (0.15 MB)
- [RD report form.pdf](#) (0.04 MB)

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

### 1. 5. Report

#### **Action Items**

No Action Items

Mr. Davis stated the recycling bins from the Carrabelle site have been pulled in temporarily to slow down illegal dumping. He said they plan to put the bins back out for the holidays. Commissioner Massey asked if Mr. Davis has considered putting up a camera. Mr. Davis stated he has been in contact with the Sheriff's Department about a camera. Commissioner Boldt said they should consider a mobile recycling service and he would like to work with Mr. Davis on this item. Mr. Davis agreed that sounds good. Chairman Lockley reported they had to do this in Apalachicola also. Mr. Davis said they did and the illegal dumping slowed down but then picked up again and this is the second time in Carrabelle also. Chairman Lockley asked him to keep the Board informed of what is going on with the recycling bins. Mr. Davis reported the landfill is closed Tuesday, Wednesday and Thursday but open Monday and Friday of next week.

#### **Information Items**

A. Debris Pickup/Recycle Material Hauled Report (Agenda Packet)

- o [SW report form.pdf](#) (0.04 MB)
- o [Debris Pickup/Recycle Material Hauled Report.pdf](#) (0.06 MB)

**Emergency Management Director – Pam Brownell**

1. 6. Report

**Action Items**

No Action Items

**Information Items**

A. Franklin County Emergency Management attended the Region 2 Quarterly meeting.

B. Franklin County Emergency Management is diligently working on completing all paperwork for FEMA reimbursement.

C. Franklin County Emergency Management Staff is organizing and compiling care boxes for St James Rehab Center.

D. Franklin County CEMP has been approved and the resolution signed.

E. Franklin County Emergency Management is accepting applications for Hurricane Loss Mitigation Program. Criteria and Applications are available at Franklin Emergency Management's website.

F. FCEM is completing the annual NIMS survey for the state. It is a requirement to ensure the county is eligible for FEMA reimbursement.

G. FCEM is reviewing and rewriting the Local Mitigation Strategy Plan for the county.

- o [EM report form.pdf](#) (0.04 MB)

Mrs. Brownell stated FEMA called yesterday and a FEMA person will come down today and work through some projects with them. Commissioner Jones asked if they are close to doing any of the projects that are outstanding from Hurricane Michael. Mrs. Brownell explained they are working on them. She explained they tell them to submit the projects without the paperwork but then they say they cannot be processed because they did not put the documents in. She reported they are working on uploading the documentation. She stated they are being pushed to sign off on projects that they prefer departments review so they can determine if the figures are correct before they sign off on the projects. Mrs. Brownell stated the reason for this is they are not the department working in that area. Commissioner Jones

said it has been 14 months since the storm and some things are in the same dilapidated state they were to begin with. Mrs. Brownell reported some of these items are mitigation projects and they are working on them. Commissioner Jones said they either are going to do the projects or not so they just need to tell them if they are not going to do the projects.

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

Mr. Moron reported Mr. Lovstrand is at a University of Florida (UF) meeting today. He said if there are any questions about his report they can let him know.

#### 1. 7. Report

##### **Action Items**

No Action Items

##### **Information Items**

General Extension Activities:

A. Extension office assisted clientele with issues related to citrus greening in Franklin County, soil samples, and local gardening.

B. Work continues on end of year reporting, as required by UF/IFAS and Florida Sea Grant each year.

C. Extension Director participated in ACF Stakeholders (Apalachicola Caucus) conference planning call to discuss hosing the next in-person ACFS Governing Board meeting in Apalachicola during January possibly.

D. Staff has begun moving a few things to the new office location. Non-carpeted floor work still being completed.

Sea Grant Extension:

E. Extension Director returned turtle lighting supplies leftover from grant to FWC in Tallahassee.

4-H Youth Development:

F. Registering youth for upcoming 4-H Day at the Capitol in Tallahassee.

Family Consumer Sciences:

G. Family Nutrition Program (FNP) Assistant teaching hands-on cooking skills with pre-K youth to 8th grade with “Kids in the Kitchen curriculum. Includes kitchen safety, cooking skills, how to follow recipes and, always the favorite part, taste testing.

H. FNP Program Assistant has begun teaching with adult senior group at First Baptist.

- o [IFAS report form.pdf](#) (0.04 MB)

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

Mr. Solomon stated this is just an informational report as the TDC did not have a meeting in December. Mr. Solomon read the information items for the Board.

#### 1. 8. Report

##### **Action Items**

No action items

##### **Information Items**

A. Collections Report: The September (2019) collections were \$90,051.57. This is a \$19,918.75 (27.88%) increase over September (2018).

B. Fiscal Year Collections: The 2018-2019 Fiscal Year Collections are \$1,401,731.72 compared to \$1,304,397.10. Which is a 7.46% increase.

Mr. Solomon reported this is the largest increase they have had in the last 2-3 years.

C. Web Site Activity: We had 27,889 web hits in the month of November (2019) an increase of 37% over last November of last year.

D. Visitor Center Numbers: The Visitor Centers welcomed 2,225 visitors in the month of November. The total for January-November of 2019 is 36,646 Visitors that have visited our centers. The total for 2018 calendar year was 31,398.

E. Meetings: The next scheduled board meeting is January 8th, 2020 @ 2:00pm at the Eastpoint Visitor Center

- o [TDC Collection Report 2018-19.pdf](#) (0.58 MB)
- o [TDC report agenda form.pdf](#) (0.04 MB)

Chairman Lockley asked when their fiscal year is. Mr. Solomon replied October-September. Commissioner Boldt thanked Mr. Solomon for his special work and he appreciates his



enthusiasm and advocacy for volunteerism. Mr. Solomon responded they have a great team and county so it is easy.

Commissioner Jones asked Mr. Solomon to inform the Board of the upcoming conference. Mr. Solomon explained Visit Florida would like to hold an adventure tourism training course here in Apalachicola. He reported this is rare because the county does not normally get conferences this large. He stated the conference will be within the first 2 weeks of April and they will start working the first of the year on accommodations. Mr. Solomon said the Armory will be used as the conference site.

The meeting recessed at 9:38 a.m.

The meeting reconvened at 9:51 a.m.

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

Mrs. Ham-Kelly read the following request:

1. 9. Consideration of a request to construct an addition 5 feet into the east side setback on property described as 4402 St. Teresa Avenue, St. Teresa, Franklin County, Florida. Request submitted by Jay McDaniel, agent for Jerry and Nora McDaniel, applicant. ABOA recommended approval by unanimous vote.

**Board Action:** Motion to approve, Table or Deny.

Mrs. Ham-Kelly provided images of the property. She stated there are letters of support from the adjacent property owners. **On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve this request.**

- o [McDaniel Back Up File.pdf](#) (1.58 MB)

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

Mrs. Ham-Kelly presented the following report:

#### **Commercial Site Plan Application**

1. 10. THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT.

Consideration of a request for Commercial Site Plan Review of two new aquaculture production buildings on property described as 125 Harbor Circle, Alligator Point, Franklin County, Florida. Property lying in Section 6, Township 7 South, Range 1 West. Request submitted by Garlick Environmental Associates, agent for Paul Parker et al. (PZ Commission: 3/1 Vote to approve with John Murphy recusing himself)

*This item was tabled at the November 19, 2019 regular meeting pending a decision on the public hearing that is before the Board today.*

**Recommended Action:** No Action Necessary, This Item Has Been Withdrawn By The Applicant.

- o [Paul Parker .pdf](#) (1.01 MB)

Mrs. Ham-Kelly explained they left this item for informational purposes so the public would know the request had been withdrawn. Commissioner Boldt said he represents this district and has received a huge amount of emails about this request. He stated he was impressed with the process that Mr. Parker and his representative went through and that it was well thought out. He complimented the parties and the energy expressed by the people at Alligator Point. Commissioner Boldt stated this was one of the most controversial requests in his tenure and he thought the process went well and the county staff are to be complimented on this issue.

### **Critical Shore Line Applications**

1. 11. Consideration of a request to construct a Multi-Family Dock located at 2832 US Highway 98 East, St. James, Franklin County, Florida. The Dock will be 150' x 4' with an 8' x 16' kayak launch and 8' x 12' terminal platform. This application has all State and Federal Permits. Request submitted by Larry Joe Colson, agent for St. James PUD (Armand Evans), applicant. (PZ Commission: Unanimous Vote to approve)

**Board Action:** Motion to Approve, Table or Deny

- o [Armand Evans Dock.pdf](#) (0.62 MB)

Mrs. Ham-Kelly presented a map of the area. **On motion by Commissioner Massey, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve this request.**

2. 12. Consideration of a request to modify an existing dock by adding a 4' x 18' finger pier and a 12' x 20' covered boatlift on property described as Lot 4, Block 76, Unit 5, 363 Cook Street, St. George Island, Franklin County, Florida. This item has State Permit will be contingent upon receiving Federal Permits. Request submitted by Garlick Environmental Associates, Inc., agent for James Slacky and Andree Grogan, applicants. (PZ Commission: Unanimous Vote to approve)

**Board Action:** Motion to Approve, Table or Deny.

- o [SLACKY GROGAN FILE updated.pdf](#) (2.47 MB)
- o [SLACK PERMIT.pdf](#) (5.57 MB)

**Commissioner Jones made a motion to approve this request contingent upon receiving the federal permits. Commissioner Massey seconded the request.** Commissioner Jones inquired if there are any problems with the canal. Mrs. Ham-Kelly replied they will not go any farther than the existing dock. She explained the original application showed it extending out farther into the canal and she showed a diagram of what the pier will look like now. She said they had submitted another plan but DEP did not approve it because it extended farther out so they approved it further east. **Motion carried; 5-0.**

3. 13. Consideration of a request to construct a Single Family Private Dock on property described as Lot 34 Alligator Point Subdivision, 1617 Alligator Drive, Alligator Point, Franklin County, Florida. The dock will be 359' x 4' and have (2) 12' x 20' boatlifts and a covered 10' x 16' terminal platform. This application will be contingent upon State and Federal Permits. Request submitted by Garlick Environmental Associates, Inc., agent for Jim Sweat, applicant. (House has been permitted) (PZ Commission: Unanimous Vote to approve)

**Board Action:** Motion to Approve, Table or Deny.

- o [Sweat Dock Application20191126\\_08323312.pdf](#) (1.17 MB)

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

#### **Final Plat Application**

1. 14. Consideration of a request for Final Plat approval of a 5 unit subdivision names Black Bear Bayou II a replat of Lots 1 and 7 of Black Bear Bayou, lying in Section 8, Township 7 South, Range 4 West, Carrabelle, Franklin County, Florida. Request submitted by Thurman Roddenberry and Associates, agent for John Johnson, applicant. (PZ Recommended Approval: Unanimous Vote)

**Board Action:** Motion to Approve, Table or Deny.

- o [Black Bear Bayou Final.pdf](#) (1.56 MB)

**On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve this request.**

#### **Land Use/Re-Zoning Application**

1. 15. Consideration of a request for a Public Hearing for a Land Use change of 5.88 acre parcel from Residential to Commercial and Re-Zoning from R-1 Single Family Residential to C-4 Mixed Use Residential on property lying in Section 7, Township 7 South, Range 3 West, 2619 US Highway 98 East, Lanark, Franklin County, Florida. Request submitted by Clayton Studstill, The Studstill Law Firm, PLLC, agent for

Timothy Saunders and Christina Saunders, applicants. (PZ Commission: Motion to Deny- Died for a lack of a second. 2nd Motion to Approve- Died for a lack of a second. No Recommendation from the Planning & Zoning Board)

**Board Action:** Motion to Approve, Table or Deny Public Hearing Request.

- o [Saunders ReZoning Land Use Documents.pdf](#) (1.68 MB)

Commissioner Jones asked if the Planning & Zoning Commission discussed the Comprehensive Plan or other county documents and this going to a public hearing. Mrs. Ham-Kelly reported they discussed the adjacent property zoning and land use. She said they also talked about some flood and traffic issues but did not address the Comprehensive Plan. Chairman Lockley stated they must give them a public hearing. Commissioner Boldt agreed. He asked if staff could provide an analysis of the Comprehensive Plan relative to this property. Mrs. Ham-Kelly asked if he would like this presented at the hearing. Commissioner Boldt stated if it is appropriate she could email the information prior to the public hearing. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve a public hearing for this request.** Commissioner Boldt said this is a special time for everyone at Gulf Terrace and Lanark Village to develop their facts and figures and provide the information to the Board at the public hearing. Attorney Shuler reported when they go to the public hearing, he in conjunction with Mr. Mark Curenton, County Planner, will prepare a presentation. He explained the staff does not produce any written report in advance of the public hearing. He stated he will call each Commissioner so they have a report from him in advance of the public hearing. He stated this will be a quasi-judicial hearing. Attorney Shuler said if the Commissioners have questions they can call him. He explained Commissioner Boldt will have more questions since this request is in his district.

**Public Hearing(s) 10:30 am & 11:00 am**

1. 16. THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT.

10:30 am - Consideration of a request for a land use change of 1.04 Acres from Commercial Recreation to Commercial Fishing and a re-zoning change from C-3 Commercial Recreation to C-1 Commercial Fishing. Property lying in Section 6, Township 7 South, Range 1 West, 127 Harbor Circle, Alligator Point, Franklin County, Florida. Request submitted by Paul and Stephanie Parker, applicants. The county has received opposition.

*This public hearing is a continuation from the November 19, 2019 regular meeting.*

**Board Action:** No Action Necessary, The Applicant Has Withdrawn The Request

- o [REZONING ORDINANCE 127 Harbor Circle.pdf](#) (0.01 MB)
- o [PARKER LEGAL EXHIBIT A20191016\\_16211600.pdf](#) (0.27 MB)
- o [Parker EXHIBIT B Map.pdf](#) (0.05 MB)

- [Parker LU Map.pdf](#) (0.20 MB)
  - [Parker Area Zoning Map.pdf](#) (0.09 MB)
2. 17. 11:00 am (ET) - (First of Two Public Hearings) The Franklin County Local Planning Agency will meet at 11:00 am (ET) to accept public comments on a proposed ordinance to amend the St. George Island Corridor Overlay District by removing the prohibition against single family residential uses on the ground floor for property located within a 2,100-foot radius of the center point of the intersection of Franklin Boulevard and Gulf Beach Drive, on St. George Island, Florida, as described in Plat Book 2, page 7, Franklin County, Florida, excluding the area east of the east boundary of Third Street East and west of the west boundary of Third Street West; providing for exemptions; providing for severability; and providing for an effective date.
- No vote shall occur at the public hearings held on December 17, 2019.*
- [SGI Overlay-Advertisement and Ordinance.pdf](#) (0.65 MB)
3. 18. 11:05 am (ET) - (First of Two Public Hearings) The Franklin County Board of County Commissioners will meet at 11:05 am (ET), or as soon thereafter as is possible to accept public comments on a proposed ordinance to amend the St. George Island Corridor Overlay District by removing the prohibition against single family residential uses on the ground floor for property located within a 2,100-foot radius of the center point of the intersection of Franklin Boulevard and Gulf Beach Drive, on St. George Island, Florida, as described in Plat Book 2, page 7, Franklin County, Florida, excluding the area east of the east boundary of Third Street East and west of the west boundary of Third Street West; providing for exemptions; providing for severability; and providing for an effective date.
- No vote shall occur at the public hearings held on December 17, 2019.*
- [SGI Overlay-Advertisement and Ordinance.pdf](#) (0.65 MB)

Commissioner Jones asked if the public hearing will be held at 11:00 a.m. Mrs. Ham-Kelley answered yes, for the St. George Island Overlay. Attorney Shuler stated this will be the first of 2 public hearings.

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

Clerk Johnson said she does not have a report. She thanked the Board for how well they work with her office and coordinate with Mrs. Griffith on finance items. She stated she is thankful her office and the Board have a great relationship. Clerk Johnson wished the Board a Merry Christmas. The Board wished Clerk Johnson and her staff a Merry Christmas.

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

Mr. Piece read his report for the Board, as follows:

#### **Information Items**

1. 19. Alligator Drive rebuilding update- Clay Kennedy and I met with FEMA inspectors on Alligator Point on Dec. 4 to explain the reconstruction project to a new set of inspectors who said they would be writing up the FEMA assessment. The good news is that they did not have any issues with the design we have already bid out. The only bad news is they could not give me a concrete time when FEMA funds would be obligated. The inspectors did have a Dec. 12 date to get their work done so there now appears to be some internal deadlines that someone in FEMA is setting. Based upon what I understand remains to be done in the FEMA system I do believe it is realistic to think Anderson Columbia could begin work by March 1.
2. 20. Rep. Shoaf has scheduled a meeting with FDOT, the Federal Highway Safety Administration staff, and FEMA to discuss the ownership of Alligator Drive. Commissioner Boldt and I will attend the meeting and promote the idea of the state taking over the road.

(Addendum added at 8AM, 12-17-2019- The meeting did occur at 3 PM on Dec. 16 at Rep. Shoaf's office in Tallahassee. Commissioner Boldt and I represented Franklin County. At least 15 other people were there representing FDOT, FDEM, and FEMA.

The 3 highlights of the meeting were:

- A) The FDOT will not take over Alligator Drive as it does not meet the needs of the state. The best that will happen is that FDOT will research the opportunity for the state to say Alligator Drive meets a definition for the Federal Highway Safety Administration (FHSA) as an evacuation route, and if that happens then Alligator Drive would become eligible for FHSA funds after a disaster. It seems on the surface that Alligator Drive would meet the definition of an evacuation route as it is the only access for the Point, but FDOT pointed out that there is a specific FHSA definition of what an evacuation route is, and FHSA has to agree with the application. FDOT will report back to Rep. Shoaf on that matter.

Mr. Pierce said they do not know what the outcome will be. Commissioner Boldt stated there were about 19 people at the meeting representing all the state agencies and he asked for the state to take back the road. He explained Mr. Pierce talked about the money spent on the road and they talked about all the issues with the road. He said this was an important meeting and the Department of Transportation (DOT) Secretary was present. Mr. Pierce clarified the DOT District Secretary was present. Commissioner Boldt reported the road does not qualify as a main artery but it is a small collector road. Commissioner Boldt explained the State does not have a legal precedent to take the road back but they did take one road back in another county. Mr. Pierce reported the state took back Stump Hole in Gulf County. Commissioner Boldt said the state seemed resentful about taking back the road. Mr. Pierce agreed. Commissioner Boldt explained they asked if there was any road like this in Florida and no one could think of a road that is worse than this one. He reported that is what brought about the possibility that Alligator Drive might become designated if it meets the criteria of a FHSA evacuation road and might have privileges for more money for its protection and its support. Mr. Pierce said he

appreciates Commissioner Boldt's enthusiasm but this is a very expensive road and he does not think anyone wants the road.

B) FEMA staff was asked on the status of the Project Worksheet (PW) for the \$4.7M reconstruction costs, and we were all informed that FEMA has initially found some \$1M of construction costs that they thought would be not be reimbursable. Those costs relate to the stormwater treatment system for the road that was not in place before the storm. FEMA staff said their responsibility is to build the road back to pre-storm conditions, and if there was not a stormwater system in place before the storm then someone else should pay the costs of that improvement. The county and FDEM both said the stormwater was a requirement of FDEP and had to be installed. FEMA staff agreed that if the stormwater system was a requirement then it would be eligible for FEMA reimbursement. FEMA staff, Dewberry, and FDEM staff are going to go over the stormwater system and requirements and get that issue resolved.

Mr. Pierce stated he talked with Mr. Clay Kennedy, Dewberry, and they will send questions on the cost components and try to resolve it. He reported it was apparent the state is on the county's side in this issue and hopefully this will get resolved. He reported this is a \$1 million problem in a \$4.7 million project and the county knew nothing about it. Commissioner Boldt said if they had not had the meeting then they might not have known.

C) Rep. Shoaf strongly encouraged the county to expedite additional road protection so that this \$4.7M reconstruction is not damaged as it is so close to the Gulf of Mexico.

Mr. Pierce stated the county's total Road Department budget is \$1.6 million. He explained this 2,000 ft. road is a \$4.7 million project and they must work with FEMA or this project could bankrupt this county. He reported Representative Shoaf does not want to support this project if the county is not going to do some extra work to protect this road. Mr. Pierce said he asked him several times what is going to happen at the next storm and he told him the road could easily wash out at either end because FEMA can only spend money on the section of road that was damaged and not sections that are going to be damaged. Mr. Pierce explained the solution is to put a beach out there because the State of Florida funds beach renourishment and the county would have a partner in protecting the road. He reported if the county does anything on their own then they bear the entire costs.

To that end, I have contacted Dewberry and MRD Associates to see if the county's current \$200K beach renourishment design request to FDEP can be expanded to include design and \$5M of construction funds in 2020.

Mr. Pierce explained if they can get \$5 million from DEP and \$5 million from RESTORE then they can do a \$10 million project. He stated there has been some criticism that they have not worked more aggressively on RESTORE projects but this is a onetime pot of money that they

must use very carefully because they will not get this money again unless there is a disaster like the BP oil spill. He explained they have been slow to review projects to make sure these funds are well spent. Mr. Pierce pointed out if they did not have the Restore money and had to do beach renourishment then the \$5 million would have come out of an additional assessment on the property owners at Alligator Point. He explained this \$5 million in RESTORE funds is critical to keeping the beach renourishment costs down for the residents of Alligator Point. Mr. Pierce said they did not have these funds when they talked about beach renourishment in the past and the residents would have paid all the costs. Mr. Pierce stated the assessment would have been much higher than they will be this time because now the county will be absorbing all of the constructions costs for the beach renourishment. Commissioner Massey asked if \$15 million has been spent on this road since Mr. Pierce has been here. Mr. Pierce reported he can document \$8 million but there may be more.

Normally, FDEP authorizes design funds, and then in a following year would provide construction funds.

Mr. Pierce said if they only got design funds in 2020 then it would be 2021 before they got construction funds and that is a risk Representative Shoaf does not want them to have.

If FDEP will support the inclusion of construction funds, and if Rep. Shoaf is successful in getting legislative funding for the FDEP beach renourishment program so that Franklin County gets funded, then beach renourishment to protect this 1.1 mile segment of Alligator Drive could occur shortly after the road construction is completed,. It is possible, then, that it would only be the 2020 hurricane season where the road would not be fully protected. If FDEP does not fund construction funds this year then the road would be exposed to the Gulf of Mexico during the 2020, and 2021 hurricane seasons.

If FDEP does support construction funds this year then the county will need to move expeditiously on the creation of the MSTU so that there is a source of funds to maintain the beach.

There are other untested design ideas that could be used in lieu of beach protection but none of them have the matching funds available for construction that the state provides for beach renourishment. Every structure to hold back the Gulf is going to cost millions of dollars, so if the county and the residents of Alligator Point want to minimize their costs, and again we are talking about millions of dollars, then the most cost effective road protection that can be built is a beach renourishment project that can receive a 50% cost share with the state.)

Mr. Pierce explained they are trying to minimize the cost to the residents of Alligator Point and the people of the county by sharing the costs with the state. He reported there are other options but none of the other options have a program to share costs. He reported they must use the programs that are available. Commissioner Boldt agreed they are trying to minimize the costs to the taxpayer by taking advantage of the state and federal resources that are available. Mr. Pierce said if they get \$5 million from DEP and use \$5 million in RESTORE funds



then that is \$10 million in costs that will not be passed on to the residents. He stated there will be criticism of the beach renourishment because in order to maximum the \$5 million in state revenue sharing the county must have a parking lot for 100 cars and a bathroom. Mr. Pierce reported those are requirements to get the matching funds. Commissioner Boldt stated if they focus this into a concentrated area then it can be built as a good asset for the people at Alligator Point. Mr. Pierce agreed if it is done properly then the residential complaints could be minimized because cars would be in a parking lot and not scattered in various locations. Commissioner Boldt reported the beach renourishment to protect the road will also provide a 1 mile beach opportunity for the parking area. Mr. Pierce agreed and said if the beach is damaged by a hurricane then the beach would become an eligible expense. Commissioner Boldt said he is looking forward to the input from the people at Alligator Point. Chairman Lockley questioned if it is better to build the beach first. Mr. Pierce stated this is also Representative Shoaf's question and if they are doing this backwards. He explained if they had the money they would put the beach in first. He reported they have FEMA funds and want to have the road constructed and then a beach shortly after. He stated they have a contractor, plans for the road and hopefully FEMA approval to put the road in. Mr. Pierce said if they wait for the beach it could take 2 years. He stated it is the Board's decision and they are responsible for public safety and welfare and he thinks they need to get a paved road for the citizens and then come in later with a beach. Mr. Pierce pointed out the worst happened in Gulf County because they started a beach renourishment project and assessed the property owners and before they could finish the project the hurricane came and washed the sand away. Commissioner Parrish said Gulf County did not get any reimbursement from FEMA because they did not have a certified beach. Commissioner Parrish stated they are waiting on DEP to see if they will fund the design money and if there is money in the beach renourishment program and the whole time they would not have a road. He agreed they need to go ahead with the road because they cannot wait for 2-3 years for the funding. He said they are doing it backwards but they must follow protocol and do not know if they will have money in the beach renourishment program. Mr. Pierce reported FEMA could give a time extension because they really want construction projects to be done within 3 years after the storm event. He said it is not an issue with FEMA to build the road without a beach. He reported they were reminded the county was given \$2.6 million after Hurricane Hermine and did not spend the money but the reason the county did not build the road was they did not have a permit from the state. Mr. Pierce stated now they have a permit and they need to construct a road. Commissioner Boldt said having the road there might give them a better strategy for what a good beach protection project looks like.

3. 21. Board discussion of development of potential MSTU for Alligator Point Road Protection project. In 2006, the Board developed an MSTU for a 3-mile-long beach restoration project on Alligator Point by utilizing the services of Nabors, Giblin & Nickerson Law firm, and a planning group called Government Services Group (GSG). We were advised that these two groups, who often worked together, were the experts in developing MSTUs around the state.

In consideration of a new MSTU I have asked Mike Dombrowski, MRD, to lead this effort because the protection of the road through the installation of a beach has not been completely designed, and therefore I imagine there will be some interface between the team designing the beach project, being MRD, and the team developing a funding source for the maintenance of the project, being the law firm and GSG. MRD has provided me with a scope of work that utilizes the Nabors, Giblin law firm and GSG, to develop the boundaries of an MSTU, and a preliminary millage rate. MRD has worked with both firms on MSTU projects in the past. The proposed fee is not to exceed \$27,500.

I am not asking the Board to enter into this contract at this time but I want to bring up the subject as it was discussed at the last Board meeting. This proposed MSTU has two significant differences from the last one- an evaluation on the number of parcels involved, and an evaluation of whether only one rate is appropriate. I have said publically that this project is designed to protect approximately 1 mile of Alligator Drive, and thus there would only be one rate applied to all those deemed to benefit from the protection of the road. At a minimum there might only be some 400 property owners west of the washout that would meet the legal requirement of needing the road protected, and at a maximum there might be as many as 1400 parcels, if all of Alligator Point and Bald Point met the legal requirement of benefiting from the road protection. The argument for the larger boundary is that the current fire station and water district office are both west of the washout so everyone benefiting from those two services might have a legal connection to the protection of the road. This is a swing of some 1000 parcels and would have a significant impact on a proposed rate.

In the previous MSTU there were 3 assessment rates depending on a parcel's proximity to the beach, but now I am proposing there only be one rate. The legal basis for utilizing one rate also needs to be researched, as it might be that there is still a benefit to owners in the immediate area that cannot be discounted.

Franklin County is requesting \$200K of design funds from the FDEP Beach Renourishment Program. Our proposal has not yet been ranked by FDEP and of course the legislature has yet to approve any budget. If we get the design funds this year, then Mike Dombrowski and I will recommend the Board begin the process of developing a funding source for maintaining the project, as neither the Board nor FDEP will probably fund a construction project without the maintenance worked out. The earliest construction funds could become available would be after the 2020 legislative session.

I bring all this up now so that the Board and the public are aware of what still needs to happen to protect the road. I realize other funding mechanisms have been discussed, such as parking fees, and those certainly might contribute to the funding of this project, but I believe the creation of an MSTU is fundamental to the maintenance of any road protection. The MSTU is an assessment that would be collected as part of a parcel's property taxes, and all other forms of funding are untested.

Mr. Pierce said they do not need to act on the MSTU until they know if they will get design and construction money. He stated if they get funds then in January they will start talking about the

structure. Chairman Lockley reported that will be money to keep it going. Mr. Pierce answered yes, and said the risk is even without a hurricane this section of shoreline is a highly eroding area and every 8 years the sand must be put back. He explained someone must pay to put the sand back there and FEMA will not pay for normal erosion. He pointed out they know this sand is sacrificial but it will wash away instead of the road washing away. Chairman Lockley reported this road and C.R. 30 will wash out any time the county gets a big storm. Mr. Pierce stated in the case of Tropical Storm Nestor the county paid \$35,000 in repairs and FEMA is not involved. Commissioner Parrish said that is another reason for the MSTU is if the whole beach is washed away in a storm event FEMA will only pay for 50% to put the sand back so they need a mechanism to match the FEMA funds. Mr. Pierce reported sometimes the amount FEMA provides changes based on the severity of the storm but they never pay 100%. Commissioner Boldt said they are building information from many different sources and making wholesome decisions. He stated the outcome and suggestions will be well taken.

4. 22. Board update on TRIUMPH funds. I attended a TRIUMPH staff meeting on Friday, December 6, to hear an update on the expenditure of funds throughout the TRIUMPH area. Chairman Gaetz was at the meeting and encouraged the counties to continue to develop economic development projects. Chairman Gaetz told the meeting that the Governor has informed him that he, the Governor, is directing some \$25M worth of interest generated from unspent TRIUMPH funds to be sent to the Dept. of Economic Opportunity (DEO) to help those counties impacted by Hurricane Michael. Along with the funds TRIUMPH staff sent over a list of projects to FDEO that they think should be funded, and one of those projects is the \$1.1M fuel farm and back-up generator for the airport. As the Board is aware, we have spent over six months working and re-working this generator project to get it in line with TRIUMPH guidelines. It is my opinion that the county is better off having FDEO fund the airport project because there will not be any job creation requirements, or any claw-back provisions.

Mr. Pierce said he spoke with Representative Shoaf's Office and informed them of the funding opportunity from FDEO and asked them to promote the airport project with FDEO. He reported Representative Shoaf has submitted a bill to the Legislature to fund the county EOC but if FDEO is getting funding then maybe the county may not have to wait for the Legislature.

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

Mr. Moron presented his report, as follows:

#### **Action Items**

1. 23. Weems CEO Agreement: At your August 13th meeting the Board authorized an agreement with Pastor David Walker to serve as Weems Hospital Interim Chief Executive Officer for a period of three months, with an option to extend an additional three months on a month to month basis for a salary of \$10,416.67 per month. We are now into the second month of the month to month extension, so I am recommending that the Board renew the agreement with the Interim CEO and guarantee three more months

with another three-month option. This would guarantee his position until March 17, 2020. April, May, and June 2020 would be based on a month to month basis.

**Request:** Board action to renew the agreement with Pastor David Walker as Weems CEO from December 17, 2019 to March 17, 2020 along with a three-month extension on a month to month basis (April, May, June 2020).

Chairman Lockley said Mr. Walker is doing a good job and he questioned why they cannot make this agreement for a year so they are not going back and forth every few months. He explained if they get to a decision on the hospital they will need someone there. Commissioner Boldt agreed they would have consistency if they keep Mr. Walker on and he thinks they should consider a year extension. **Commissioner Boldt made a motion to extend the contract for a year contingent upon making sure Mr. Walker is okay with the future extension.** Mr. Moron said he did it for 3 months because he was renewing what they did before. Commissioner Boldt reported the hospital departments are harmonious now and there is a positive environment for the first time in a long time at the hospital. Commissioner Parrish questioned what will happen if they engage another entity to come in and manage the hospital and they have Mr. Walker there on a 1 year basis. He asked if the entity wants to bring in their own CEO then is the Board obligated to pay Mr. Walker for a year. Commissioner Parrish said that is the dilemma and why he has not seconded the motion and not because of anything against Mr. Walker. He stated one of the groups says they are willing to work with them and the other probably is not but they have not made a decision on which entity they are going with. Commissioner Boldt said he cannot remember if both of the entities will work with the people they had in place. Commissioner Parrish was not sure but said he is more in favor of what Mr. Moron proposed until they know where they are going with the hospital. Mr. Walker stated he is fine with whatever decision the Board makes but he will not be paid if the company wants to move in another direction. He said there is not going to be severance pay for him and he thinks the money needs to be in the hospital. **Commissioner Parrish seconded the motion.** Attorney Shuler recommended the Board resolve this by having a longer term contract with a termination of convenience provision stating in writing what Mr. Walker said which is no severance package is. He stated he can draft a letter agreement reflecting the Board's directions and Mr. Walker's comments this morning. **Commissioner Boldt amended his motion to include Attorney Shuler drafting a letter agreement. Commissioner Parrish amended his second. Motion carried; 5-0.** Commissioner Boldt said this was a vote of confidence for Mr. Walker and they appreciate him.

2. 24. Timber Island Road: Mr. Curenton has received a new SCOP agreement from DOT for repaving Timber Island Road from Highway 98 to the Carrabelle River and building guardrails on the Timber Island Bridge. The total contract for the surveying, design, permitting and construction is \$819,740. The work will have to be completed by June 2021.

**Request:** Board action to approve the resolution that authorizes the chairman's signature on the SCOP agreement.

**On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the Resolution and authorize the Chairman's signature on the SCOP agreement.**

3. 25. FDOT 2020 Application Cycle: Mr. Mark Curenton was notified yesterday morning that the application cycle for FDOT's Small County Outreach Program (SCOP), Small County Road Assistance Program (SCRAP), and County Incentive Grant Program (CIGP) grants are now open. The application window for these grants closes on March 20, 2020. Franklin County is eligible to apply for three (3) SCOP projects, two (2) SCRAP projects and one (1) CIGP project. The two cities are also eligible to submit a possible CIGP project to the Board of County Commissioners for their decision on which CIGP project to submit to FDOT for consideration. Contact Mr. Curenton as soon as possible to discuss the specifics of these grants as it applies to possible projects in your district.

**Request:** Board discussion.

Commissioner Parrish asked Mr. Kennedy to come forward. He asked if CIGP funds are used for sidewalks. Mr. Kennedy was not sure which funds could be used for sidewalks. Mr. Moron said he thinks it is the LAP Program. Mr. Pierce said the county does projects for the City of Carrabelle because they are not LAP certified. Commissioner Parrish stated he has asked for sidewalks from the NAPA Store to the IGA Store in Apalachicola. He explained people are walking on the sides of the road day and night and he requested they apply for grant funds and nothing has happened. Mr. Moron said they applied and the project was not funded so they can submit it again to DOT. Mr. Kennedy reported it would not have been one of these programs but DOT has other programs that deal with sidewalks or multi-use paths. Mr. Moron stated the project was submitted. Commissioner Parrish said it needs to be re-submitted. Chairman Lockley asked if these are for evacuation routes. Commissioner Jones pointed out some of the funds are for resurfacing and some are for different things but none are for paving an unimproved road. Mr. Pierce agreed unimproved roads are the lowest priority. He said everything else will be funded before they consider paving a new road. Commissioner Parrish stated there are roads in Eastpoint that need to be resurfaced and he would like to see some of the funds spent there. Commissioner Jones explained they applied 3 years in a row and have not been funded. Mr. Moron said they have re-applied and done plans and direction routes. Commissioner Parrish asked if they can direct the engineer to do some things to get more points to score better and then reapply. Mr. Moron said there is 1 road that is caving in. Commissioner Jones said it is Hickory Dip Road. Chairman Lockley asked if they get points for an evacuation route and said some people use this road to evacuate. Commissioner Jones agreed some people use this road to evacuate but not a lot of people. **On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to direct the engineer of record to work with Mr. Curenton and someone in that office to see if they can get some of these projects to move forward and get the points necessary for approval.** Mr. Moron asked the Board to let them know if they have other projects as background work will need to be done.

4. 26. Old Ferry Dock Road: The FWC grant for designing improvements to the Old Ferry Dock Boat Ramp is set to expire on December 31. DEP has asked for a hydrographic analysis before they issue the permit for the boat ramp. This will take several months to accomplish, so Mr. Mark Curenton has asked FWC for a six-month time extension. FWC approved the extension.

**Request:** Board action to authorize the Chairman signature on the necessary documents for the time extension.

**On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize the Chairman's signature on the necessary documents for the time extension.**

5. 27. Buddy Ward Reef: The U. S. Army Corps of Engineers has sent the first-time out letter and the initial proffered authorization for the Buddy Ward Memorial Artificial Reef project. This project has been in the works since January 16, 2018 when Mr. Grayson Shepard appeared before the Board seeking approval to create the artificial reef. The first-time out letter states that the Corps has completed the review and evaluation of the permit application and is requiring the applicant to review the terms and conditions prior to the Department of Army's final signature. There are special conditions that apply specifically to this project along with instructions to accept or object to any of the permit terms and conditions. In order to proceed with this project, the Chairman's signature is required on the permit which will be submitted to the Department of Army for the final signature.

**Request:** Board action to authorize the Chairman's signature on the permit and the submittal to the Department of Army for the final signature.

- o [20191210 First Time Out Letter.pdf](#) (0.17 MB)
- o [20191210 Franklin Co Buddy Ward pkg.pdf](#) (1.48 MB)

**Commissioner Parrish made a motion to approve contingent upon Attorney Shuler's review of the special conditions.** Attorney Shuler stated he reviewed the permit and there are no legal items that are objectionable. He said he did recommend Mr. Moron forward the permit to Mr. Sheppard, Mr. Pierce and Mr. Curenton for a planning point of view. Attorney Shuler said Mr. Sheppard does not have any problems with the conditions of the permit. He reported there were no objections from Mr. Pierce and Mr. Curenton from a planning standpoint. He recommended authorizing the Chairman's signature on the permit. **Commissioner Jones seconded the motion. Chairman Lockley said the motion does not have a contingency now. Commissioner Parrish and Commissioner Jones agreed. Motion carried; 5-0**

28. FDOT Beautification Grant: The county received notification from the Florida Department of Transportation that Franklin County has been awarded the Beautification Grant in the amount of \$97, 385. At your July 16th meeting the Board authorized Mike and Pat O'Connell of the St. George Island Civic Club to team with Mr. Mark Curenton, County Planner, to apply for this

grant. The grant funding will be used to improve the landscape, for the state-owned, land between the exit of Bryant Patton Bridge to Bayshore Drive. Mr. Fonda Davis, Parks and Recreation Director, has also been instrumental with this grant as his department is going to maintain the landscaped area. As with other FDOT grant projects, the County is responsible for the grant and will manage this project.

**Request:** Board action to accept this grant and proceed with the project.

**On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to accept this grant and proceed with the project.**

Commissioner Jones left the meeting at this time.

6. 29. CareerSource Agreement Modification: At your last meeting the Board authorized the Chairman's signature on a Modification to Worksite Agreement which allows for the placement of CareerSource workers within different county departments to assist with Hurricane Michael recovery. I indicated that the original agreement expired so to continue the program it was necessary to approve this agreement. What was unknown at the time, due to an oversight at CareerSource, is that the agreement expired on September 30, 2019 so the agreement requires a date prior to the expiration date, not the December 3rd meeting date when it was approved by this Board. The modification extends the agreement to September 30, 2020 unless available funding ends before that date.

**Request:** Board action to authorize September 30, 2019 as the date on the CareerSource Modification to Worksite Agreement. The Chairman's signature was authorized at the December 3rd meeting for this same agreement.

**Commissioner Parrish made a motion to authorize September 30, 2019 as the date on the CareerSource Modification to the Worksite Agreement. Commissioner Massey seconded the motion.** Attorney Shuler said he needs to work with Mr. Moron on how this needs to be worded on the agreement. **Commissioner Parrish amended his motion to direct the County Attorney to work with Mr. Moron on this agreement. Commissioner Massey amended his second. Motion carried; 4-0.**

Commissioner Jones returned to the meeting.

7. 30. 2020 Census: At your December 3rd meeting while informing the Board of the first Census Complete Count Committee meeting, a small advertising and promotional budget was discussed. The Census Bureau states that each person counted brings at least \$14,000 to the county, therefore each local government should contribute \$0.50 (11,000 x .50 = \$5,500) per resident to the Census Committee to assist with awareness and other phases of the 2020 Census. The Census Committee is in the awareness phase of the 2020 Census and would like to order a couple of banners and a tablecloth that would be used during County events to promote the 2020 Census. Mr. Rick Watson, Tax Collector and a member of the Census Committee, will loan the committee a tent during these

events. With that in mind, I am asking the Board to consider a budget of up to \$4,500 for the Census Committee. In addition, the committee is still seeking representatives from the community, in unincorporated Franklin County, to volunteer and assist with reaching those in their neighborhoods that may have questions or need guidance regarding the 2020 Census.

**Request:** Board action to authorize up to \$4,500 for advertising and promotions for the county's 2020 Census CCC. I will authorize all purchases for the CCC.

**On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize up to \$4,500 for advertising and promotions for the county's 2020 Census CCC.**

8. 31. 911 PSAP Agreements: Sheriff Smith forwarded me an email sent to him that based on HB441 each Sheriff is to develop and file with FDLE an inter-local agreement, also known as a Public Safety Answering Points (PSAP) agreement by January 1, 2020. "The Sheriff is required to engage all the stakeholders in his/her county to establish the protocols under which each PSAP can directly communicate with all first responder agencies". Since time is of the essence, would the Board consider authorizing Attorney Shuler to work with the Sheriff on creating this inter-local agreement and authorizing the Chairman's signature on this agreement after Attorney Shuler has approved it.

**Request:** Board action to authorize Attorney Shuler to work with the Sheriff on creating this document and authorize the Chairman signature once the document is completed and approved by Attorney Shuler.

Mr. Moron said he thinks they already do this but need to put it in writing. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize Attorney Shuler to work with the Sheriff on creating this document and authorize the Chairman's signature once the document is completed and approved by Attorney Shuler.**

9. 32. Sheriff's Letter of Support: The Sheriff, in his quest to seek funding for the proposed county's drug rehabilitation center (Bay City Wellness Center), is asking the Board to authorize a letter of support for the project. The Sheriff is seeking Legislative funding for this project and would like to add a letter of support, from the County, to the application.

**Request:** Board action to authorize the Chairman's signature on a letter of support for Bay City Wellness Center project.

**Commissioner Boldt made a motion to authorize the Chairman's signature on a letter of support for the Bay City Wellness Project.** Mr. Moron said there is no commitment on funding or anything like that he just wants a letter that the county supports the project. Commissioner Parrish reported he has no problem with the letter of support but it needs to be stated that the Board has allowed the Sheriff to take over the Bay City Work Camp as a place to house this but



the county is financially unable to support this project. He said the county does support the Sheriff in his endeavors. Commissioner Parrish stated the building is the county's contribution. Commissioner Parrish explained the county does not have the financial resources for this project. **Commissioner Boldt amended his motion to include the language suggested by Commissioner Parrish. Commissioner Parrish seconded the motion with the stipulations.** Chairman Lockley said if this facility will be for people from anywhere then they should ask the surrounding counties for letters of support. Commissioner Parrish stated the Sheriff may have already asked for their support. Attorney Shuler agreed the request will not hurt. Mr. Moron said he will suggest the Sheriff reach out to other counties for support. **Motion carried; 5-0.**

10. 33. Attorney General Opioid Task Force: The county received a letter from the Attorney General Ashley Moody office stating that she has been appointed as Chair of the Statewide Task Force on Opioid Abuse by Governor DeSantis. As part of the task force's role in developing a statewide strategy to address this crisis, the state is asking for the county's input "on what programs would most effectively abate the opioid crisis in your community". The state is trying to develop a strategy in advance of any settlement of the ongoing negotiations in the opioid litigation. With that said, Attorney General Moody is hosting a meeting on January 13, 2020 from 9-11 AM (EST) for an open-table discussion to identify each community's input. There are space limitations, so they are asking the county to send only one representative.

**Request:** Board discussion and action on sending a county representative to the Task Force on Opioid meeting.

**Commissioner Parrish made a motion to send Sheriff Smith to this meeting. Commissioner Boldt seconded the motion.** Commissioner Jones said in talking with the Sheriff he said he would be glad to represent the county on this issue. Commissioner Jones stated he does not think anyone would be better to address this issue than the Sheriff. **Motion carried; 5-0.**

- o [Letter-Office of the Attorney General.pdf](#) (0.14 MB)
11. 34. DACS Aquaculture Use Zone: Mrs. Portia Sapp, Director at the Division of Aquaculture, has sent a package for your review for a new Aquaculture Use Zone. After reviewing the package, the County has until January 11, 2020 to comment on and or to concur with or object to the proposed project. Your comments will be used in the department's evaluation of the proposed Aquaculture Use Zone and activities. The department will consider the following preferences when issuing leases: applicants that are Franklin County residents, applicants that have attended a pre-application meeting (which will be held in Franklin County to provide an overview of the aquaculture leasing process and requirements), applicants that have not previously held a 10-year renewable aquaculture submerged land lease, applicants that have held a Saltwater Products License (SPL) for at least three of the last five years, and applicants that have held a SPL with an oyster endorsement for at least three of the last 10 years. I sent the package to Mr. Josh Adams (ARPC) to verify that there are no conflicts with the Franklin 98 Living Shoreline project. He verified that there are no conflicts. You may send your comments to me or to Mrs. Sapp (Portia.Sapp@fdacs.gov) directly.

**Request:** Board discussion regarding the preferences and overall project.

- [Four Mile AUZ agency review.pdf](#) (1.14 MB)

Mr. Moron said the most important thing is the requirements and preferences they are offering because that will determine the order of how people get the leases. He explained they will be flooded with applications and will apply the preferences. He asked the Board to let him know as soon as they can if they have any issues with the preferences. Chairman Lockley reported a lot of people did not get a license in the last 2-3 years because there was nothing out there. Commissioner Jones said he thinks that is why it is 3 of the last 5 years. Commissioner Parrish reported one of the issues that was brought up at the meetings at the Armory with Ms. Sapp is getting them to entertain preferences for Franklin County residents because people are out of work. Chairman Lockley stated people from out of state did not have a license.

### **Information Items**

1. 35. P&Z Office Christmas Week Schedule: The Planning and Zoning Office schedule will deviate slightly from the other County Offices during the week of Christmas. To better serve the contractors, our office will be open on Monday, December 23rd and Tuesday, December 24th (Christmas Eve) and will be closed on Wednesday, December 25, Thursday, December 26th, and Friday, December 27th with the exception of the Building Official. He will do inspections on Monday (12/24) and Friday (12/27). Staff will recommend to all contractors/builders (website and media advertising) that if construction project inspections are needed that week, to schedule the inspections on Monday or Tuesday so the Building Official can do them on Friday, December 27th.

Mr. Moron discussed the changes to their Christmas schedule and said it will be advertised.

2. 36. FAC 2020 Legislative Day: Remind the Board that Wednesday, January 29, 2020 is the Florida Association of Counties Legislative Day. This will be an opportunity to discuss some of the priorities that affect Franklin County as well as all Florida counties. FAC, in an effort to centralize the day's activities will try and schedule most of the events at the Challenger Learning Center which is steps away from the Capitol Building. Contact Cheyenne as soon as possible about any arrangements for that day.

Commissioner Massey inquired about the issue with the new Library Director and the emails. Mr. Moron said he has received a lot of emails about the new Library Director. He said he met with the new Library Director and received emails after. Mr. Moron expressed his opinion that there is a personality clash with the library staff, patrons and people that use the library for programs. Commissioner Parrish asked if they have ever had a good Library Director. He said no matter who it is there is always a problem. Mr. Moron stated they usually have problems with the Carrabelle Branch but now he is receiving calls from both branches. Commissioner Massey said he is getting calls that people are going to be written up. He stated they have never hired anyone local and the Library Director has always been someone away from here. He said the current situation cannot keep going on. Commissioner Jones explained he has not

had any issues at the Eastpoint Library until recently. He said he is around the library and there has never been an issue until now. Commissioner Parrish questioned what they should do. Commissioner Jones said if something does not change they will need to make a decision. Commissioner Massey reported the new Library Director is on a 90 day probation period and if something does not change then he will make a motion to do something different. Mr. Moron said they are about 45 days into the 90 days and he will meet with him again and renew some of the issues he told him to work on. Chairman Lockley asked Mr. Moron to talk with him and tell him they are receiving complaints. He said to give them a status on the time. Chairman Lockley said the Library Advisory Committee needs to come to the next meeting because they hired this individual. Commissioner Massey agreed the new Library Director and Mrs. Kate Aguiar, Library Advisory Board, need to be at the next meeting. Commissioner Boldt said to let him know the time they spent on this and that they are concerned. Commissioner Massey stated some of them are not hearing about this but he and Commissioner Jones are hearing about it. Commissioner Jones said it is not really about them but about the library and people trying to use the services. He reported if someone feels they must complain to a County Commissioner then it is outside the scope of a public library. Chairman Lockley advised Mr. Moron to meet with him and if things do not get better then he needs to come before the Board. Attorney Shuler suggested Mr. Moron work with the outside labor law attorney first before they go any further. Mr. Moron agreed to contact him. **On motion by Commissioner Jones, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to direct Mr. Moron to contact the outside labor law attorney but not to go past the 90 days to hear back from the attorney.**

- [SGI Overlay-Advertisement and Ordinance.pdf](#) (0.65 MB)
- 4. 18. 11:05 am (ET) - (First of Two Public Hearings) The Franklin County Board of County Commissioners will meet at 11:05 am (ET), or as soon thereafter as is possible to accept public comments on a proposed ordinance to amend the St. George Island Corridor Overlay District by removing the prohibition against single family residential uses on the ground floor for property located within a 2,100-foot radius of the center point of the intersection of Franklin Boulevard and Gulf Beach Drive, on St. George Island, Florida, as described in Plat Book 2, page 7, Franklin County, Florida, excluding the area east of the east boundary of Third Street East and west of the west boundary of Third Street West; providing for exemptions; providing for severability; and providing for an effective date.

*No vote shall occur at the public hearings held on December 17, 2019.*

- [SGI Overlay-Advertisement and Ordinance.pdf](#) (0.65 MB)

Attorney Shuler explained this is the first of two public hearings on a proposed amendment to the St. George Island Overlay Ordinance. He said the hearing will take place in two components and the first step is to recess the Board of County Commissioners meeting and reconvene as the Local Planning Agency (LPA). He explained the LPA will consider an Ordinance and he read the caption of the Ordinance. Attorney Shuler reported in February, 2018 the Board adopted a

corridor district with provisions for development restrictions and standards. He explained it became apparent when items in the corridor district were being reported as creating problems for certain property owners within the overlay district specifically the C-4 residential properties. He stated C-4 has historically been mixed use development and they could have a purely residential component and residential use or a mixed use of commercial and residential uses. Attorney Shuler explained they were receiving complaints because within the business district based on a number of factors people were having a strictly residential component instead of building a business. Attorney Shuler said that is what they had subsequent to the overlay which then imposed a requirement mandating commercial use on the first floor of C-4 properties. He reported approximately 65-70 of these C-4 residential units within the district came to the County Planner initially and then to his office. He explained the concern is that they want to be able to rebuild as a purely C-4 residential use. Attorney Shuler reported there are also concerns that there are certain lots within the overlay district which cannot meet the parking standards if they are required to have a commercial business on the first floor and residential use on the second floor and above. Attorney Shuler reported the Board directed him earlier this year to schedule a public hearing to consider this matter. He explained the way it was advertised it includes not only the C-4 residential properties but also the C-4 vacant lots. He said the Board is in a procedural position to conduct this hearing as the LPA. He asked if there are questions from the Board on how they proceed. Commissioner Jones said he understands about this unintended consequence because he made the motion for C-4 on the Island to be true C-4. He questioned if it is possible to take care of the immediate need to grandfather in all the existing residences in that district and at some point in the future address something like the parking situation because it is based on potential because there is not a plan being submitted for the lots. He said based on the fact that the lots are vacant they should be able to address them at a later date and take care of the existing problem now. Commissioner Jones stated this came up because of Hurricane Michael and if the structures had been destroyed under this overlay they could not have rebuilt the units but would have had to build a commercial business. He asked if they can proceed in this fashion. Attorney Shuler responded yes, the Board can limit this draft to the existing C-4 developed properties that have a purely residential component and wait to address the approximately 65 vacant C-4 lots in the future. Attorney Shuler asked if the Board has any other questions. The Board did not have any additional questions. Chairman Lockley recessed the Board of County Commissioners' meeting and opened the LPA meeting. Attorney Shuler read the caption of the Ordinance. Chairman Lockley asked for public comment.

Mr. Mason Bean, a resident of St. George Island, said he knows the Commission had great intentions but the way this ordinance was initially thought of was the existing buildings would be grandfathered in and if anything happened they would be able to rebuild. He explained the way the amendment was written they are opening up all the commercial lots to allow a residential property. Mr. Bean stated commercial buildings must provide a plan for stormwater, parking, signage and access and there are safeguards built in. He reported this would allow shot gun houses to take over the commercial area. He reported his vision is St. George Island could have a commercial area and downtown but this ordinance as written would waive that. He asked the Board to deny this and fix the ordinance.

Ms. Angela Troy, a property owner on St. George Island, presented the situation with her property and said she could not have a commercial venture because she could not meet the parking requirement without giving up one of her lots. She said in the past the lots running along the bay and along the beach were prime lots and have the majority of homes and something could be added that they remain homes. She suggested the center of the island retain its commercial district.

Mr. Jim Waddell reported he is representing property owners, Roger & Patty Crawford that own a gulf front personal residence at 112 Gorrie Drive. He explained this is a 25 ft. lot in the C-4 in the overlay district. He stated Mr. Crawford asked him to review the requirements of the overlay district as he has been involved in representing him as this issue moves forward to today's hearing. He said there are a number of things in the overlay district that are problematic for an existing homeowner such as parking for the residences and if there is a commercial component there are other state and federal requirements that are imposed such as accessibility for handicapped people. He pointed out it is nearly impossible for a single residential lot to provide both parking for a resident and parking if there is a commercial component. He stated the issue of what to do with wastewater is also a concern. Mr. Waddell reported Mr. Crawford's residence is served by a remote drain field which is regulated by the Department of Health. He stated expanding the capacity to support a commercial component would be nearly impossible and would require collaboration with multiple property owners to provide the capacity. He said the waste storage for receptacles has a 20 ft. setback requirement that is also problematic. Mr. Waddell requested the Board either exempt or grandfather his client and the other existing homes from the standards imposed by the district. He said grandfathering or a blanket exemption for the existing homes is the level of assurance his client is seeking.

Mr. Danny Grimarul, a resident of Ft. Myers, said they went through the same thing in Naples and they are making plans for what benefits the future. He stated a mixed use plan does not take commercial property and convert it to residential because they will only get a return one time. He said at some time in the future a lot of these lots will be built and occupied with full time residents and they will pay their taxes. He explained if there is a vibrant commercial district it will generate property taxes, personal taxes, create jobs and build a foundation. Commissioner Parrish left the meeting. Mr. Grimarul encouraged the Board to move with the flow of what is going to happen and set the precedent.

Mrs. Marilyn Bean, a resident of St. George Island, stated at the last public hearing when former Commissioner Cheryl Sanders made a motion for no new residences in the commercial area she was clear that there were no new permits and it did not affect the existing homes and they would be grandfathered in. Mrs. Bean said they must be careful in planning for the future and that their commercial is from 3<sup>rd</sup> Street to 3<sup>rd</sup> Street. She stated in the future they will need more businesses and retail and they need to keep the commercial area zoned commercial for any new construction.

Ms. Rose Drye, a resident of St. George Island, said they refer to the existing homes as grandfathered in and she asked if they would still be a non-conforming use and subject to those rules. Attorney Shuler stated if they are grandfathered in and an exception from the ordinance and they are destroyed by more than 50% then they could rebuild as a purely residential function. Mrs. Drye questioned if both elements grandfathering in and having an exception for the property would be in the proposed change. Attorney Shuler responded yes, he thinks they are one in the same. Mrs. Drye questioned if grandfathering in is an excepted use. Attorney Shuler explained they will be allowed as a non-conforming use which they are now and presently if they were destroyed more than 50% would have to rebuild as commercial on the ground floor and residential on the second and above floors and what is being discussed is how to address it. He said if what is passed at the final hearing is what is being discussed then the existing C-4 residential properties would be allowed to rebuild with a purely residential component. He explained they will not be non-conforming if the ordinance is amended to allow for it. Ms. Drye said that would be good because they are talking about over 50 existing single family residences. Attorney Shuler reported he was told it affects 65-70 properties.

Attorney Shuler said Mr. Moron is displaying a map Mr. Curenton prepared that was presented in July when the Board authorized this public hearing. He explained this map shows the C-4 residences within the business district. He stated there are approximately 65 C-4 residential properties within the commercial district that they would consider grandfathering in and allowing them to rebuild as a strictly residential use if they were destroyed by more than 50%. Attorney Shuler reported there are also approximately 60-65 vacant C-4 properties within the business district that would have these potential parking issues and they are talking about not dealing with those until later. He reported this is a fairly large issue and the reason the ordinance was drafted this way was to clarify the discussion about the number of units that would be grandfathered in and the number of vacant lots that may have future issues that need to be dealt with. Chairman called for public comment again. Attorney Shuler said the Board can now have discussions as the LPA. Commissioner Jones stated he is for doing their best to create an ordinance for a more vibrant future for the business district on St. George Island. He reported if they can move forward to grandfather in the residences that were already in existence in this district before this act they created and move forward and give space for there to be more businesses on the island and not just purely residential. He said if the businesses are going to exist they must have a place to be and that is his intent. Commissioner Jones stated when they first started talking about the overlay district it was to give businesses a place to be. Chairman Lockley agreed but said he is concerned about the parking. Commissioner Jones said it is hard to address potential parking when they do not know what will be requested. Attorney Shuler presented the map and showed the lots that would have a parking problem. He explained the 25 ft. lots do not front on a public road and have an alley so they have a hard time meeting the 3 minimum parking spaces that would be required for a mixed use development. He said the minimum parking for an individual lot that has the mixed use component is 2 parking spaces for a residence and 1 parking space for every 200 ft. of commercial space. He explained the areas that will have a problem. Attorney Shuler stated there is nothing wrong with identifying the existing C-4 properties and dealing with that

problem now. He reported he has talked with Mr. Curenton about finding a path forward for the other lots that are zoned C-4 but are going to have these parking problems. He explained all of these items do not have to be solved at one time and the Board can deal with one issue now and another one in the future. Attorney Shuler addressed the lots on the map and said the Villas of St. George is not a C-4 property and he was told were developed under another development order from the county. Attorney Shuler reported he is not envisioning a grandfathering of the Villas of St. George. Attorney Shuler identified the properties on the map that the Board would consider grandfathering in and said they would create an exception from the overlay district to allow them to rebuild as C-4 residential with purely residential and no commercial component. Commissioner Boldt asked about the other properties in that district that are not highlighted on the map. Attorney Shuler stated under the current proposal those lots would have to be rebuilt with commercial on the ground floor and residential up top. Attorney Shuler advised the Board if they are finished with their discussions then they can close the LPA meeting and reconvene as the Board of County Commissioners meeting and conduct a public hearing. He stated the Board will not take a vote today. Commissioner Massey questioned if the property where the skinny minis are was commercial. Attorney Shuler said they were all commercial and C-2 properties that were rezoned to C-4 along the bay and then rezoned for the purpose of constructing the C-4 residences that he described. He explained the C-4 residences mean it is a commercially zoned C-4 property but has a purely residential component. He reported with a private overlay that is how the C-4 district was implemented with a pure commercial use, a pure residential use or mixed use mixing commercial and residential. Attorney Shuler said that is how the market forces had worked until recently and there was not much mixed use. He explained for the most part it has been purely residential uses in the commercial district which is why people in the community came forward and asked the Board to protect the business district. Commissioner Parrish reported if they do a commercial venture they would need 2 lots to provide for an aerobic system and parking because the lots are skinny. He asked when the lots were platted. Attorney Shuler responded in the 1950's or 1960's. Commissioner Boldt asked if the intention is to consider restoring the use of the property to the way the original buyer intended it to be when it was bought. Attorney Shuler said he is referring to when the individuals received the rezoning from C-2 to C-4 and the approval to build the purely residential use of the property and that is the intent of Commissioner Jones' comments. Chairman Lockley closed the LPA meeting and reconvened the Board of County Commissioners meeting. Attorney Shuler read the caption of the ordinance. Chairman Lockley asked for public comment.

Ms. Troy pointed out her lots on the map and said this provides an example of what they are discussing. She said with the 1 lot she can meet the requirements if she builds a home but cannot meet the requirements if she must put commercial on the first floor. She explained she also has a business but it is on 2 lots and set back 50 ft. to meet the parking requirements. She said her lot is a prime example and if they do not grandfather these lots then she cannot use her 1 lot. She suggested they consider a change to the lots on the bay and the gulf.

Mr. Grimarul said they are talking about how to implement this and what the problems are now but there are ways to resolve it. He reported parking is an issue in every city but they can overcome the problem. He stated they need to preserve what they have so they have the opportunity to face the problem when it occurs.

Mr. Bean reported Ms. Troy's was a good example to continue the residential use but the intent was to preserve. He pointed out in C-2 residential was a prohibited use. He stated once they started the C-4 everyone is going to want to rezone and that is the threat and he hopes they can compromise along the water. Mr. Bean encouraged the board to keep the downtown future.

Mr. Paul Riegelmayr, a resident of St. George Island, said he agreed with Mr. Bean's suggestion of a compromise and allowing C-4 along the water (bay and gulf) and keep the rest commercial because they need a commercial district.

Attorney Shuler stated the Board can discuss this matter but voting will be at the second public hearing. He requested the Board take action to authorize the second public hearing occur at a time prior to 5:00 p.m. He said if the Board does not take action then the meeting would be after 5:00 p.m. Commissioner Massey referenced Ms. Troy's property and asked if years ago they could build a house on this property. Attorney Shuler explained C-4 zoned properties prior to February, 2018 did not have the same parking question because as site plans were being submitted people were making the economic decisions to have purely residential uses and they were able to meet the parking requirements for a residence which is 2. He reported they were able to build the skinny minis and use common drain fields. He explained they have come up with creative ways and the Board has assisted them by providing access across the right-of-ways with drain fields and things of this nature. Attorney Shuler said when the overlay was adopted in February, 2018 it required and mandated the commercial component on the first floor of C-4 properties and it changed the parking component to a minimum of 3. He reported the requirement is 2 parking spaces for the residence and 1 parking space for every 200 sq. ft. of commercial development. Attorney Shuler said for those units that front the water and have 1 public road they cannot meet the requirements. He stated some areas do not let you use the right-of-way for parking calculations but Franklin County has been generous in allowing this. He said the reason there is a parking problem now is the ordinance changed. Attorney Shuler stated they are working their way through addressing the issues and if they are not going to address the whole district then they may limit solving the issue for the C-4 residences and saving for a future date the other C-4 vacant properties. Commissioner Massey reported he understands they want a commercial district but does not want Ms. Troy not being able to use her 1 lot when she has paid taxes for years. Attorney Shuler said he asked the County Planner to come up with a plan for the Board to consider. He explained they may not be able to come up with an immediately solution other than to keep working on it and develop site plans as projects come in. Attorney Shuler reported there are many options and there could be variances for hardships. Chairman Lockley asked for the size of the lot and how many parking spaces there are. Attorney Shuler pointed out on the map the lots that are affected. He explained all of the lots are not C-4 some of them are C-2. He said the parking problems are



only occurring when a lot fronts 1 road. Chairman Lockley closed the public hearing. **On motion by Commissioner Jones, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to authorize the second public hearing the second meeting in January at 11 a.m.**

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

Attorney Shuler requested authorization for the Chairman to sign the closing statement where the county purchased the right-of-way from Mr. Steve Brown at Alligator Point. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize Chairman Lockley to sign the closing statement for the property of Mr. Steve Brown.** Attorney Shuler clarified this is a right-of-way near Alan Drive providing some alternative access.

Attorney Shuler reported on the Hurricane Housing Recovery Program (HHRP) contract they approved at the last Board meeting there was some discussion concerning how to make sure the contract provider, Ms. Lori Switzer, was paid according to the 15% allowed under the contract. He explained part of the issue was the state in the grant has mixed in administrative costs and with the salary to be paid to Ms. Switzer. He suggested she receive the entire 15% and out of that 15% Ms. Switzer would be responsible to make sure all the costs are paid out of the grant and provide documentation to the Finance Office that the costs are paid. Attorney Shuler reported the county will not be responsible for the payment of any of the costs for the HHRP. He stated the 15% is approximately \$185,000 and Ms. Switzer will be paid in 34 equal payments beginning September 1<sup>st</sup> as she has already been providing contract services. He said they will need to approve the contract retroactive to September 1, 2019. Attorney Shuler pointed out the contract the county signed with the state was dated July, 2019. **Commissioner Massey made a motion to approve the contract retroactive to September 1, 2019. Commissioner Jones seconded the motion.** Commissioner Boldt asked if Ms. Switzer will give an accounting of her expenses. Attorney Shuler agreed she will provide invoices and paid checks to the Finance Department. **Motion carried; 5-0.**

Attorney Shuler requested permission to conduct a public hearing for the Board to consider amending the ordinance to address overnight parking in county parks. He explained the original ordinance was adopted in 2005 but there was an exception for people to park that were crabbing and floundering. He reported there are a number of additional parks that have been added since 2005 and he is requesting the Board allow him to schedule a public hearing to consider some refinement to the provision that would allow an exception for people that are crabbing and floundering. Attorney Shuler stated the Sheriff might have some issues with enforcement of the current ordinance. **On motion by Commissioner Parrish, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize Attorney Shuler to schedule this public hearing.**

Commissioner Jones said since Ms. Switzer is doing her regular duties and the Hurricane Michael program he would like Ms. Switzer to start appearing at the Board meetings in January

and every other month with a report. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to request Ms. Switzer to start appearing at the Board meetings in January and every other month to provide a report.**

### **Commissioners' Comments**

The Board wished everyone a Merry Christmas.

Commissioner Jones said there will be a Seahawks' district basketball game on Friday night at the high school at 7:00 p.m.

### **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 12:09 p.m.

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Noah Lockley - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts