



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

MAY 04, 2021

9:00 AM

AGENDA

*The Board of County Commissioners asks that all cell phones are turned off or placed on silent (vibrate) mode. **Any handouts (information) for distribution to the Commission must be submitted to the Board Secretary (Clerk's Office) or to the County Coordinator on or before the Thursday prior to that Tuesday's meeting. Failure to do so will result in your removal from the agenda or a delay of any action relating to your request until a future meeting.***

Meeting Information

Effective May 4, 2021, the general public will be allowed in the commission meeting room for regular meetings. To comply with social distancing requirements, seating is limited, therefore the Board of County Commissioners encourages the public to continue the use of the livestream link or Zoom. Those wanting to view the meeting can use the livestream link (<https://facebook.com/forgottencoasttv/>) or go to Forgotten Coast TV's Facebook Page. You do not need a Facebook account to view Facebook live. The livestream feed will promptly start 5 minutes before the meeting commences. Those wanting to participate virtually during the meeting should use the Zoom log-in/call-in information provided below. There is a link to a list of videos and Getting Started Resources on the main "Agenda and Minutes" webpage for those unfamiliar with Zoom. If you are experiencing any issues with the livestream or Zoom, call (850) 653-9783 extension 373 for assistance.

To join Zoom via computer, use the link (<https://zoom.us/j/92757046689>) on the meeting date and time. If you do not have speakers or a microphone on your computer or prefer to call, you can dial in for audio. Call (301) 715-8592 or (312) 626- 6799 or (929) 205-6099 and enter ID number (927 5704 6689). All attendees are muted by default.

If you would like to speak during the meeting in-person or via Zoom, you are required to complete the virtual speaker card (<https://www.franklincountyflorida.com/virtual-speaker-card/>). This card must be submitted to the County Commission Administrative Office prior to the start of the meeting in order for you to speak during the meeting.

During "Public Comments" you may comment on a non-agenda item or a non-action item for up to 3-minutes when recognized by the Chairman.

You may also address the Commission on an agenda action item for one minute (which may change based on the number of speakers waiting to comment) during the meeting after a motion has been seconded and you are recognized by the Chairman.

*Once recognized by the Chairman, if you are on Zoom with a computer or smart device select the 'raise hand' icon. If you have dialed in to the meeting by phone press *9 to raise your hand, then *6 to unmute.*

Public engagement is important to us and use of Zoom for public participation is still a new process. We appreciate your understanding.

Call to Order

Prayer and Pledge

Approval of Minutes

A. April 20, 2021 Regular Meeting

Payment of County Bills

Public Comments

This is an opportunity for the public to comment on a non-agenda or non-action agenda item. When you are recognized to be heard by the Chairman, please adhere to the 3-minute time limit.

Clerk of Courts – Michele Maxwell – Report

B. Report (agenda packet)

Department Directors Report

Superintendent of Roads and Bridges – Howard Nabors

C. **Informational Items**

1. Detail of Work Performed and Material Hauled by District (agenda packet)
2. We hauled to our stockpile 38 loads (approx. 684 cubic yards) of milled asphalt from Graham Creek on 65 in Eastpoint from Roberts and Roberts.

Solid Waste Director – Fonda Davis

D. **Informational Item**

1. Right-of-Way Debris Pickup / Recycle Material Hauled (agenda packet)

Emergency Management Director – Pam Brownell

E. **Informational Items**

1. EOC Hosted a G-400 Class on 04/27 – 04/28/21.
2. IPAW/WEA/EAS System test was completed on 04/28/21.
3. EOC Staff along with our CERT Volunteers continue to distribute washable & reusable cloth mask throughout our community. We have partnered with the City of Carrabelle and City of Apalachicola Chamber of Commerce along with the St. George Island & Eastpoint Visitor Centers to assist with distribution to local businesses and residents. We will continue this effort as long as supplies are available.
4. EOC Staff continue to participate in conference calls with State DEM, Region 2, DOH, FEMA, etc. regarding COVID 19. We also continue to update WebEOC with Local State of Emergency and SitReps.
5. EOC Staff is participating in the K0705 Class.
6. EOC Staff filed quarterly reports for EMPG and EMPG-S.
7. EOC Staff participated in the FDEM Director Call on 04/28/21.
8. EOC Staff participated in the EMPA/EMPG Call on 04/15/21.

Extension Office Director – Erik Lovstrand

F. **Informational Items**

General Extension Activities:

1. During this period, the Extension office assisted citizens on the topics of disease in *Thuja arborvitae* trees, Master Gardener topics, snake identification, and more.
2. Extension Director participated in the NW District Natural Resource Agent program team webinar on the topic of Importance of Wetlands.
3. Extension Director participated in statewide Extension Symposium meeting virtually and provided two presentations related to collaborative work and sea turtle lighting project work.

Sea Grant Extension:

4. Planning continues for this Summer's Scallop-Sitter volunteer project. Volunteers will place and monitor bay scallops in predator-exclusion cages in St. George Sound to help restore the scallop population in this area.
5. Extension Director assisted with teaching a virtual Seafood HACCP class for students in a "seafood policy" course in the Florida Keys.

4-H Youth Development:

6. Extension Director assisted with the District III 4-H Public Speaking Competition, held at the Wakulla IFAS Extension facility. First place winners this year were from Leon and Wakulla Counties. However, Franklin County was well represented by Bailey Allen in the 4th/5th grade division and Elena Rodriguez in the 6th grade division.

Family and Consumer Sciences:

7. Family Nutrition Program assistant continues providing nutrition programming in local schools.

Agriculture/Home Horticulture:

8. Two Master Gardener classes took place at the local Extension office during this period. There are ten people currently taking the training.

Library Director – Whitney Roundtree

G. Updates, Informational Items, & Events

Updates

April 12th – Attended WILD Board Meeting

April 14th- Attended Friends of the Franklin County Public Libraries meeting

April 16th- Mailed My Florida Library advocacy statement postcards to Senator

Loranne Ausley.

April 28th- Attended WILD library directors meeting.

Informational Items

1. The Friends of the Franklin County Public Library are offering a scholarship in the amount of \$1,000.

They are looking for someone who wants to continue their education particularly at a vocational school.

They are not necessarily looking for a high achieving high school student, but would like to hear from GED recipients, homeschoolers, or students who have had to overcome difficulties and may not have considered applying for a scholarship.

Applications are available from the Franklin County School guidance counselor as well as at the public libraries in Eastpoint and Carrabelle.

2. June 1st will kick off our annual Summer Reading Program. The theme this year is “Tails and Tales” and when feature animals and stories. The library will offer a mix of live performances, educational programming, and fun reading incentives. The Franklin County Summer Reading Program is an all-ages event and is free and open to all members of the public.

Events

Carrabelle Branch

May 7th- Book Chat at 1:30 PM

May 8th- Story Time at 11:00 AM

May 11th- Anime Club at 4:PM

May 20th- Makerspace at 4:00 PM

Eastpoint Branch:

May 4th- Diabete’s Awareness at 10:00 AM

May 4th- Book Chat at 1:30 PM

May 11th- Story Time at 10:30 AM

May 13th- Anime Club at 4:00 PM

May 19th- Writer’s Forum at 1:00 PM

Eastpoint Civic Association – Rex Pennycuff – Request

Mr. Pennycuff, on behalf of the Eastpoint Civic Association, is asking the Board for assistance with the clean-up of the Eastpoint waterfront area.

Airport Manager – Jason Puckett – Update

Weems Memorial CEO – David Walker – Report

H. Report (agenda packet)

Alliant Management CEO/President – Jim Coleman Jr. – Update

L. Presentation

ARPC & WSP – Evan Blythe – Update

L. Evan Blythe (ARPC), Rick Harter (WSP), & Josh Adams (ARPC) will update the Board on the Franklin-98 project

CDBG Administrator – Deborah Belcher – Report

K. Information Items

1. As of Wednesday, April 28, 2021, all of the replacement mobile homes for the Eastpoint Wildfire CDBG project are set up. There is some minor work still underway, which is scheduled for completion by Friday, April 30, 2021, which is the grant expiration date. A total of 23 homes have been replaced in the Eastpoint Wildfire CDBG program.

2. Although I have inquired about the status of the County’s Hurricane Michael CDBG-Disaster Recovery application for restoration of dunes on Saint George Island, we have not received any news from DEO about the odds of funding. I did advise the Board during the application process that the score would be low, because the project would not primarily benefit

low/moderate income persons, and it is not a potable water/sewer/drainage project. However, we have not received any notice of rejection.

SHIP Administrator – Lori Switzer-Mills – Report

L. Action Items:

1. Hurricane Housing Recovery Funds (HHRP)

We advertised in April for bids for bid package #2 for 4 more mobile home replacements and had the pre-bid meeting on April 14th. The bid opening was April 28th. There were two bidders, Ironwood Mobile Homes of Perry and Clayton Homes. Ironwood Mobile Homes of Perry won all 4 of the bids.

Since bid package #1 last July, the prices of the mobile homes have went up 25-30% due to cost of materials to build them. When I opened the bids I was concerned that we will not have the funds to help the last few applicants on the list. I called Florida Housing to see if there are any more funds available to cover the increase in cost. There are no more funds. I spoke to Angela Webster with Capital Area Community Action (CAP) to see if they can cover the cost of some of the extra necessary things needed, i.e. septic replacement, engineered foundation, land clearing, tap fees. I was told that they can help with some or all of the costs. Their limit is \$10,000 per applicant.

Even with CAP taking care of some of the costs, we will still be over the \$75,000 mobile home replacement limit.

The bids are as follows:

Patricia Moore-552 Oyster Road, Apalachicola

2 bedroom, 2 bath singlewide.

Ironwood bid: **\$72,399.05** (price does not include engineered foundation \$8,500, if needed)

Clayton Homes Bid: \$124,000

I have already had the septic system pumped out and inspected. It did not pass inspection. She will need a new septic system. I spoke to Capital Area Community Action who will most likely be able to pay this cost.

Merry & Christopher Stokes-123 Long Road, Apalachicola

3 bedroom, 2 bath single-wide

Ironwood bid: **\$80,269.80**

Clayton Homes bid: \$136,000

I have already had the septic system pumped out and inspected. It passed inspection.

Emily Sullivan-151 Bear Creek Road, Eastpoint

3 bedroom, 2 bath singlewide

Ironwood Homes bid: **\$79,069.80**

Clayton Homes bid: \$138,000

Robert Lattimore-611 Ave D-7th Street, Carrabelle

3 bedroom, 2 bath singlewide

Ironwood Homes bid: **\$85,869.80** ((price does not include engineered foundation \$8,500, if needed)

Clayton Homes bid: \$148,000

Capital Area Community Action will possibly pay for the engineered foundation if it is required.

Action Item: Increase the limit for mobile home replacements from \$75,000 to \$86,000.

Action Item: Approval of bids

Patricia Moore

Mobile Home	\$72,399.05
Possible Engineered Foundation	\$ 8,500.00
Pump out & Inspection (paid)	\$ 425.00
Total not to exceed	\$81,324.05

Merry Stokes

Mobile Home	\$80,269.80
Pump out & Inspection (paid)	\$ 425.00
Total	\$80,694.80

Emily Sullivan

Mobile Home	Total	\$79,069.80
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Robert Lattimore

Mobile Home	Total	\$85,869.80
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I am planning to put together bid package #3 in the near future in which we will be replacing two more mobile homes and possibly 1 more mobile home repair depending on the amount of funding we have left.

SHIP 2018-2019 Funds

We are required to have the 2018-2019 funds spent by June 30th. As of this board meeting we have spent all of the funds \$ 497,870.11.

We are required to have the 2019-2020 funds encumbered by June 30th. Total funds \$376,925.35. As of this date we have spent \$96,817 and encumbered \$198,942. We are working to get the remaining \$80,000 encumbered.

As you know, we did not get our funding for this year, 2020-2021. We have a total of \$68,945.84.

Public Hearings 11:00 a.m. (ET)

- M.** Notice is given that on the 4th day of May, 2021 at 11:00 a.m. (ET), or as soon thereafter as is possible, in the courtroom at the Courthouse Annex, located at 34 Forbes Street, Apalachicola, Florida, the Franklin County Board of County Commissioners shall conduct a public hearing to consider adopting a county ordinance entitled:

An Ordinance Prohibiting the Parking or Leaving of Private Motor Vehicles, Trailers or Fifth Wheels on the Public Right of Ways on Alligator Point and St. George Island In Areas Marked No Parking; Providing Areas For Parking; Providing For Immobilization Devices; Providing for Towing at Owner's Expense on Authorization of County Sheriff; Providing for Penalties; Revoking All Other Ordinances Regulating Parking On Alligator Point and St. George Island; Providing for Severability and Providing for an Effective Date.

RFP / RFQ / Bids Opening

- N.** FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REQUEST FOR QUALIFICATIONS PROFESSIONAL CONSULTANT SERVICES FOR THE COMPLETION OF A COUNTY-WIDE DUNE RESTORATION STUDY
- O.** FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REQUEST FOR QUALIFICATIONS PROFESSIONAL CONSULTANT SERVICES FOR PLANNING AND DESIGN – ST. GEORGE ISLAND STORM WATER DRAINAGE IMPROVEMENTS

Fiscal Manager/Grants Coordinator – Erin Griffith – Report

P. Action Items

1. Release RFQs to ranking committee RESTORE Projects

The Board is opening the RFQs for the County Wide Dune Restoration Study and the St. George Island Storm Water Drainage Improvement Projects today. Once the RFQs are opened, the Board will need to turn the RFQs over to the Evaluation Committee (as designated at your April 6th meeting: myself, Alan Pierce and Mark Curenton) to evaluate the responses and make a recommendation to the Board. Upon selection/confirmation of the recommended firm, county staff will then begin negotiations to create a budget to accomplish the Scope of Work in the RFQ. As reported at your meeting on February 16th, the contract will not be able to be awarded until the grant is formally approved by treasury. At this time Franklin County is still awaiting the final review. All costs associated with this work will be paid by RESTORE funds.

Board action to release the responses to the RFQ solicitations to the Evaluation Committee.

2. Perimeter Plants for Eastpoint Dredging Spoil Site

At the April 6, 2021 meeting, the Planting Plan for the Eastpoint Dredging Project was discussed and later approved by FWC (attached). The plan calls for a vegetative fringe for perimeter stabilization along the spoil site. As the county owns and maintains the spoil site, the needed plants are the county's responsibility. Ms. Jenna Harper, ANERR, has agreed to use her staff and volunteers to plant the vegetation with corporation from the Conservation Corps of the Forgotten Coast to harvest, transport, propagate, deliver, install and monitor the plants over a period of up to three years. Included today on the county bill list was a check for \$5,500 made payable to Friends of the Reserve for 2,250 Spartina Alterniflora (marsh grass) in 4" pots which will be split by ANERR and grown into the 4,500-5,000 plants that will be needed at the site. The county is requesting reimbursement for the cost of the plants from the County Soil and Conservation Board.

Board action to authorize the \$5,500 expenditure to the Friends of the Reserve.

3. Budget Request Letters

Franklin County is beginning preparations for the fiscal year 2021/2022 Budget. All budget requests must be submitted by June 15, 2021. I have prepared the attached draft budget request letter with the following instructions: "At the direction of the Board, please keep your request at your current adopted budget. Please be aware, the long term financial impact from COVID-19 as it pertains to the economy nationwide and state shared revenues is uncertain at this time. On March 6th, 2021, the Commission authorized a contract with Evergreen Solutions to perform a wage and pay plan classification study for all county employees due by June 30th, 2021. Changes in compensation and phased implementation of this plan will be considered by the Board during the budget process."

Board action to authorize sending the budget request letters as drafted or with any changes/additional instructions.

4. Trade-in authorization 2002 Caterpillar 963C

The 2021 Caterpillar 963 Track Loader that was ordered for the Franklin County Landfill in October was delivered in late March. At this meeting Franklin County is processing the payment for the new loader from the Tipping Fee Fund. The old 2002 Caterpillar 963C which was in need of repair was traded-in with a residual value of \$20,000 towards the new purchase. Ring Power will need the attached Bill of Sale signed by the Chairman to credit Franklin County for the trade.

Board action to authorize the chairman's signature on the attached Bill of Sale and authorization to remove the 2002 Caterpillar Track Loader County Tag A00410 SN 2DS02657 from inventory.

5. Disposal Request Clerk's Office Obsolete Equipment

The Franklin County Clerk's Office has submitted the attached request to remove the following fixed assets from inventory: Savin Mapping Machine County Tag A004382 and Roll Feeder County Tag A004246 both from 2003 and a Minolta Copier County Tag A004168 from 2002. These items were in disrepair and functionally obsolete. The items will be discarded at the Franklin County Landfill upon authorization.

Board action to authorize the removal from inventory and disposal of the three items noted above.

6. Sheriff's Department E911 Grants

Action item pending – to be updated on Monday

Q. Informational Item

1. Eastpoint Fishing Pier Hurricane Michael Washout Repair

For information the bid solicitation for the Eastpoint Fishing Pier Hurricane Michael Washout Repair Project is attached to this report. The bid solicitation is currently posted to the county website and the governmental bid platform DemandStar, and advertised in newspapers the Apalachicola Times and the Panama City News Herald. Bids are due by 4:00 p.m. on Friday, May 28th and will be opened on Tuesday, June 1st. The repairs include grading the embankment, patching the damaged asphalt parking area, the installation of articulated concrete block, removing and replacing the damaged guardrail, ADA wooden boardwalk and rubble.

County Coordinator – Michael Morón – Report

R. Action Items

1. Jingoli Power Laydown Yard: I was recently contacted by a Jingoli Power representative asking if the County would be interested in a lease for a storage and laydown yard for telephone poles, transformers, services trucks, heavy equipment and other related products. Jingoli Power acts as a subcontractor for Duke Energy. The requested area was next to the County's "State yard" off of Bluff Road (see attached map). Prior to seeking your approval today, Jingoli's representatives have cleared the use of this area with AVCON, as this is Airport property but outside of Runway 6/24 Protection Zone, and with Mr. Howard Nabors your Road and Bridge Superintendent, as this is located next to the County's Road Department storage and staging "State yard" that is used mostly during storms and disasters. Jingoli Power would like approval from the Board as soon as possible since hurricane season is approaching and it will take some time for them to prepare the site for use. If the Board is inclined to approve this request, it should be contingent on Attorney Shuler's review of the lease. *Board action to approve the lease agreement for a storage and*

laydown yard with Jingoli Power for the area shown on the map contingent on Attorney Shuler's review.

2. Scrivener's Error on Bluff Road: While reviewing the property for the Jingoli Power storage and laydown yard a possible Scrivener's Error was discovered. I asked Mr. Curenton to research this possible error and his statement, attached to my report, is as follows: "The northeast corner of the Apalachicola Airport, where the Franklin County Road Department yard is located is currently Zoned R-4 Single Family Home Industry, as shown on the attached copy of the zoning map, which was originally drawn in 1990. This map was copied from a smaller scale map at that time. The map on the following page from the Franklin County Property Appraiser's website shows the different lots in the area along with the location of the R-4 zoning on the southwest side of Bluff Road. The area highlighted in red is the private residential property located on the southwest side of Bluff Road. In my opinion the R-4 zoned area should only encompass this private residential property. The remainder of the property belonging to Franklin County on the southwest side of Bluff Road should be zoned I-1 Industrial, like the rest of the Apalachicola Airport." Based on Mr. Curenton's information and opinion, will the Board consider declaring this a Scrivener's Error and direct Mr. Curenton to correct the zoning? *Board action to determine if this is a Scrivener's Error.*

3. Gulf County Request: A couple of weeks ago Gulf County sent a request to inquire if Franklin County would be interested in partnering with and participating in funding a dry dock and ship repair facility at the St. Joe Port. I suggested that Mr. Jim McKnight, Director of Gulf County's Economic Development Coalition, meet with each Commissioner to discuss this proposal in detail. Mr. McKnight informed me that he did contact each Commissioner and asked to be added to today's agenda to discuss this with the entire Board. I explained to Mr. McKnight that because the request included a \$5,000,000 commitment of Franklin County's Triumph Allocation to the project, it was important for this Board to discuss it today to voice any concerns or additional questions you may have about the project to each other, before Gulf County representatives appear before you seek a commitment. Mr. McKnight was concerned that even though their request to this Board was last minute, any delay on our end may affect the timeline or deadline for the project, so in the request he is asking for this Board to schedule a workshop as soon as possible to discuss this matter with Gulf County. *Board discussion and direction.*

4. Paving & Striping Projects: Roberts and Roberts is in the County working on a State funded paving project. Due to Leslie Street closer between Highway 98 and Market Street and Forbes Street closer between the main Courthouse Building and the Annex Building, Chairman Jones suggested that I contact the City of Apalachicola about temporarily opening eastern end of Leslie Street, between Market Street and Water Street, as a two-way for access to the Courthouse. The City agreed to the request, so I then contacted Roberts and Roberts for a quote to restripe Leslie Street as a two-way, instead of a one-way with on-street parking, when their striping crew is in the County for the State project, with the expectation that the County would save on mobilization cost. Roberts and Roberts submitted a \$2500 quote for this project. I recommend that since this is for Courthouse access, the cost for this project is divided equally between all five Commissioners from your paving funds. With that same thought process, some of you have requested quotes on small projects in your district. Chairman Jones requested asphalt and striping on portions of 5th, 6th, and 7th streets on St. George Island for a total of \$63,180 which will be paid from District 1's paving funds. Commissioner Lockley asked for asphalt overlay and striping on what is the eastern end of Martin Luther King Jr. Street (Ave J) and also known as the street to the "fish cleaning table" from Water Street. Commissioner Lockley also requested a quote for an asphalt overlay for the Chapman Building parking lot. The total cost for both projects is \$46,530 and will be paid from District 3's paving funds. Commissioner Parish requested repairs, an asphalt overlay and striping on Bluff Road along with grading and an asphalt overlay at the

Buddy Ward Park Museum. The total cost for both projects is \$83,070 which will be paid from District 4 paving funds. *Board action to approve these change orders to the County's paving project and authorize Roberts and Roberts to do the four projects as stated above. The first for \$2,500 paid from all five district paving funds, the second for \$63,180 paid from District 1's paving fund, the third for \$46,530 paid from District 3's paving fund, and the fourth for \$83,070 paid from District 4's paving funds.*

5. CareerSource Agreement: CareerSource Gulf Coast is requesting Board action to approve and authorize the Chairman's signature on the new Grantee/Sub-grantee agreement, which begins on May 15, 2021 and may continue for three years, through May 15, 2024. This final Grantee/Sub-grantee agreement serves as a contract between the CareerSource Gulf Coast board and DEO and outlines each partner's roles and responsibilities. Attorney Shuler has not had the opportunity to review this agreement as yet. *Board action to approve and authorize the Chairman's signature on the new Grantee/Sub-grantee agreement contingent on Attorney Shuler's review.*

6. 8 County Oil Spill Meeting: I received an invitation from State Senator Doug Broxson's office to attend an 8 County Oil spill Administrator's meeting on Monday, May 24th at 12:30 p.m. (ET) at the Walton County Courthouse Annex in Santa Rosa Beach. One of the main meeting topics for discussion are projects that the Board would like to fund with TRIUMPH dollars. I think it is proper for the Board to create a list of projects to submit to the Senator's office for Triumph funding prior to the May 24th meeting. The Board could finalize this list, hopefully a one-page list, at your May 18th regular meeting. *Board discussion and direction.*

7. CRS-LMS: Attached to my report and as part of the County recertification process is the Community Rating System (CRS) Progress Report prepared by Mrs. Angela Lolley, your Floodplain Administrator. As part of the CRS, County homeowners are able to save on their premiums as part of the national flood insurance program. Copies of the report are available for the public and must be submitted to the Board at a public meeting and made part of the official records. The County's Local Mitigation Strategy is submitted as part of the report along with information from your Emergency Management Office. The recertification submission deadline is Monday May 10th. If you have any questions do not hesitate to contact Mrs. Lolley. *Board discussion.*

S. Informational Items

1. Ethics Class: Inform the Board that your Ethics Class is scheduled for 9 a.m. (ET) here in the Commission meeting room on Saturday, May 15th. This class will certify you for 2020. As you may recall we tried to schedule a number of classes last year but due to COVID and other reasons was unsuccessful. Later this year we will schedule another class for 2021 certification.

2. CareerSource Funding: At your last meeting the Board was informed that the last day for the workers participating in the Hurricane Michael program would be on April 30th as there was no additional funding. Once the accounts were balanced, there is actually enough funds for a few more weeks of work. Mr. Fonda Davis, CareerSource, and QLM (the employment agency) worked together to create a list of the current employees and supervisors that will continue to work for the next few weeks. I will ask Mr. Davis to inform the Board once the funds are completely expended.

3. Equal Shot Program: I wanted to use this opportunity to bring some attention and exposure to the Equal Shot basketball program led by JT Escobar. My 6-year-old grandson, Xavier Lewis, participated in this program for the first time this year and that exposed me to some of the great things this program is providing to the County's youth. What makes this program unique from other sports programs is the core mission, "to develop and launch notable leaders & creative problem solvers in the community". They focus not only on

athletic development, but also leadership development and skill acquisition. This program is a great compliment to the successful baseball, soccer, and football programs already in the County. I've included a hand-out that provides additional information on the program.

4. LSE Covid-19: As authorized by the Board, Chairman Jones signed COVID-19 Local State of Emergency Declarations for the weeks starting April 5th, 12th, 19th, and 26th.

County Attorney - Michael Shuler - Report

[I.](#) Report (agenda packet)

Commissioners' Comments

Adjournment

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

A.

File Attachments for Item:

A. April 20, 2021 Regular Meeting

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX, COMMISSION MEETING ROOM
APRIL 20, 2021
9:00 AM
MINUTES**

Commissioners Present: Ricky Jones-Chairman, Bert Boldt, II-Vice-Chairman, Joseph Parrish, Jessica V. Ward

Commissioners Absent: Noah Lockley

Others Present: Michele Maxwell-Clerk of Court, Michael Shuler-County Attorney, Michael Moron—County Coordinator, Jessica Gay-Deputy Clerk to the Board

Call to Order

Chairman Jones called the meeting to order at 9:00 a.m.

Prayer and Pledge

Commissioner Ward led the Board in prayer followed by the Pledge of Allegiance.

Approval of Minutes

A. April 6, 2021 Regular Meeting

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve the minutes from the meeting held on April 6, 2021. Motion carried 4-0.

Payment of County Bills

On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve payment of County Bills. Motion carried 4-0.

Franklin County Correctional Institution -- Warden Robert Conner -- Update

A. Warden Conner will update the Board on inmate labor and recent discussions on prison closings.

Warden Conner explained to the Board the shortage of inmates for labor and expressed concerns on recent discussions of prison closures. Warden Conner asked the Board, the County, and the public to contact legislators and express the importance of the prisons for rural counties.

Commissioner Ward expressed her appreciation for Warden Conner's efforts and said she had contacted representatives.

Warden Conner noted the proposed housing in Carrabelle would be an attraction for employees.

Commissioner Boldt asked if funding came from the State and if salaries were mandated by the State. Warden Conner said they were and that the County Commissioners' role is to advocate for the prisons and staff.

Commissioner Parrish said legislation just wants to sweep trust funds instead of funding affordable housing. And that maybe we the previous letter should be readdressed to the House Speaker and President.

Commissioner Parrish made a motion to write a letter to the House Speaker and President to reemphasize the importance of prisons in our rural community and objecting to closings. Motion seconded by Commissioner Boldt. Motion carried 4-0.

Mr. Nabors asked if there was any way that we can get more inmates. Warden Conner said most are disciplinary and not eligible for the outside. He said once court resumes, they should get more inmates that are eligible to work outside but until then there's not going to be much movement.

Mr. Moron thanked Mr. Davis for his assistance in contacting Warden Conner to be in attendance.

Public Comments

Mr. Barry had difficulty logging in. Will defer public comments until he can log in successfully.

Department Directors Report

Superintendent of Public Works – Howard Nabors

A. Informational Item

- 1. Detail of Work Performed and Material Hauled by District (agenda packet)

Commissioner Ward said she has received calls regarding maintenance on Hwy 65. The Board discussed the maintenance needed and spoke of contacting the state to maintain due to it being a State road and the shortage of county staff and inmates. Mr. Nabors said he was having a hard time on grass cutting, having to put three crews together to make a crew. Mr. Moron asked Commissioner Ward to email him a list of roads in question so that he can explore opportunities. Commissioner Boldt noted Alligator Point Drive and how the county maintains it.

Solid Waste Director – Fonda Davis

A. Informational Item

- 1. Right-of-Way Debris Pickup / Recycle Material Hauled (agenda packet)

Mr. Davis reported the basketball goals on St. George Island and Vroom Park had been installed. Mr. Davis said the Day of Ball was a success. He thanked the Animal Control Department and Attorney Shuler for helping things run smoothly at the recent Animal Control Appeal Board hearing.

Commissioner Jones thanked Mr. Davis for all of the hard work for the entire county.

Emergency Management Director – Pam Brownell

A. Action Item

- 1. Request the Approval of Awarding of the HLMP Bid Packet to Florida Retrofit and the Signing of the Contract

On a motion by Commissioner Ward, seconded by Commissioner Parrish, to approve awarding of the HLMP Bid Packet to Florida Retrofit and authorize the Board Chair to sign the contract upon Attorney Shuler's approval.

Commissioner Parrish asked if Retrofit had done work before, yes they are currently a contractor for us

Motion carried 4-0.

Mr. Moron presented Item #6 from his report.

6. EOC Contract: Mrs. Pam Brownell, Emergency Management Director, requested that Chairman Jones sign the Federally Funded Subaward and Grant Agreement No. Z2607 for Hurricane Sally. Mrs. Brownell stated that she was facing a deadline and needed the signed document sent to the Florida Division of Emergency Management last week. In addition, Mrs. Erin Griffith completed the associated FDEM Risk Assessment Questionnaire.

On a motion by Commissioner Parrish, seconded by Commissioner Ward, and by a unanimous vote of the Board present, the Board ratified the Chairman’s signature on the Hurricane Sally Federally Subaward and Grant Agreement. Motion carried 4-0.

Mr. Moron presented Item # 4 from his report.

4. New EOC Location: A couple of years ago the Board requested, as a legislative appropriation, funds to design and construct a new Emergency Operations Center (EOC). The County received funds from the State to design and engineer a new EOC. After much discussion the Board agreed to a location on the Airport for the new EOC, however, that location was considered “Airport” property based on a 1947 FAA lease and recorded deed. In order not to pay the Airport fair market value to use that property, FAA would have to exclude the property from the 1947 lease and recorded deed. AVCON tried but was unsuccessful on getting FAA to exclude this property. So, in an attempt to avoid that issue, Mr. Clay Kennedy of Dewberry, Mr. John Collins and Mrs. Mary Soderstrum of AVCON, and county staff started a search for a parcel around the airport that would be big enough for the new EOC, but not part of the famous 1947 lease and recorded deed. After many meetings and emails, the lot indicated by the green shade on the attached map is recommended. This lot is located on the NE corner of Brownsville and Airport Road and a three acres section will be used to allow enough room for the EOC building, parking, stormwater, and expansion. Now, this lot is not without its own challenges, as it was mistakenly included and recorded on the deed as part of the 1942 lease, but there is a prior deed that shows it was never part of the 1942 lease. AVCON is working with FAA and FDOT to remove this lot from the recorded deed, and even though both agencies agree that it was a mistake to include that lot, there is a process that will take a few months to correct the error. Mr. Kennedy, Mrs. Erin Griffith and I met with Attorney Shuler and explained the situation to him for his council and guidance on moving forward with this lot for the new EOC. Attorney Shuler agrees that we should proceed with this lot and the design of the new EOC but wanted the Board to be aware that if we have to move the EOC from this location for any reason, there will be added expense for changes and re-engineering of the EOC at a new location. So, is the Board ready to move forward with the designing of the new EOC at this location with all the information that has been presented here today?

Mr. Moron said the exact location of the new EOC building must be submitted to the State and they decide whether they will approve the site or not. The current building is in a Cat 5 surge line and may not be approved by the State. Chairman Jones questioned if the new proposed property was outside of the runway. Mr. Moron confirmed that it was. Mr. Moron said even though it is in an X flood zone, they are not sure about surge zones. Attorney Shuler said his understanding is the flood elevation is the same as the previous location. Chairman Jones said it would be hard to find a property that was not in Cat 5 surge line. Mr. Moron suggested they get the information from Mr. Clay, send it to the State for approval and then have the Board approve.

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Mr. Clay stated the FAA does not own the property but they have stipulations on how the property can be used. Mr. Clay suggested finding a piece of county owned property that doesn't fit under the lease. Mr. Moron explained the lease situation as best he could.

Attorney Shuler understood time was a factor and asked Mr. Kennedy to weigh in on timelines.

Mr. Kennedy said we have deliverables that have to be met with grant and the 30 % deliverables are coming up. Mr. Kennedy said he has asked them to delay to the end of May.

Commissioner Parrish asked why the State would deny the site as long as we meet required elevation. Mr. Kennedy said there were criteria to be met in the design but that he was unaware that it had to be on stilts. He said he didn't see any pitfalls but the structural design will have to change if stilts are required.

Commissioner Boldt said we needed to make sure that there are no instrument approaches. Commissioner Ward said perhaps we could have Mr. Kennedy speak with the state before we approve. Chairman Jones agreed. Mr. Moron noted that Mr. Kennedy will consider elevation when designing.

Commissioner Ward made a motion to approve the New EOC Location contingent on Mr. Kennedy speaking with the State and Mrs. Brownell. Seconded by Commissioner Parrish.

Mr. Ted Mosteller asked if the proposed location would be in the path of the runway and where the communication tower would be placed. Mr. Mosteller proposed moving it on the west side of Airport Road and tower across the street.

Motion carried 4-0.

Public Speaker:

Mr. John Berry, a resident of Alligator Drive spoke regarding the volunteer fire department audit noting falsehoods in documents received. In his opinion, there has been no audit of the fire department.

B. Informational Items

1. EOC Hosted a G-300 Class on 04/05-04/07/21.
2. EOC is Hosting a G-400 Class on 04/27 – 04/28/21.
3. EOC Staff continues to work Hurricane Sally from 09/12/20 and continues to work with FDEM and FEMA. Franklin County has two projects for Hurricane Sally both projects have had their DDD and Cost and Scope Signed off on. We have submitted the Project for CAT B Reimbursement. North Bayshore project has also been submitted.
4. IPAW/WEA/EAS System test will be completed by 04/30/21.
5. EOC Staff along with our CERT Volunteers continue to distribute washable & reusable cloth mask throughout our community. We have partnered with the City of Carrabelle and City of Apalachicola Chamber of Commerce along with the St. George Island & Eastpoint Visitor Centers to assist with distribution to local businesses and residents. We will continue this effort as long as supplies are available.
6. EOC Staff are working diligently with DOH Staff regarding the COVID-19 virus. This includes hosting meetings with representatives from DOH, Sheriff's Dept. Weems, EMS, as needed. We also are assisting with Conference Calls, information distribution from DOH via Alert Franklin, Facebook and our EOC Website.
7. EOC Staff continue to participate in conference calls with State DEM, Region 2, DOH, FEMA, etc. regarding COVID 19. We also continue to update WebEOC with Local State of Emergency and SitReps.

8. EOC Staff virtually participated in the Orientation for the K0705 Class on 04/13/21. Class will begin on 04/19/21.

9. EOC Staff will virtually participate in the FEPA – WebEOC 9 Lunch and Learn on 04/20/21.

Extension Office Director – Erik Lovstrand

A. Informational Items

General Extension Activities:

- 1. During this period, the Extension office assisted citizens on the topics of organic gardening, removal of storm-damaged vessels, cypress tree issues, and 4-H programming.
- 2. Extension Director participated in the NW District Natural Resource Agent program team meeting via Zoom.
- 3. Extension Director participated in promotion packet review within the NW District.

Sea Grant Extension:

- 4. Extension Director participated in Florida Sea Grant meeting via Zoom for updates on statewide projects.

4-H Youth Development:

- 5. Extension Director participated in the District III 4-H Agent meeting and Youth Council meeting to elect this year’s officers.

Family and Consumer Sciences:

- 6. Family Nutrition Program assistant continues providing nutrition programing in local schools

Agriculture/Home Horticulture:

- 7. Two Master Gardener classes took place at the local Extension office during this period. There are ten people currently taking the training.

Mr. Lovstrand noted they were moving forward on the removal of the derelict vessels in the Apalachicola River stranded from Hurricane Michael. The owners of the vessels have been notified in writing.

Board of Adjustment – Cortni Bankston – Report

- A. Consideration of a request for a variance to construct a single-family dwelling 12 feet into the 25-foot setback off River Road, 15 feet variance into the 25-foot setback off River Street (Unconstructed), and a 15 feet variance in to the 50-foot wetlands setback requirement from Carrabelle River. Property described as 339 River Road, block 5, Carrabelle River Sub Lot 1, Carrabelle, Franklin County, Florida. Request submitted by Richard A. Glover, agent for Richard L. Wood, Sheryl T. Wood, and Donna B. Bostwick, applicant. **Advisory Board Recommended Approval.**

On a motion by Commissioner Ward, seconded by Commissioner Boldt, to approve a variance to construct a single-family dwelling 12 feet into the 25-foot setback off River Road, 15 feet variance into the 25-foot setback off River Street (Unconstructed), and a 15 feet variance into the 50-foot wetlands setback requirement from Carrabelle River. Property described as 339 River Road, block 5, Carrabelle River Sub Lot 1, Carrabelle, Franklin County, Florida.

Attorney Shuler asked for Mrs. Bankston to confirm the square footage of the heating and cooling area as well as confirm the owners had agreed to govern the property and push the

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stormwater closer to the road and away from the water. Mrs. Bankston stated the heating and cooling area will be a minimum of 1,000 feet and confirmed the owners had agreed to manage the stormwater. Attorney Shuler recommends the Board Commissioner Ward amend her motion to include the heating and cooling area will be a minimum of 1,000 feet and the owners had agreed to manage stormwater per Franklin County's policies and ordinances.

Commissioner Ward amended her motion to approve a variance to construct a single-family dwelling 12 feet into the 25-foot setback off River Road, 15 feet variance into the 25-foot setback off River Street (Unconstructed), and a 15 feet variance into the 50-foot wetlands setback requirement from Carrabelle River. Property described as 339 River Road, block 5, Carrabelle River Sub Lot 1, Carrabelle, Franklin County, Florida, to include confirming the heating and cooling area will be a minimum of 1,000 feet and the owners have agreed to manage storm water per Franklin County's policies and ordinances. Commissioner Boldt seconded the amended motion. Motion carried 4-0.

- B. Consideration of a request for a variance to construct a single-family dwelling 10 feet into the 25-foot setback into right of way on Indian Harbor Drive. Property described as 1931 Indian Harbor Road, Lot 8 Indian Bay Village, St. George Island, Franklin County, Florida. Request submitted by Garlick Environmental, agent for Walter Sears, applicant. **Advisory Board Recommended Approval.**

On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve a variance to construct a single-family dwelling 10 feet into the 25-foot setback into the right of way on Indian Harbor Drive. Property described as 1931 Indian Harbor Road, Lot 8 Indian Bay Village, St. George Island, Franklin County, Florida. Motion carried 4-0.

- C. Consideration of a request for a variance to construct a single-family dwelling 13.4 feet into the front 25-foot setback off Highway C30 and a 3 feet variance into both the left and right 10-foot side setback requirement. Property described as 1610 Highway C30, Carrabelle, Franklin County, Florida. Request submitted by Robert Mollergren & Leslie Denhard, applicants.

Advisory Board recommended approval of Front Setback variance request contingent upon Demolition of Current Home/Structure.

Advisory Board recommended denial for side setback request.

Attorney Shuler explains the purpose of the setback to the Board. Mrs. Bankston said the Advisory Board recommended to approve the setback for the house and deny the setback for the walkway.

On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve a variance to construct a single-family dwelling 13.4 feet into the front 25-foot setback off Highway C30 and to deny a 3 feet variance into both the left and right 10-foot side setback requirement of the property described as 1610 Highway C30, Carrabelle, Franklin County, Florida. Motion carried 4-0.

Planning and Zoning – Cortni Bankston – Report

- A. Approval to appoint Tony Shiver as the District 1 Board Member for Planning & Zoning Board.
On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to approve the appointment of Tony Shiver as the District 1 Board Member for Planning & Zoning Board. Motion carried 4-0.

Critical Shoreline Applications

- A. Consideration of a request to construct a Single Family Private Dock located at 1545 Alligator Drive, Lot 3, Block R, Peninsular Point, Unit 5, Alligator Point, Franklin County, Florida. The applicant has both State and Federal Permits. The dock will be 229' x 4' with a 6' x 20' terminal platform and a 12' x 20' proposed boatlift. Request submitted by Robert Kirby, applicant. (House Under Construction- #29097) **P&Z Board Recommended Approval**

On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to approve the request to construct a Single Family Private Dock located at 1545 Alligator Drive, Lot 3, Block R, Peninsular Point, Unit 5, Alligator Point, Franklin County, Florida. Motion carried 4-0.

- B. Consideration of a request to construct a Roof over an existing Boatlift and Redesign of existing Terminus located at 71 Fiesta Drive, Unit 1, Lot 80 Holiday Beach, Alligator Point, Franklin County, Florida. The applicant has State and Federal Permits. The roof will be 29'x14' and the redesigned terminus will be 20'x8'. Request submitted by Better Built Docks, agent for Travis Fink, applicant. **P&Z Board Recommended Approval**

Commissioner Jones inquired as to what restrictions are in place on Alligator Point for covered boatlifts. Attorney Shuler said we have restrictions on covered decks due to flying debris but not on covered boatlifts.

On a motion by Commissioner Boldt, seconded by Commissioner Ward, and by unanimous vote of the Board present, it was agreed to approve the request to construct a roof over an existing Boatlift and Redesign of existing Terminus located at 71 Fiesta Drive, Unit 1, Lot 80 Holiday Beach, Alligator Point, Franklin County, Florida. Motion carried 4-0.

- C. Consideration of a request to construct an additional 280 sq foot dock and 312 sq foot covered boat lift to an existing dock located at 323 East Sawyer Street, Unit 5, Block 81, Lot 9, Eastpoint, Franklin County, Florida. The applicant has State and Federal Permits. Request submitted by Richard DeLarber, applicant. **P&Z Board Recommended Approval.**

Commissioner Jones inquired as to what restrictions are in place on St. George Island for covered boatlifts. Attorney Shuler said we have restrictions on covered decks due to flying debris but not on covered boatlifts.

On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve the request to construct an additional 280 square foot dock and 312 square foot covered boat lift to an existing dock located at 323 East Sawyer Street, Unit 5, Block 81, Lot 9, Eastpoint, Franklin County, Florida. Motion carried 4-0.

Final Plat Applications

- A. Consideration of a request for Final Plat Approval of a 21 acres of land lying in Sections 25 and 35, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida. The subdivision will be named "St George Bay" and will consist of 16 Lots over 1 acre each. Request submitted by

Elaine Boone, agent for Ed Simmons, applicant. **P&Z Board Recommended Approval Contingent Upon required permits for Final Plat.**

On a motion by Commissioner Ward, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to approve a request for Final Plat Approval of 21 acres of land lying in Sections 25 and 35, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida, contingent upon required permits for final plat. Motion carried 4-0.

Commercial Site Plan Applications

- A. Consideration of a request for Commercial Site Plan Review of a 1,500 square feet Convenience Store with a Deli and Drive Through located at 101 West Pine Ave, Unit 1, Block 2 west, Lots 17 and 18, St. George Island, Franklin County, Florida. Request submitted by Jim Waddell, agent for Charles Robert Shiver and Donna Kay Barber, Applicants. **P&Z Board Recommended Approval Contingent upon flood review and permits.**

Chairman Jones noted the site plan shows a 30 foot alley running between 1st Street and 2nd Street in between West Pine and West Bayshore as being available to be used but wanted to confirm that it would be upon the applicant to finish the road out at their expense.

On a motion by Commissioner Boldt, seconded by Commissioner Ward, to approve a request for a Commercial Site Plan Review of a 1,500 square feet Convenience Store with a Deli and Drive-thru located at 101 West Pine Ave, Unit 1, Block 2 West, Lots 17 and 18, St. George Island, Franklin County, Florida.

Attorney Shuler said he wanted to be clear for the record that the applicants were not claiming ownership of the alley.

Mr. Jim Waddell confirmed that the applicants were not claiming any rights to the County owned property. The alley was only included in the site plan.

Motion carried 4-0.

Re-Zoning & Land Use Change Applications

- A. Consideration of a request for a Public Hearing to change a triangular parcel for a Re-zoning Change from C-1 Commercial Fishing to C-3 Commercial Recreation. Property described as 336 Patton Drive, Franklin County, Florida. Request submitted by Marsha Watson, agent for MMSW Holdings, LLC, applicant. **P&Z Board Recommended Approval for Public Hearing.**

Commissioner Jones announced that this was a request for a public hearing. However, in looking at the piece of property he was not sure if they can use it as they are requesting.

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to approve a request for a Public Hearing to change a triangular parcel for a re-zoning change from C-1 Commercial Fishing to C-3 Commercial Recreation. Property described as 336 Patton Drive, Franklin County, Florida.

Motion carried 4-0.

- B. Consideration of a request for a Public Hearing to change a 200' x 300' parcel for a Land Use Change from Residential to Commercial and a Public Hearing to Re-zone from R-4 Single Family Home Industry to C-4 Mixed Use Residential. Property described as 31865 Highway 98 West, Carrabelle, Franklin County, Florida. Request submitted by Blakey's Beach LLC, applicant. **P&Z Board motioned without a recommendation to present request for Public Hearing before Board of County Commissioners.**

Mrs. Bankston informed the Board that the applicant requested to revise their request for re-zoning from R-4 Single Family Home Industry to C-2 Commercial Business.

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Mr. Moron said he believed they amended their request because they did not anticipate the attention brought about after the P&Z meeting and wanted the least amount of negative attention.

Attorney Shuler restated the steps performed that lead to this request: application submitted, P&Z hearing held with no recommendation by the P&Z Board, and after hearing the applicant's revised request. Attorney Shuler recommends the revised application go back before P&Z for a recommendation.

Mr. Lorne Whaley spoke saying their intentions were to quail complaints at the recommendation of P&Z. Mr. Whaley said if the Board would not move forward with the hearing on the C-2 zoning they would like to continue with the C-4 request. Mr. Whaley said they were willing to sign a longer lease if needed to quiet concerns of skinny homes and noted it was his understanding that in the event they were requested it would have to come back before the Board. Chairman Jones said he believed if they tried to put more than two houses on it they would need Board approval. Attorney Shuler said the Board would not get involved with the private leasing arrangements and the Board would need to decide whether to set a hearing based on the revised request. Commissioner Ward asked if the property owner was agreeable to the C4 zoning and she confirmed that she was.

On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to schedule a public hearing to change a 200' x 300' parcel for a Land Use Change from Residential to Commercial and a Public Hearing to Re-zone from R-4 Single Family Home Industry to C-4 Mixed Use Residential. Property described as 31865 Highway 98 West, Carrabelle, Franklin County, Florida. Motion carried 4-0.

Special Exception Application

- A. Consideration of a request for Special Exception in the C1 Commercial Fishing District to construct a 27'x 40' Water Dependent Tourist Commercial Facility (Kayak Rental Facility) located at 444 Highway 98, 150 feet facing Highway 98, Apalachicola, Franklin County, Florida. Request submitted by Barbara Mathis, applicant. **P&Z Board recommended approval of the Special Exception.**

***Staff recommends deferring this request until the Building Department and the Floodplain Administrator have an opportunity to discuss the building/shed currently on the property with no record of a permit.

Samantha Mathis and Barbara Mathis spoke to the board via phone stating the portable building is on a goose neck trailer. They are willing to get any permits needed to bring the property into compliance. They intend to keep the building on the trailer for it to be moved in the event of a storm.

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to table the request for a Special Exception in the C1 Commercial Fishing District to construct a 27'x 40' Water Dependent Tourist Commercial Facility (Kayak Rental Facility) located at 444 Highway 98, 150 feet facing Highway 98, Apalachicola, Franklin County, Florida, to give applicant and staff time to work out permitting issues. The item will be brought back to the Board once permitting issues are resolved. Motion carried 4-0.

RFP / RFQ / Bids Opening

- A. The Franklin County Board of County Commissioners is seeking civil engineering services relating to the construction engineering and inspection (CEI) of the multi-use trail and bike path on the CR 370 Alligator Point Multi-Use Path Project. The scope of this project will include the construction of a 10' multi-use path from George Vause Road eastward for approximately

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1 mile to Gulf Shore Boulevard on Alligator Point, FL as identified in the County’s Local Agency Participation contract with the Florida Department of Transportation (FDOT). Consideration will be given to only those firms that are qualified pursuant to law and that have been prequalified by FDOT to perform the indicated types of work.

Mr. Moron explained to the Board that three bids were required per FDOT and that Mr. Curenton said we must re-advertise to receive a third bid.

On a motion by Commissioner Boldt, seconded by Commissioner Ward to reject bids without opening them and re-advertise in order to receive a third bid.

Commissioner Boldt thanked the two companies who had submitted bids.

Motion carried 4-0.

The meeting recessed at 10:30 a.m.

The meeting reconvened at 10:48 a.m.

Fiscal Manager/Grants Coordinator – Erin Griffith – Report

A. Action Items

1. Buddy Ward Artificial Reef Project

Walter Marine of Orange Beach Alabama was the top ranked and only proposer for the Buddy Ward Artificial Reef Project. The ranking committee recommends the Board enter into a contract with Walter Marine as Walter Marine meets all contractor requirements of the RFP. The grant award requires the deployment of at least 25 concrete prefabricated reef modules to construct three reef complexes in the Buddy Ward permit site located approximately 7.5 nautical miles off Bob Sikes Cut. Walter Marine’s proposal will deploy 30 reef modules for the contract price of \$70,000. The deployment is to occur prior to August 1, 2021 and upon deployment, the GPS coordinates will be posted online via the Apalachicola Artificial Reef Association’s website: www.apalachicolareef.org.

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the Chairman’s signature on the attached contract with Walter Marine for the Buddy Ward Artificial Reef Project. Motion carried 4-0.

2. Budget Resolution Buddy Ward Artificial Reef Project

Pursuant to FS 129.06, the attached budget resolution is needed to incorporate the unanticipated revenues from the Florida Fish and Wildlife Conservation Commission’s \$60,000 state grant and the \$10,000 contribution from the Apalachicola Artificial Reef Association into the 2020/2021 county budget. The corresponding \$70,000 expenditure line item will be 001.20.572.3401 titled Other Contract Services, Buddy Ward Reef Project.

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the adoption of the attached resolution to incorporate the unanticipated grant revenues into the county budget to fund the artificial reef project. Motion carried 4-0.

3. CARES Act Update, State Shared Gas Tax Revenues

The Florida Department of Revenue distributes state shared revenue proceeds several months after the collection period. The final state shared gas tax revenues were not received until December. As the COVID pandemic shifted into crisis mode in late March of 2020 - the state shared gas tax revenue estimates used in the budget process for 19/20 as released by the State of Florida were short by \$162,029.33. As the CARES funds can be used to offset losses in revenue, it is requested that the BOCC authorize booking \$162,029.33 of CARES funds in the

Road and Bridge Fund to stabilize the Road Department budget which is funded primarily by gas taxes. Should the BOCC approve, this will leave approximately \$66,763.78 remaining from the 1st CARES allocation. The CARES cost tracking workbook with the proposed entry is attached and the impacted shared revenues are listed in the attached table.

On a motion by Commissioner Boldt, seconded by Commissioner Ward, to authorize booking Cares Revenues in the Road and Bridge Fund to offset losses in State Shared Gas Tax Revenue Proceeds.

Chairman Jones noted that in the future we may not receive as many funds due to electric car sales and that we needed to keep this in mind when budgeting.

Motion carried 4-0.

4. State Attorney Information Technology Line Item

Franklin County received a request from Mary Dean Barwick the Executive Director of the State Attorney’s Office to authorize a line-item budget amendment whereas the \$6,500 budgeted in the State Attorney’s information technology contractual services budget to be used for the funding of a shared information technology position. There will be no change in total budget for the State Attorney’s Office.

On a motion by Commissioner Ward, seconded by Commissioner Parrish, and by unanimous vote of the Board present, the Board authorized the line-item budget amendment and authorized the attached memo to be sent back to Ms. Barwick to confirm the change. Motion carried 4-0.

5. Sheriff’s Department E911 Grants

a. At the March 16th Commission Meeting, the Board authorized signing the RapidDeploy grant application. Attached to this report is the grant agreement which was sent to the county from the Department of Management Services. The \$63,960 grant is part of the tri-county rural grant for five years of software licensing that will interface the newly updated mapping data with the E911 system at the Sheriff’s Department. The RapidDeploy system combines mapping and data analytics with cloud-based software. This grant is funding the replacement of the existing GEOCOMM software which is out of date.

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the Chairman to sign the attached RapidDeploy grant application, Motion carried 4-0.

b. County Attorney Michael Shuler reviewed the MOU between the twelve region counties relative to the \$422,816 Region 1 GIS Mapping Project NG-911 Grant and the Chairman signed the attached Regional MOU on April 13th. The regional MOU was a necessary cornerstone of the regional grant application. As this is a twelve-county project, all counties will be signing the MOU, applications, and vendor contracts to comprise one regional project. The five-year grant will interface mapping data within the region and will leverage technology to enhance response time, provide additional mapping data and services to process incoming 911 calls. Once the application is signed, a grant agreement will follow shortly after along with the vendor contract and sole source provider letter.

On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present the Board authorized the Chairman’s signature on the Twelve County Region 1 GIS E911 Mapping Grant. Motion carried 4-0.

B. Informational Item

1. Tap Fee SGI Bathroom Project

For the Board record, included on the check for Water Management Services is the \$13,745 tap fee as funded by the TDC for the new SGI Bathroom Project. The tap fee was not a part of the construction bid and the responsibility of the owner. The tap fee will be included in the total cost of the project.

Commissioner Parrish commented on the large amount for the tap fee. Chairman Jones said that it was normal for St. George Island.

County Coordinator – Michael Morón – Report

A. Action Items

1. Grammercy Correction: At your March 16, 2021 regular meeting Commissioner Ward asked staff to investigate a possible scrivener’s error on the County’s map located at the corner of Highway 98 and Highway 65 near Grammercy Plantation. Mr. Mark Curenton, County Planner, provided a series of maps and information (attached) regarding the property in question. Based on the information provided, the Board may decide there was a scrivener’s error and Mr. Curenton will make the necessary zoning change, however, if the Board decides no error was made then the zoning will remain as is. *Board action to determine if a scrivener’s error was made based on the information provided.*

The Board discussed the information provided. Attorney Shuler noted that he believed this matter had come up before and should be in Board records.

Commissioner Ward made a motion to table for further investigation by County staff.

Attorney Shuler said the burden of proof should be on the applicant to provide the evidence to County staff. The applicant should provide written evidence to report their request.

Commissioner Ward withdrew her motion.

Commissioner Ward said the information provided is contradictory and it seems to be more than just a scrivener’s error.

Commissioner Ward amended her motion for the property owner to investigate and present evidence to the Board to support their claim. Commissioner Boldt seconded. Motion carried 4-0.

2. ARPC Code Enforcement Agreement: Previously the Board requested Apalachee Regional Planning Council to conduct workshops throughout the County to hear from residents on code enforcement for unincorporated Franklin County. At your last meeting, Ms. Caroline Smith of ARPC reviewed a proposal with the Board to provide the requested service. Included in my report, is an agreement for the Chairman’s signature to authorize ARPC to conduct the workshops. This agreement has been reviewed by Attorney Shuler.

On a motion by Commissioner Ward, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the Chairman to sign the ARPC agreement to conduct workshops to hear from residents on code enforcement. Motion carried 4-0.

3. Airport Fuel Farm Location: John Collins of AVCON (Airport Engineers) presented three different locations for a new Airport fuel farm at your last meeting. After the presentation, the Board decided to schedule a workshop to discuss the different locations in more detail. After the meeting, Mr. Alan Pierce realized that he used the recently constructed FDOT funded Airport access road as the required match for the TRIUMPH grant application to fund the new fuel farm. Mr. Pierce then contacted Mr. Collins and they both agreed that the only location to consider building the new fuel farm is what is referred to as Alternate Site 2 (West Apron) on

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the attached map titled *Updated Fuel Farm Alternative Locations, 4-2-2021*. With that information, there was no need for the scheduled April 14th workshop to discuss all three locations, therefore it was cancelled. If there are no additional questions or comments on this matter, the Board can authorize proceeding with that location today.

Mr. Ted Mosteller questioned as to why we are building a new one when we have an existing one that just needs to be refurbished and maintained. The only thing not working is self-serve.

Commissioner Boldt asked Mr. Pierce to clarify. Mr. Pierce said the airport was key to assisting the Coast Guard after Hurricane Michael and they wanted to thank or repay in some way. The TRIUMPH board wanted someone else's money to match theirs so the recently constructed FDOT funded Airport access road was used as the required match for the TRIUMPH grant application to fund the new fuel farm. The access road leads to the fuel farm. It was under construction at the time the grant was awarded and the County didn't want to commit to another project.

On a motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, the Board authorized the construction of the new Airport fuel farm at Alternate Site 2 (West Apron). Motion carried 4-0.

4. New EOC Location: A couple of years ago the Board requested, as a legislative appropriation, funds to design and construct a new Emergency Operations Center (EOC). The County received funds from the State to design and engineer a new EOC. After much discussion the Board agreed to a location on the Airport for the new EOC, however, that location was considered "Airport" property based on a 1947 FAA lease and recorded deed. In order not to pay the Airport fair market value to use that property, FAA would have to exclude the property from the 1947 lease and recorded deed. AVCON tried but was unsuccessful in getting FAA to exclude this property. So, in an attempt to avoid that issue, Mr. Clay Kennedy of Dewberry, Mr. John Collins and Mrs. Mary Soderstrum of AVCON, and county staff started a search for a parcel around the airport that would be big enough for the new EOC, but not part of the famous 1947 lease and recorded deed. After many meetings and emails, the lot indicated by the green shade on the attached map is recommended. This lot is located on the NE corner of Brownsville and Airport Road and a three acres section will be used to allow enough room for the EOC building, parking, stormwater, and expansion. Now, this lot is not without its challenges, as it was mistakenly included and recorded on the deed as part of the 1942 lease, but there is a prior deed that shows it was never part of the 1942 lease. AVCON is working with FAA and FDOT to remove this lot from the recorded deed, and even though both agencies agree that it was a mistake to include that lot, there is a process that will take a few months to correct the error. Mr. Kennedy, Mrs. Erin Griffith, and I met with Attorney Shuler and explained the situation to him for his counsel and guidance on moving forward with this lot for the new EOC. Attorney Shuler agrees that we should proceed with this lot and the design of the new EOC but wanted the Board to be aware that if we have to move the EOC from this location for any reason, there will be added expense for changes and re-engineering of the EOC at a new location. So, is the Board ready to move forward with the design of the new EOC at this location with all the information that has been presented here today?

Previously discussed under Emergency Management Director – Pam Brownell

5. SGI Speed Limit Change: At your last meeting, Chairman Jones requested, and the Board agreed by motion, to lower the speed limit to 25 mph on East Pine Street located in St. George Island's business district. The Chairman informed me that the new speed limit should be 20 mph (not 25 mph) and the section of West Pine Street located in the business district should be also be included in that speed limit change for the same reason.

A.

On a motion by Commissioner Ward, seconded by Boldt, and by unanimous vote of the Board present, the Board approved to reduce the speed limit on the sections of East Pine Street and West Pine Street that is located in St. George Island's business district to 20 mph. Motion carried 4-0.

Chairman Jones pointed out that it was already 25 mph, and was being reduced to 20 mph due to increased automobile and foot traffic.

6. EOC Contract: Mrs. Pam Brownell, Emergency Management Director, requested that Chairman Jones sign the Federally Funded Subaward and Grant Agreement No. Z2607 for Hurricane Sally. Mrs. Brownell stated that she was facing a deadline and needed the signed document sent to the Florida Division of Emergency Management last week. In addition, Mrs. Erin Griffith completed the associated FDEM Risk Assessment Questionnaire.

Previously discussed under Emergency Management Director – Pam Brownell

7. TDC Tax Increase: At your June 16, 2020 meeting the Board discussed increasing the tourist development tax from 2% to 3% and ended the discussion with a motion to schedule a public hearing to increase the tax. Later on, during that same meeting, the Board also motion to schedule a workshop with the TDC to discuss how the additional funds would be spent. That workshop was postponed and never rescheduled. The public hearing was never advertised or scheduled. Is the Board ready to schedule the public hearing, and rather than having a separate workshop, have a representative from TDC appear at the public hearing and discuss possible future projects?

On a motion by Commissioner Ward, seconded by Commissioner Boldt, to authorize scheduling a public hearing to discuss increasing the tourist development tax from 2% to 3%.

Commissioner Jones spoke in favor of scheduling the hearing and reminded the Board that our next meeting will be opened to the public in person.

Motion carried 4-0.

8. Congressman Dunn's Request: About two weeks ago, Congressman Dunn's office sent a request for Congressionally Directed Community Project Funding with an April 19, 2021 submission deadline. As time was an issue, I asked Mrs. Traci Buzbee to assist the County with the applications. Since this information was already available, the County submitted applications for the construction of a new EOC and additional funding for the Fort Coombs Armory fire sprinkler system. Each application required a letter of support signed by the Chairman.

On a motion by Commissioner Parrish, seconded by Commissioner Ward, to ratify the Chairman's signature on the letters of support for both applications.

Motion carried 4-0.

Commissioner Ward brought up the barricades blocking Leslie Street from a potential leaking pipe underground. She expressed her concerns regarding the structure of the courthouse due to the compromise between Leslie and 4th Street. Mr. Pierce said that Leslie Street has a stormwater drain issue and 4th Street is a sewage problem. He doesn't think that the two are connected. Commissioner Parrish said all of this seems to be an impact from Hurricane Michael and that it may be possible for the city to apply for the infrastructure money. Commissioner Parrish said he would agree to provide a letter of support for the City if they were to apply. Mr. Moron said Mr. Travis Wade submitted an application last week for the CDHG Program and that he will ask if the two streets are in the plan for those funds. Mr. Moron asked if the Board wanted him to check with Dewberry to see if they have any information regarding the infrastructure of the two roads and how it relates to the courthouse. Mr. Pierce recommended

asking Mr. Wade first. Commissioner Ward said the issue is that the courthouse is located between City streets but that it is the County Board’s responsibility to ensure the safety of the courthouse. Chairman Jones said that we could leave it alone and see what happens or have the research done to make sure that the building is not in danger. Chairman Jones spoke in favor of a letter of support for the City to apply for the CDHG Program to repair Leslie and 4th Street. Mr. Moron said he suggests contacting Mr. Wade first, then move forward from there. Mr. Moron will compile information from Mr. Wade and Mr. Kennedy and report back to the Board. Mr. Moron will see if it’s not too late to submit a letter of application support, if not the Board can ratify it at the next meeting.

9. Abercrombie Boat Ramp Security Cameras: A few years ago, the Board approved video security systems for a number of locations, Abercrombie boat ramp being one of those locations. There were a few hurdles to overcome at the boat ramp, power and a solution for accessing the video due to communication access restrictions. Power at the boat ramp has been available, however we had to make other concessions as it relates to the communication issue. Of all the companies that I have asked for proposals, I recommend the proposal from Inspired Technology. Without revealing too much information, they have the best workaround for accessing the recorded video from the cameras. The total amount of this proposal is \$9,497.00.

On a motion by Commissioner Parrish, seconded by Boldt and Commissioner Ward, and by unanimous vote of the Board present, to accept the \$9,497.00 quote from Inspired Technology for the installation of a CCTV camera system at the Abercrombie boat ramp. Motion carried 4-0.

10. Prison Closing Letter to Senate: Earlier in the meeting the Board heard from Warden Conner regarding inmate labor and prison closings. Prior to last week’s message and information Warden Conner may have provided this morning, the State Legislature was considering closing four prisons. During the time when this was a probability, there was a call to action to send the Florida Senate President and the Speaker of the House a letter asking that the Franklin County Correctional Institute would not be included on the list of possible prisons closures. Chairman Jones signed the letter, (attached) and it was immediately sent to the Senate President and Speaker of the House.

The Board decided to resend the letter reaffirming the Board’s position on the possible closure.

On a motion by Commissioner Parrish, seconded by Commissioner Ward and Commissioner Boldt, and by unanimous vote of the Board present, to ratify the Chairman’s signature on the letter to the Senate regarding the prison closures. Motion carried 4-0.

B. Information Items

1. Ethics Class: I am currently working with Ms. Becky Berentsen of the Florida Association of Counties on registering each of you for an ethics class video that will be shown here in your commission meeting room. I need you to check your schedule and let me know what Saturday in May you are available to view the ethics class video.

2. CareerSource Hurricane Michael Program: I was informed by Mrs. Kim Bodine of CareerSource Gulf Coast that the Hurricane Michael Grant will close on April 30th. That will be the last day of work for the employees working on this grant. CareerSource was unable to secure any additional funds for this program.

3. School Board Event: The Franklin County School District will have a Youth Mental Health Workshop here in your meeting room at 6pm (ET) this evening. Similar workshops will be held in Eastpoint and Carrabelle. The workshop will be hybrid format, in-house and virtual.

4. Ribbon Cutting Ceremony: As a reminder, the ribbon cutting ceremony for the new St. George Island public bathrooms will be today at 2:00 p.m. (ET).

Chairman Jones spoke regarding the proposed bid that was sent out by FWC to place lime rock in the bay. He requested County staff to check in on this. Commissioner Jones said it was his understanding that they will be using smaller parts of limestone and it will be monitored by the Bay Initiative testing profiles, giving FWC the feedback. Commissioner Parrish said he was in favor of using oyster shells. He said he was concerned with the spat setting on the flat surface of limestone.

Commissioner Boldt suggested making a counter-proposal to use oyster shell as an alternate sub straight. Chairman Jones said there is a lot of people very concerned about the lime rock and how it will change the PH level in the water. He said we can't prove that it was detrimental to the bay but the bay has changed since the Gulf Oil spill,

Commissioner Parris said State agencies are running restoration efforts without the expertise of the bay. They are not taking any recommendations from those who were born and raised working the bay.

Commissioner Boldt asked if we could get a progress report possibly in June.

Commissioner Parrish said we might have to find a different base due to the salinity of the bay from decreased freshwater from Georgia. It will be hard to bring the bay back. The Supreme Court ruling sent down a decree that the bay was over harvested. Commissioner Parrish said the issue with oyster shells is that the dealers are now importing the oysters, therefore, the shells belong to the dealers and not the State. The State doesn't want to buy oyster shells.

Chairman Jones said it will be interesting to see how serious they get with the restoration and that solving one issue is not going to fix our bay.

County Attorney – Michael Shuler – Report

A. Report

1. Ordinance Providing for Limited Maintenance and Repair of Private Roads

Attorney Shuler explained to the Board this was a renewal of a 2010 proposal for the County to create an ordinance for limited maintenance and repair of private roads. A few highlights of the proposed ordinance include 100% advance payment to be paid by the owner; a \$1000 cap for private roads/ \$5000 subdivisions. Attorney Shuler provided a rate sheet from the road department with labor and equipment costs.

Motion by Commissioner Boldt, seconded by Commissioner Ward, to schedule a public hearing on the proposed ordinance providing for limited maintenance and repair of private roads.

Commissioner Parrish commented that this issue was addressed several years back and a lot of private contractors came in complaining they would be competing with the government. Chairman Jones noted that none of them are tasked with the safety of constituents. Attorney Shuler reiterated that the ordinance would provide for limited maintenance to provide for the safe passage of emergency vehicles and school busses, filling potholes, and grading roads. **Motion carried 4-0.**

2. Traffic Ordinance

Attorney Shuler reported the newspaper failed to publish the ad for the traffic ordinance scheduled for April 20, 2021 and he has sent another notice for publication for a public hearing to be held on May 6, 2021.

3. Animal Control Appeal Board

Attorney Shuler reported the Animal Control Appeal Board met on April 15, 2021. The Board affirmed the decision of animal control to humanely destroy a dog for an unprovoked bite after being declared a dangerous dog. The owner has a right to file an appeal to the circuit court.

4. 2036 Highway 98 – Destroyed House

Attorney Shuler reported that on March 19, 2021, the property owner received his certified letter notifying her of the public nuisance caused by the destroyed house to which she had 30 days to respond. Attorney Shuler reported that he sent a second letter on April 9, 2021 informing her that this was her final notice to remove the destroyed house and abate the nuisance, giving her a deadline of April 30, 2021. If no response is received, then a lawsuit will be filed.

5. 2626 Highway 98 – Destroyed House

Attorney Shuler reported that on March 5, 2021 a certified letter was returned to him as refused by the owner. However, on April 1, 2021, Mr. Steve Paterson informed Attorney Shuler that the property owner had applied for a demolition permit. Attorney Shuler mailed a follow-up letter to the property owner on April 9, 2021.

6. 329 Highway 98 – Unpermitted Structure

Attorney Shuler reported he had worked with the property owner to bring the property into compliance. To date, no meaningful progress has been made. On February 22, 2021, the property owner agreed to hire a private building inspector, but to date, he has not.

7. 331 Highway 98 – Unpermitted Structure and Unpermitted Use

Attorney Shuler reported that the property owner stated that he had brought the permit and use of the property into compliance with the building and zoning code. Mr. Steve Paterson conducted an inspection and informed Attorney Shuler that the property is now in compliance.

8. Alligator Point VFD MSBU Matter

Attorney Shuler will report on this at the May 6, 2021 meeting.

Commissioner Ward thanked Attorney Shuler for working demolition of the houses noting she had homeowners reach out to her about the concern of the upcoming hurricane season and the possibility of debris being pushed on their houses.

Attorney Shuler reiterated that she has until April 30th to respond to the second notice. Attorney Shuler explained upon no response, a lawsuit will be filed and she will be served. However, the process will not be completed before hurricane season begins or ends. Commissioner Ward said she understood the process and knew the County could not demolish someone’s home without the proper steps. Attorney Shuler said even though it is a hazard, the law doesn’t allow demolition without due process.

Commissioners’ Comments

Adjournment

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

Ricky Jones – Chairman

Attest:

Michele Maxwell – Clerk of Courts

A.

B.

File Attachments for Item:

B. Report (agenda packet)

Clerk's Report to the Board: May 4, 2021

RE: Immobilization/ "Booting" of Vehicles in Alligator Point

I reached out to Clerks throughout the state concerning "booting" in their counties. I discovered that Walton County just adopted an ordinance this year allowing for the booting of vehicles. I have attached a copy of their ordinance 2021-6 for your review.

There are no small counties that have "booting" in place. I did find larger counties, including Brevard, Desoto, Manatee, and Sarasota Counties that are "booting". However, all counties that I found were using licensed security officers, and or approved companies that have met the requirement of Florida Statute 316.193(13). Once their application has been reviewed and it is confirmed all requirements have been met, the name of the immobilization agency is added to the Court's Order of Impoundment of Immobilization. I have attached a copy of Administrative Order 2010-3.3 for Desoto, Manatee, and Sarasota Counties.

My concerns are if the Sheriff's department is the agency that will be administering the "boot" how will the payments be received? Would the fee go directly to the Sheriff's department? If the Board decides to impose a fine amount that needs to be processed through the Clerk's office then the payment would have to be received by the officer and brought to the Clerk's office for processing. If the person receiving the fine pays with a credit card, how would the payment be processed?

Furthermore, I reached out to the Florida Clerk's Association and was informed that this is not usually something that is handled by the clerk's office. This is typically handled by a private "booting" company.

I need direction from the Board on who will be responsible for the "booting" and if the Board wants to impose a fee that the Clerk's office would have to process. Once I receive clear direction from the Board, I will be able to address the issue and give a suitable recommendation on the distribution of the fine amount.

ORDINANCE 2021-06

AN ORDINANCE OF THE WALTON COUNTY BOARD OF COUNTY COMMISSIONERS ENACTING REGULATIONS CONCERNING TEMPORARY IMMOBILIZATION OF VEHICLES THAT ARE IN VIOLATION OF PARKING RESTRICTIONS ON PRIVATE PROPERTY; IMPOSING MAXIMUM RATES WHICH MAY BE CHARGED FOR THE IMMOBILIZATION OF VEHICLES ON PRIVATE PROPERTY; PROVIDING FOR SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

WHEREAS, Sections 715.07 (9) (b) *F.S.* and 125.0103(1) *F.S.* grant counties the authority to enact regulations concerning the temporary immobilization of vehicles that are in violation of parking restrictions on private property adopted by any state or local government or by any community or development pursuant to its governing documents; and

WHEREAS, Walton County hereby authorizes the use of “Smart Boots,” “The Barnacle,” and such other “smart immobilization devices,” in conjunction with towing under the conditions set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE WALTON COUNTY BOARD OF COUNTY COMMISSIONERS THAT ARTICLE IV, CHAPTER 20, OF THE WALTON COUNTY CODE OF ORDINANCE IS HEREBY CREATED TO READ AS FOLLOWS:

- (1) “Smart immobilization devices” means such devices as temporarily disable a vehicle by means of a wheel lock (Smart Boot), windshield drape (Barnacle) or other such device that is removable *in situ* upon remitting a payment via cellphone or other personal device or payment at a specified location.
- (2) This ordinance may be used to enforce parking regulations on private property in Planned Developments by licensed private security. The term “Planned Development,” as used herein, means communities developed as a Development of Regional Impact (DRI), or Planned Urban Development (PUD) by State Coordinated Review pursuant to Chapter 163 Florida Statutes 3184(2)(C) and are organized pursuant to 720 *F.S.*, or 718 *F.S.*, as a Florida Homeowners Association or, a Florida Condominium Owners Association and are operated by a Board of Directors and employ a Community Association Manager or contract with a management company to supply a Community Association manager.
- (3) Any Planned Development utilizing smart devices for enforcement of parking regulations must either employ security officers or contract with a licensed security company to provide security services.
- (4) The licensed security officer employed or contracted by the Planned Development described above, may cause any “vehicle” hereby defined as any mobile item which normally uses

wheels, whether motorized or not parked on such property without the owner's permission to be smart immobilized by means of a immobilization device without liability for the cost of removing the device or caused by its removal.

(5) All licensed security officers deploying a smart device must be trained and must have received a letter certifying that the individual officer was trained by (a) the company issuing the smart device to the property owner or (b) by other persons or organizations certified by the company issuing the device to provide such training. At intervals of no less than 3 years, security personnel utilizing the device must be re-certified by the issuing company.

(6) The immobilization of any vehicle without the consent of the registered owner or other authorized person in control of the vehicle is subject to strict compliance with the following conditions and restrictions:

(A) The licensed security officer immobilizing a vehicle must affix an adhesive notice to the vehicle providing, in letters no less than one inch high, the 24-hour telephone number which, when called, accepts the credit card or other electronic payment information that, once processed, disarms the immobilization device so that the vehicle may be operated. The notice must also provide the local number of the security service that immobilized the vehicle, and must specify the nature of the parking violation, the time of its occurrence, the payment required to remove the device by the smart device process, a telephone number for electronic payment or a location at which cash or a check may be used for payment in lieu of electronic payment and the manner in which the license plate holder may appeal the parking violation and receive a refund of some or all associated fees. The notice must further advise the operator that the device must be deposited immediately after removal at a specified location. The location for depositing the device must be within ten (10) miles of where the device was used and failure to return the device in working condition will result in an additional charge to repair or replace it.

(B) In addition to the 24-hour number required by (6)(A) above, the local security service must be available by telephone during, and for at least two hours after, any such device is deployed. The local security service must have the means to abate the immobilization in the event that the 24-hour service described in (1)(A) above malfunctions or otherwise fails to release the smart device upon receipt of the indicated payment, and must do so promptly in that event.

(C) The person applying the smart device shall, within 30 minutes after such deployment, cause the Walton County Sheriff's office to be notified of the time of the immobilization, the location of the immobilization, the make, model, color, license plate number and state of registration of the vehicle.

(D) The person in the process of immobilizing a vehicle must stop when requested by the owner or responsible driver of the vehicle on proof of identification in the form of a valid driver's license and matching or essentially matching vehicle registration or, in the case of a rental vehicle, such documents as show the key holder to be the authorized renter

or driver. The key holder may then operate the vehicle without paying an immobilization fee.

(7) The Planned Development must post notices meeting the following requirements:

(A) Placement proximate to each intersection with the public right of way, which notice must clearly indicate, in not less than 2-inch high, light-reflective letters on a contrasting background, that unauthorized vehicles may be immobilized (or disabled or impounded) at the owner's cost. The words "Immobilization" (or "disabling" or "impound") Zone must appear on the sign in letters no less than 4 inches high. The notice must also include the name and current phone number of the security service using the immobilization device. Signs must be affixed to permanent standards no less than 3 nor more than 6 feet above ground level.

(B) If only a portion or section of a Planned Development is to include an immobilization zone, then that area, but not the entire development, must comply with the requirements of (6)(A) above.

(8) Entities deploying smart devices may also employ towing services in all or portions of the development but only if the signage complies with the requirements of FL. Statute 715.07(5) regarding towing and with this Ordinance regarding smart devices in the areas, if any, where both towing and smart devices will be employed; and complies with the Statute or the Ordinance, respectively, where either towing or smart devices are in effect. The required language and lettering of the towing statute and this ordinance may be combined on signs.

(9) Any person or firm that immobilizes vehicles pursuant to this Ordinance must file and keep on record with the Walton County Sheriff office a complete copy of the current rates to be charged for such services, which shall in no event exceed the maximum County-authorized rate of \$100.00. Any Planned Development utilizing Smart Immobilization Devices must file and keep on record with the Walton County Sheriff's Office contact information for representative of the management of the Planned Development and the private security or contract security employed by the Planned Development including phone numbers, and email addresses.

(10) Any Planned Development utilizing smart devices must have in place a process for appealing the use of the smart device. The appeal process must provide for an aggrieved party to provide a written Notice of Appeal within ten (10) days of the deployment of the device. The issuing authority must schedule a hearing before a person designated by the Planned Development who is not part of the security service to decide the appeal within thirty (30) days. The hearing may be conducted in person or by electronic means. A ruling must be rendered within ten (10) days of the hearing. The Planned Development must maintain an electronic record of the appeal or hearing proceeding and make such record available to the aggrieved party upon request for a period of one (1) year after any such hearing. The aggrieved party must have the opportunity to present written evidence as to why the smart device was wrongfully used and may be represented by counsel. This appeal process is in addition to any rights the aggrieved party may have available to them in the State Courts.

(11) Severability. If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

(12) Effective Date. This Ordinance shall become effective immediately upon adoption by the Walton County Board of County Commissioners.

PASSED AND DULY ADOPTED in regular session, by the Board of County Commissioners of Walton County, Florida, this 23rd day of February 2021.

BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA

Attest:

Alex Alford
for Alex Alford, Clerk of Circuit Court
and County Comptroller

Trey Nick
Trey Nick, Chair



**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR
DESOTO, MANATEE, AND SARASOTA COUNTIES**

Administrative Order 2010-3.3

**IN RE: VEHICLE IMMOBILIZATION/
IMPOUNDMENT**

WHEREAS, Florida Statute 316.193(6)(d) requires the Court to order the immobilization/impoundment of a vehicle which was driven by, or in the actual physical control of, a person convicted of violating the provisions of Florida Statutes 316.193; and

WHEREAS, Florida Statue 316.193 was amended recently by adding sections 316.193(13) & (14) limiting who may participate in the immobilization of vehicles; and

WHEREAS, neither personnel of the Twelfth Judicial Circuit nor the Sheriffs of DeSoto, Manatee, and Sarasota Counties immobilize vehicles pursuant to section 316.193(6); and

WHEREAS, in order to ensure that immobilization entities operating in DeSoto, Manatee, and Sarasota Counties are in compliance with all statutory requirements, the Twelfth Judicial Circuit hereby establishes a vehicle immobilization/impoundment program.

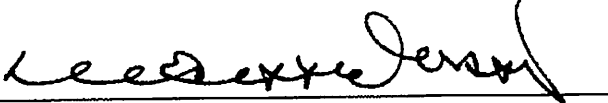
It is therefore, pursuant to the authority vested in me as Chief Judge of the Twelfth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215,

ORDERED as follows:

1. A vehicle immobilization/impoundment program shall be permanently established within the Twelfth Judicial Circuit.
2. Court Administration will maintain a list of the names and numbers of all immobilization agencies that meet the requirements of Florida Statute 316.193(13) and which operate and provide all the essential services associated with the immobilization/impoundment of vehicles pursuant to Florida Statute. 316.193(6)(d) and in accordance with the directives of the Court.
3. Companies seeking to have their names placed on Court Administration’s list, which names are then listed on the Orders of Impoundment or Immobilization, must submit an application showing proof that all of the requirements of Florida Statute 316.193(13) have been fulfilled along with an initial processing fee of \$500.00.
4. Once approved, companies have an on-going responsibility to inform Court Administration of any new employees, agents or independent contractors working on the vendors’ behalf who will be immobilizing vehicles in the Twelfth Judicial Circuit as well as any other changes affecting their status as a qualified immobilization agency.

- a. After a qualifying immobilization agency hires a new employee or retains a new independent contractor, it shall immediately submit proof that the person has no disqualifying criminal history.
 - b. No new employee, agent or independent contractors will be permitted to immobilize vehicles in the Twelfth Judicial Circuit unless and until the company has received written notice from Court Administration that the employee has been approved.
 - c. A \$50.00 processing fee will be required for each new employee/independent contractor that Court Administration must confirm complies with the statutory requirements.
5. Once the application has been reviewed and it is confirmed that the requirements of Florida Statute 316.193(13) have been met, the name of the immobilization agency will be added to the Court's Order of Impoundment or Immobilization. Companies who fail to comply with the statutory requirements or who, in the chief judge's discretion, are engaging in practices which compromise the integrity of the court, may be removed from the circuit's approved list of immobilization agencies.
 6. An approved list of Immobilization Agencies for the Twelfth Judicial Circuit shall be established by the Chief Judge each year. Immobilization agencies must provide notice to the Chief Judge of their intent to renew their active status on the circuit's immobilization list. At the time of renewal, a reasonable renewal fee set by the Chief Judge shall be due from immobilization agency.
 7. Immobilization agencies on the list maintained by the Twelfth Judicial Circuit shall comply with all rules and statutes pertaining to vehicle immobilization and will be expected to keep up to date with any new provisions within said rules and statutes.
 8. To offset administrative costs associated with the Vehicle Immobilization Program, a monthly fee will be assessed against the immobilizing agency in an amount equal to that charged by the company for a thirty (30) day immobilization.
 9. Monthly payment will be due by the tenth (10th) day of each month. The immobilization agency will also provide monthly a list of the cases in which a vehicle was impounded or immobilized along with the number of days the vehicle was impounded.
 10. The approved immobilizing agencies shall submit to Court Administration a proposed fee schedule for their immobilizations. The fee schedule shall be reviewed by Court Administration on an annual basis and must be approved by Court Administration prior to it being imposed.

DONE AND ORDERED in chambers, Sarasota, Sarasota County, Florida, on this 19th day of January, 2010.


**LEE E. HAWORTH, CHIEF JUDGE
TWELFTH JUDICIAL CIRCUIT
STATE OF FLORIDA**

C.

File Attachments for Item:

C. Informational Items

1. Detail of Work Performed and Material Hauled by District (agenda packet)
2. We hauled to our stockpile 38 loads (approx. 684 cubic yards) of milled asphalt from Graham Creek on 65 in Eastpoint from Roberts and Roberts.

May 4, 2021
 Franklin County Road Department
 Detail of Work Performed and Material Hauled by District
 Detail from 4/15/2021 - 4/28/2021

District 1

Work Performed:

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Cleaned out culverts, Trim Trees, Cleaned ditches	4/15/2021	W Bay Shore Drive
Cleaned ditches, Dig out ditches	4/15/2021	W Bay Shore Drive
Cleaned ditches, Dig out ditches	4/15/2021	Cook Street
Flagged	4/15/2021	Cook Street
Litter Pickup	4/15/2021	Carroll Street
Litter Pickup	4/15/2021	N Bay Shore Drive
Trim Trees, Cut Trees down and removed, Cleaned out culverts	4/15/2021	Cook Street
Cleaned out culverts, Trim Trees, Cleaned ditches	4/15/2021	Cook Street
Pot hole Repair (Fill)	4/21/2021	2nd Street
Pot hole Repair (Fill)	4/21/2021	2nd Street
Sign Maintenance	4/21/2021	Gibson Street
Pot hole Repair (Fill)	4/22/2021	Power Drive
Pot hole Repair (Fill)	4/22/2021	Shuler Avenue
Pot hole Repair (Fill)	4/22/2021	State Street
Pot hole Repair (Fill)	4/22/2021	Power Drive
Pot hole Repair (Fill)	4/22/2021	Shuler Avenue
Pot hole Repair (Fill)	4/22/2021	State Street
Litter Pickup	4/22/2021	David Street
Litter Pickup	4/22/2021	Tallahassee Street
Litter Pickup	4/22/2021	David Street
Litter Pickup	4/22/2021	Tallahassee Street
Litter Pickup	4/22/2021	Dunlap Road
Litter Pickup	4/22/2021	Dunlap Road
Graded Road(s)	4/26/2021	Gilbert Street
Box drag	4/26/2021	McCloud Street
Box drag	4/26/2021	Quinn Street
Graded Road(s)	4/26/2021	W Bay Shore Drive
Box drag	4/26/2021	Wing Street
Graded Road(s)	4/26/2021	Palmer Street
Graded Road(s)	4/26/2021	Randolph Street
Graded Road(s)	4/26/2021	Patton Street
Graded Road(s)	4/26/2021	Bruce Street
Graded Road(s)	4/26/2021	Marks Street
Graded Road(s)	4/26/2021	Akel Street
Graded Road(s)	4/26/2021	Cook Street
Graded Road(s)	4/26/2021	Pruett Road
Graded Road(s)	4/26/2021	Buck Street, St. George Island
Graded Road(s)	4/26/2021	Land Street
Driveway repair	4/26/2021	Daisy Drive
Driveway repair	4/26/2021	Daisy Drive
Box drag	4/26/2021	W 4th Street
Box drag	4/26/2021	W 3rd Street
Box drag	4/26/2021	W 5th Street
Box drag	4/26/2021	W 6th Street

District 1

Work Performed:

	<u>Date</u>	<u>Road</u>
Box drag	4/26/2021	Porter Street
Driveway repair	4/26/2021	Daisy Drive
Box drag	4/26/2021	Brown Street
Driveway repair	4/26/2021	Daisy Drive
Graded Road(s)	4/26/2021	Cat Point Road
Box drag	4/26/2021	W 10th Street
Box drag	4/26/2021	Bradford Street
Box drag	4/26/2021	Nedley Street
Driveway repair	4/26/2021	Daisy Drive
Box drag	4/26/2021	W 12th Street
Box drag	4/26/2021	W 9th Street
Box drag	4/26/2021	Bledsoe Street
Graded Road(s)	4/27/2021	W Pine Avenue
Graded Road(s)	4/27/2021	E Pine Avenue
Box drag	4/27/2021	E Bay Shore Drive
Box drag	4/27/2021	Baine Street
Box drag	4/27/2021	Brinkley Street
Box drag	4/27/2021	Bell Street
Box drag	4/27/2021	E 11th Street
Box drag	4/27/2021	E 10th Street
Box drag	4/27/2021	E 9th Street
Box drag	4/27/2021	E 8th Street
Box drag	4/27/2021	E 6th Street
Box drag	4/27/2021	E 4th Street
Box drag	4/27/2021	E 3rd Street
Build Alley Way Road	4/27/2021	Alley between E 1st and E 3rd Street
Box drag	4/27/2021	Gunn Street
Box drag	4/27/2021	E 1st Street
Box drag	4/27/2021	E 7th Street
Trim Trees, Cut bushes back	4/28/2021	Shuler Avenue

0

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Ditch Dirt	4/15/2021	Cook Street	18	0
Ditch Dirt	4/15/2021	W Bay Shore Drive	18	0

Ditch Dirt **TOTAL** **36** **0**

Litter	4/15/2021	N Bay Shore Drive	1	0
Litter	4/15/2021	Carroll Street	0.5	0
Litter	4/22/2021	Tallahassee Street	0.5	0
Litter	4/22/2021	Dunlap Road	0.5	0
Litter	4/22/2021	David Street	0.5	0

Litter **TOTAL** **3** **0**

Trees	4/15/2021	Cook Street	9	0
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Trees **TOTAL** **9** **0**

Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Black Dirt	4/27/2021	Alley off of W 1st St, SGI	54	0

Black Dirt **TOTAL** **54** **0**

District 1

Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Cold Mix, Asphalt	4/21/2021	2nd Street	9	0
Cold Mix, Asphalt	4/22/2021	Shuler Avenue	1	0
Cold Mix, Asphalt	4/22/2021	Power Drive	1	0
Cold Mix, Asphalt	4/22/2021	State Street	1	0

Cold Mix, Asphalt

TOTAL

12 0

Dirty 89 Lime Rock	4/26/2021	Daisey Drive	9	0
Dirty 89 Lime Rock	4/26/2021	W Pine Avenue	18	0
Dirty 89 Lime Rock	4/26/2021	Cat Point Road	18	0
Dirty 89 Lime Rock	4/26/2021	W 8th Street	18	0
Dirty 89 Lime Rock	4/26/2021	Marks Street	18	0
Dirty 89 Lime Rock	4/26/2021	W 9th Street	18	0
Dirty 89 Lime Rock	4/26/2021	W Pine Avenue	18	0
Dirty 89 Lime Rock	4/26/2021	Marks Street	54	0
Dirty 89 Lime Rock	4/27/2021	E Pine Avenue	18	0
Dirty 89 Lime Rock	4/27/2021	E 9th Street	18	0

Dirty 89 Lime Rock

TOTAL

207 0

Ditch Dirt	4/15/2021	Stock Pile, W 3rd Street	18	0
Ditch Dirt	4/15/2021	Stock Pile, W 3rd Street	18	0

Ditch Dirt

TOTAL

36 0

District 2

Work Performed:

	<u>Date</u>	<u>Road</u>
Litter Pickup	4/19/2021	Alligator Drive
Litter Pickup	4/19/2021	CR67
Litter Pickup	4/19/2021	CR67
Litter Pickup	4/19/2021	Bald Point Road
Litter Pickup	4/19/2021	Alligator Drive
Litter Pickup	4/19/2021	CR 370 (Alligator Drive)
Litter Pickup	4/19/2021	Rio Vista Drive
Litter Pickup	4/19/2021	Rio Vista Drive
Litter Pickup	4/19/2021	CR67
Litter Pickup	4/19/2021	Lake Morality Road
Litter Pickup	4/19/2021	CR67
Litter Pickup	4/19/2021	CR 370 (Alligator Drive)
Litter Pickup	4/19/2021	Lake Morality Road
Litter Pickup	4/19/2021	Bald Point Road
Graded Road(s)	4/20/2021	Harbor Circle
Graded Road(s)	4/20/2021	Chip Morrison Road
Graded Road(s)	4/20/2021	Harry Morrison Island Road
Litter Pickup	4/20/2021	CR67
Graded Road(s)	4/20/2021	Lakeview Drive
Graded Road(s)	4/20/2021	Surf Drive
Litter Pickup	4/20/2021	CR67
Graded Road(s)	4/20/2021	Bay Front Drive
Graded Road(s)	4/20/2021	Sun N Sands Blvd
Graded Road(s)	4/20/2021	Donax Place
Graded Road(s)	4/20/2021	Cypress Street
Graded Road(s)	4/20/2021	Mariner Circle

District 2**Material HAUL To:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Dirty 89 Lime Rock		TOTAL	144	54.9699993134
Milled Asphalt	4/21/2021	Baywood Drive (City of Carrabelle)	1	0
Milled Asphalt	4/21/2021	West Drive	1	0
Milled Asphalt	4/21/2021	Newman Drive	1	0
Milled Asphalt	4/21/2021	Lake Morality Road	2	0
Milled Asphalt		TOTAL	5	0
Sand	4/20/2021	Harbor Circle	18	0
Sand	4/20/2021	Harry Morrison Island Road	18	0
Sand		TOTAL	36	0

District 4**Work Performed:**

	<u>Date</u>	<u>Road</u>
Litter Pickup	4/20/2021	Oyster Road
Dig out ditches, Cleaned out culverts, Cut grass in ditches	4/20/2021	Bayshore Drive
Litter Pickup	4/20/2021	Oyster Road
Litter Pickup	4/20/2021	Thomas Drive
Litter Pickup	4/20/2021	Peachtree Road
Dig out ditches	4/20/2021	Bayshore Drive
Litter Pickup	4/20/2021	Brownsville Road
Litter Pickup	4/20/2021	Chapman Road
Litter Pickup	4/20/2021	Highland Park Road
Litter Pickup	4/20/2021	Rosemont Street
Litter Pickup	4/20/2021	Connector Road
Litter Pickup	4/20/2021	Cypress Street
Litter Pickup	4/20/2021	26th Avenue
Sign Maintenance	4/21/2021	Paradise Lane
Ground Maintenance (Cut grass, picked up litter, Weed Eat)	4/26/2021	Emergency Management (Apalachicola)
Ground Maintenance (Cut grass, picked up litter, Weed Eat)	4/26/2021	Emergency Management (Apalachicola)
Ground Maintenance (Cut grass, picked up litter, Weed Eat)	4/26/2021	Emergency Management (Apalachicola)
Ground Maintenance (Cut grass, picked up litter, Weed Eat)	4/26/2021	Emergency Management (Apalachicola)
Ground Maintenance (Cut grass, picked up litter, Weed Eat)	4/26/2021	Emergency Management (Apalachicola)
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	4/27/2021	Pal Rivers Road
Cut grass along shoulders of road on county right of way	4/27/2021	Pal Rivers Road
Cut grass along shoulders of road on county right of way, Cut grass in ditches, Weed Eat & Cut Grass around signs & Culverts	4/27/2021	Bluff Road
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	4/27/2021	Bluff Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	4/27/2021	Bluff Road
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	4/27/2021	Bluff Road
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	4/27/2021	Bluff Road
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	4/27/2021	Pal Rivers Road
Cut grass along shoulders of road on county right of way	4/28/2021	Bayshore Drive
Graded Road(s)	4/28/2021	8 Mile
Cut grass along shoulders of road on county right of way	4/28/2021	Marks Street
Graded Road(s)	4/28/2021	Teat Road
Litter Pickup	4/28/2021	Jackie Whitehurst Street
Weed Eat & Cut Grass around signs & Culverts	4/28/2021	Pal Rivers Road
Cut grass along shoulders of road on county right of way	4/28/2021	Jackie Whitehurst Street
Cut grass along shoulders of road on county right of way	4/28/2021	Apalachee Street

District 5

Work Performed:

	<u>Date</u>	<u>Road</u>
Flagged	4/19/2021	CC Land
Flagged	4/19/2021	Otterslide Road
Flagged	4/19/2021	CC Land
Flagged	4/19/2021	Gulf View Road
Flagged	4/19/2021	Otterslide Road
Cleaned ditches, Dig out ditches	4/19/2021	CC Land
Pot hole Repair (Fill)	4/21/2021	Carlton Millender Road
Pot hole Repair (Fill)	4/21/2021	Carlton Millender Road
Pot hole Repair (Fill)	4/22/2021	Frank McKamey Way
Graded Road(s)	4/22/2021	Brick Yard Road (Forestry Road #129)
Litter Pickup	4/22/2021	Wilderness Road
Litter Pickup	4/22/2021	Wilderness Road
Litter Pickup	4/22/2021	Otterslide Road
Pot hole Repair (Fill)	4/22/2021	Bear Creek Rd
Pot hole Repair (Fill)	4/22/2021	Timber Island Road (City of Carrabelle)
Graded Road(s)	4/22/2021	Hickory Landing Road (Forestry Road #101-E
Pot hole Repair (Fill)	4/22/2021	Cape Street
Graded Road(s)	4/22/2021	Wright Lake Road (Forestry Road #101)
Pot hole Repair (Fill)	4/22/2021	Bear Creek Rd
Pot hole Repair (Fill)	4/22/2021	Timber Island Road (City of Carrabelle)
Pot hole Repair (Fill)	4/22/2021	Lighthouse Road (Paved Portion)
Pot hole Repair (Fill)	4/22/2021	Cape Street
Pot hole Repair (Fill)	4/22/2021	Frank McKamey Way
Beaver Dam - Take Out	4/22/2021	Lighthouse Road (Paved Portion)
Pot hole Repair (Fill)	4/22/2021	Lighthouse Road (Paved Portion)
Flagged	4/22/2021	Lighthouse Road (Paved Portion)
Litter Pickup	4/22/2021	Otterslide Road
Flagged	4/22/2021	Frank McKamey Way
Graded Road(s)	4/22/2021	Sand Beach Road
Graded Road(s)	4/22/2021	Chason Road
Box drag	4/28/2021	North Road
Cut grass along shoulders of road on county right of way	4/28/2021	Pine Log Road
Box drag	4/28/2021	Jeffie Tucker Road
Tillered	4/28/2021	Sheriff's Office (Jail)
Box drag	4/28/2021	Bloody Bluff Road
0		

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Ditch Dirt	4/19/2021	Gulf View Road	36	0
Ditch Dirt	4/19/2021	Otterslide Road	36	0
Ditch Dirt		TOTAL	72	0
Litter	4/15/2021	6th Street	0.5	0
Litter	4/15/2021	Otterslide Road	1	0
Litter	4/22/2021	Otterslide Road	0.5	0
Litter	4/22/2021	Wilderness Road	0.5	0
Litter		TOTAL	2.5	0
Milled Asphalt	4/28/2021	Graham Creek Milled Asphalt	108	0
Milled Asphalt		TOTAL	108	0

C.

District 5**Material HAUL To:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Cold Mix, Asphalt	4/22/2021	Lighthouse Road (Paved Portion)	1	0
Cold Mix, Asphalt	4/22/2021	Timber Island Road (City of Carrabelle)	1	0
Cold Mix, Asphalt	4/22/2021	Bear Creek Rd	1	0
Cold Mix, Asphalt	4/22/2021	Cape Street	1	0
Cold Mix, Asphalt	4/22/2021	Frank McKamey Way	1	0
Cold Mix, Asphalt		TOTAL	5	0
Dirty 89 Lime Rock	4/22/2021	Sand Beach Road	18	0
Dirty 89 Lime Rock	4/22/2021	Hickory Landing Road (Forestry Road #101-E)	36	0
Dirty 89 Lime Rock	4/22/2021	Brick Yard Road (Forestry Road #129)	18	0
Dirty 89 Lime Rock		TOTAL	72	0
Milled Asphalt	4/21/2021	Carlton Millender Road	1	0
Milled Asphalt		TOTAL	1	0

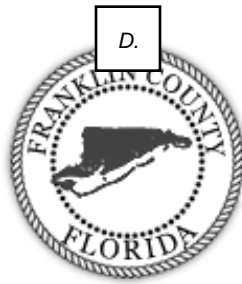
C.

D.

File Attachments for Item:

D. Informational Item

1. Right-of-Way Debris Pickup / Recycle Material Hauled (agenda packet)



MEETING DATE: May 4, 2021
NAME/DEPARTMENT/AGENCY: Fonda D. Davis
 Solid Waste & Recycling, Animal Control, Parks & Recreation
TOTAL ATTACHMENTS: 0

SUBJECT(S):

FOR BOARD INFORMATION:

**Right-of-Way Debris Pickup/Recycle Material Hauled
 April 14, 2021-April 27, 2021**

RIGHT-OF-WAY DEBRIS PICKUP

Apalachicola	Eastpoint	St George Island	Carrabelle	Lanark	Alligator Point
94.29 TONS	113.79 TONS	86.67 TONS	8.78 TONS	-0- TONS	3.9 TONS

RECYCLE MATERIAL HAULED

	Apalachicola	Eastpoint	St. George Island	Carrabelle	Lanark	Alligator Point	St. James
Cardboard	4.55 TONS	6.52 TONS	5.03 TONS	.80 TONS	-0- TONS	-0- TONS	-0- TONS
Plastic,Paper,Glass, Aluminum	-0- TONS	-0- TONS	-0- TONS	-0- TONS	-0- TONS	-0- TONS	-0- TONS
Landfill .61 Tons							

REQUESTED ACTION: None

H.

File Attachments for Item:

H. Report (agenda packet)

Weems Governing Board Meeting – April 29, 2021
“Investing in Staff, Patients and Facilities”

CEO Report- David Walker

A. Action Items:

None

B. Informational Items:

- 1) Weems Marketing: We have developed a marketing schedule across multiple platforms including the Apalachicola Times, Oyster Radio, and Facebook for April and May. An article by Dr. Newton on “Tick-borne Illness” earlier this month was posted in all three of our local media outlets. We will highlight different National Health Observances with our medical providers as well different services provided in our hospital, clinics, and EMS.
- 2) Physical Therapy (PT) Room: The PT room is about 90% completed to meet additional patients need.
- 3) Mindray Patient Remote Monitoring Systems: The installation of the new Remote Patient Monitoring System was delayed for a few weeks due our need to upgrade to a newer system.
- 4) 340B Implementation: Alliant will give the update to the Board.
- 5) Press Ganey Employment Survey: Alliant and Weems HR to give the update.
- 6) Professional Employer Organization (PEO): We are continuing our analysis of our current PEO and a Florida Based PEO to see which one will give us the best return on our investment. Weems HR will give an update to the Board.
- 7) Rural Matters National Podcast: On April 13, 2021, I participated in a national Rural Matters Podcast with Dr. Dickey to discuss rural health opportunities and challenges specific to our geographic region. Rural Matters Podcast Link: ruralmatters.libsyn.com.
- 8) Florida Telehealth Forum: We were recommended by Lela Shepherd to participate in the Florida Telehealth Forum which will be held on May 12, 2021. The concept of the Forum is to bring a panel of Telehealth platforms together with Telehealth providers to expand on the social contract between the two groups. Weems is the only hospital participating in the Forum. The Forum is being coordinated by Blue Ridge Consulting. Blue Ridge Founder, Dr. Ameena Zia is the driving force for the Forum, she is a United Nations Representative on the Economic and Social Affairs Committee. Loui and I will represent the hospital and flyers will be distributed for the even via email.
- 9) New Service Lines: We are continuing to review options for new Service Lines to be added to Weems and decisions will be data driven.
- 10) National Hospital Week: National Hospital Week is May 9-15, and we have several activities lined up to appreciate our staff. We will send a list of activities out to each Board Member and you are invited to attend the activities.

I.

File Attachments for Item:

I. Presentation

I.

George E. Weems Memorial Hospital
Board of County Commissioners Dashboard



Financial Indicators:	October	November	December	January	February	March	April	May	June	July	August	September
Total Net Revenue	540,141	619,205	498,346	795,170	587,889	593,832						
Total Net Income	(62,925)	40,487	58,836	245,222	(38,743)	(45,886)						
Patient Cash Collections	469,941	385,611	585,022	313,898	333,032	490,392						
Total Cash Collections	819,739	547,066	973,625	1,213,242	425,043	642,160						
Days Cash on Hand	151.03	133.38	139.38	198.93	141.52	120.98						
County Subsidy	340,880	151,122	10,000	396,615	80,632	117,980						

Operating Indicators:	October	November	December	January	February	March	April	May	June	July	August	September
Total Admissions	8	16	7	12	6	15						
Outpatient Visits	148	171	173	156	138	177						
Emergency Room Visits	398	328	262	375	312	352						
Ambulance Runs	140	155	128	176	125	204						
Clinic Visits	530	354	524	497	491	439						

Quality & Satisfaction Indicators:	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter
Fall Rate / 1,000 Patient Days	0.00			
Avg ER Turnaround Time / Discharged Patient	97 minutes			
Emergency Room LWBS	1.8%			
All Cause Readmission Rate	0.0%			
Likelihood to Recommend (IP)	100%			

Key Project Status Indicators:	October	November	December	January	February	March	April	May	June	July	August	September
Carrabelle Retail Pharmacy												
340B Program												
Salary Survey & Analysis												
Charge Master Review												



May 4, 2021

**Franklin County Commission
Update**

Today's Discussion – Status update

- Alliant started work in November 2020
- Action plan developed over 60 days and presented to the Board of Weems Memorial in January 2021
- Beginning work on the action plan in key categories
 - Finance and Operations
 - Quality
 - People
 - Growth



Teamwork

L.

- Thanks to the entire team at Weems for the open and welcome reception of our many team visits over the first 6 months
- Their active engagement has made the progress we've made to date possible

Finance and Operations

- CARES Act Reporting
 - Portal is open for registration, but data can not be entered yet
- Commercial Contract Review
 - Commercial contracts being reviewed, and a payor grid established for spot audits
- 340B Status
 - Potential contract pharmacy opportunity of \$15k - \$20k a month
 - Completed registration with HRSA and established a contract with the Walmart pharmacy
- Pricing Transparency
 - Working with TruBridge and Bill to complete the initial 300 procedure list for upload onto the facility webpage

Finance and Operations

- MOR Process
 - Monthly reviews of the key operating and financial indicators are being conducted with the administrative team
 - During the April review the process expanded to include a review of the revenue cycle dashboard
- FHURS Reporting
 - Filed and completed on 1/27/21
 - Final update in April based on the annual audit
- Charge Master Review
 - Team from Blue was on site for a week in April to complete
 - Results and action plans expected to be shared with the team in May

Finance and Operations

L

- Medicaid Eligibility
 - Working with 3 vendors to provide proposals (Cadre, CRS, and HIS)
 - Initial introduction calls to start on 5/4
- Cost Report
 - Completed and filed the end of March
- ED leveling review completed and actions being taken for improvement

Finance and Operations


- Next up:
 - Up front collections review
 - Action plan for year end audit results
 - Clean up of financial reporting
 - Annual coding audit
 - Focus on revenue cycle performance

- Overall CMS readiness survey done and preparation in process
 - Paula working with Courtney and team for action plans
- Data collected for Quality benchmarking
- Quality reporting process being put into place

Clinical & Quality

I.

Quality Indicator Review (Through Q4 2020):

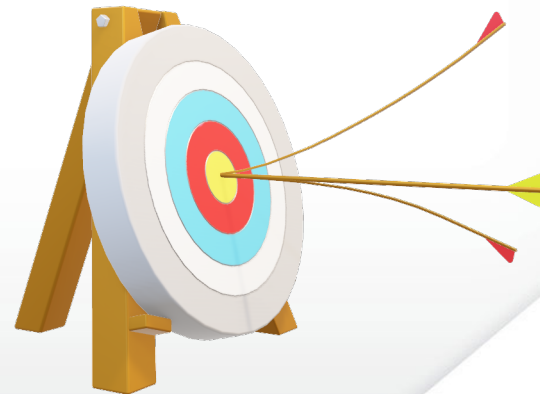
	2020 CLINICAL BENCHMARKS					
	Weems					
Indicator	Target	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	All Hospital Performance
Fall rate / 1000 pt days	3.14	-	-	10.15	0.00	5.04
Fall rate w injury / 1000 pt days	0.9	-	-	0.00	0.00	0.74
Average ER Turn Around Time (minutes) Admitted Patient	<256 min	-	-	ND	ND	242 min
Average ER Turn Around Time (minutes) Discharged Patient	<135 min	-	-	91 min	97 min	123 min
Percentage of LWBS	<2.0%	-	-	2.1%	1.8%	1.8%
All cause readmission Rate	<15%	-	-	2.0%	0.0%	4.9%
All employee turnover rate	<14.5%	-	-	ND	7.3%	7.6%
RN turnover Rate	< 15.4%	-	-	0.0%	0.0%	6.3%
RN one year turnover rate	<25%	-	-	0.0%	0.0%	20.8%

People

L.

- Workers Compensation insurance changed to lower cost vendor
- Market salary analysis and phased plan developed
- Press Ganey employee engagement survey completed and results due 4/29/21
 - Action plan developed from results

- Working with David Walker to discuss growth opportunities for Weems
 - Numerous strategies being discussed and proformas developed
 - Tallahassee Memorial included in monthly calls to find ways they can assist Weems in growth and operational strategies



Board Dashboard in Progress

George E. Weems Memorial Hospital
Board of County Commissioners Dashboard



Financial Indicators:	October	November	December	January	February	March	April	May	June	July	August	September
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340B Program												
Salary Survey & Analysis												
Charge Master Review												

Project Tracking

I.

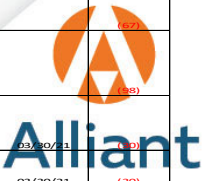


MASTER PROJECT LIST WEEMS MEMORIAL HOSPITAL

Green = Project on schedule, no needs:
Yellow = Project MAY miss deadline:
Red = Project is NOT on schedule:

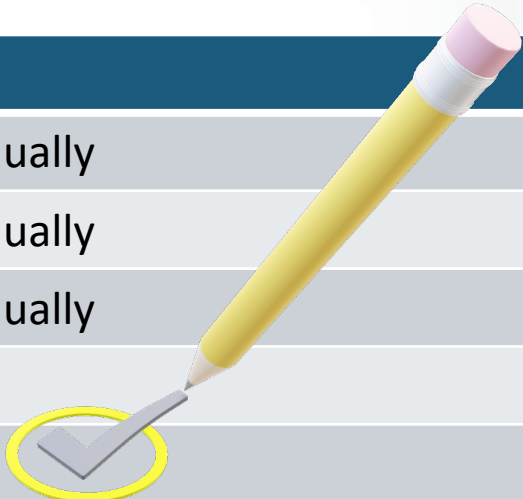
As of : 4/23/2021

LOCATION	PROJECT	HOSPITAL LEAD	CORPORATE LEAD	SCHEDULE DATE	START DATE	DUE DATE	PRIORITY	COMMENTS/RESOURCES NEEDED	STATUS (G, Y, R)	COMPLETE Y or N	COMPLETION DATE	Due / Late Days	
Weems	Payor Contract Review	Bill	Tom		1/5/2021	2/28/2021	1	Initial introduction between Bill and John Collier was made on 1/5 to start the process of reviewing each of the commercial contracts. A follow up call was held to coordinate and discuss the process with John, Bill, and David.	R	Y	3/24/2021	(24)	
Weems	340B Set Up	Bill	Tom		12/29/2020	4/15/2021	1	Chad Downing was engaged with the team to complete education and aide in the set up. Potential annual opportunity is approximately \$210k. Gevey was chosen to act as the TPA for the program and expect a contract signed by 4/8/21. The Walmart contract pharmacy agreement was sent on 4/7/21.	G	Y	4/13/2021	2	
Weems	Price Transparency	Bill	Tom		11/3/2020	12/31/2020	1	Agreement with TruBridge signed on 12/14. Currently Bill is pulling the 300 procedure list for pricing to submit to TruBridge. Expect to be able to go live with website link by 2/28/21. As of April there has been no movement by Bill to complete.	R			(113)	
Weems	GPO Transition	Bill	Dianna Boggs			3/1/2022	2	Facility will need to provide a 90 day term notice prior to the end of the contract (3/1/22). Guidance is to issue the letter in early November.	G			312	
Weems	MK Eligibility Vendor	Bill	Tom		3/1/2021	4/30/2021	1	Will introduce in March once the cost report and audit are complete. Delayed start due to other delayed projects including the audit and cost report. New plan is to introduce three vendors to the hospital in April. Contacted 3 vendors (Cadre, CRS, and HSI) to set up intro calls on 5/4.	R			7	
Weems	Productivity	Bill	Paula		2/1/2021	11/23/2020	2/1/2021	1	Initial data request sent on 11/23/20. Once received a draft will be developed along with an onsite visit to start education and adjust due to unique circumstances. Bill needs to pull departmental stats and share with Paula. David Walker had to get involved with pulling data on 4/2/21. Heather emailed updated statistics 4/7. I will begin inputting data into a report on 4/9.	R			(81)
Weems	ED Level Review	Courtney	Paula		1/21/2021	2/15/2021	1	Initial review completed showing possible annual opportunity totaling \$136k. Paula is working with Courtney dig further into the review and aid with improvements.	G	Y	2/1/2021	14	
Weems	Salary Survey	Courtney	Paula		1/13/2021	2/15/2021	2	Ginny has pulled data and Paula has completed an initial review. The board approved the role out of the proposed market adjustments during the March board meeting.	G	Y	4/1/2021	(45)	
Weems	Charge Master Review	Bill	Tom		3/1/2021	3/10/2021	4/30/2021	2	Data request submitted in March and on site visit is scheduled for April 13th - 15th. Expect the final report by the end of April.	G			7
Weems	Upfront Collections Analysis	Bill	Tom		5/1/2021		1	Plan to kick off in May.	G				
Weems	Purchased Services Contract Review	Bill	Tom				2						
Weems	Service Line Profitability Analysis	Bill	Tom				2						
Weems	EHR Review and Potential Replacement	David / Bill	Tom				3	Currently on Athena for the hospital					
Weems	Regional EMS Model	David	Jim				2						
Weems	EMS Revenue Cycle Review	Louie / Bill	Tom				2						
Weems	Clinic Revenue Cycle Review	Susan / Bill	Tom				2						
Weems	Swing Bed Education & Processes	Courtney	Paula		11/24/2020		2	Information from Nancy sent to Courtney on 11/24/20. Coordinated an on-site visit to NFCH on 3/11/21 to overview their program, meet the leaders and shared policies.	G				
Weems	Strategic Plan Development	David	Jim				1						
Weems	Case Management Department Review	Courtney	Paula				2						
Weems	Retail Pharmacy - Carrabelle	David	Tom				1	Chad Downing is currently reviewing the opportunity	G				
Weems	Cares Act Funding - Accounting Accuracy	Bill	Tom		1/15/2021	1/11/2021	2/15/2021	1	CARES PRF reporting opens up on 1/15/21 and must be completed by 2/15/21. Engage CRI to help with the reporting on 3/11/21. Was able to register on time but the portal is not allowing any data submission at this time.	G			(67)
Weems	Revenue Cycle Dashboard	Bill	Tom		12/7/2020	2/15/2021	1	Template was shared with Bill and David on 12/7 with the expectation that once the books were closed Bill would complete this report and submit prior to the monthly MOR call. Expectations have been set with Bill that by the 15th of every month all financial reporting should be completed and submitted. Initial dashboard was partially completed for March close.	R				
Weems	MOR Template in Place	Bill	Tom		12/7/2020	1/15/2021	1	Template was shared with Bill and David on 12/7 with the expectation that once the books were closed Bill would complete this report and submit prior to the monthly MOR call. Expectations have been set with Bill that by the 15th of every month all financial reporting should be completed and submitted. Although the MOR calls are occurring monthly, the reporting has not been complete and accurate for any of the monthly reviews.	R				
66	Annual Cost Report	Bill	Shawn		1/5/2021	2/28/2021	1	FY 2020 Cost Report is covered under the CRI audit agreement. Currently working with Bryan Hall to complete this. Because the audit is not complete CRI is expected to work on the CR and the Audit simultaneously. The cost report was completed on 3/30 and Bill sent it in via Fedex on 4/7 after being asked about the status to ensure it had been sent.	R	Y	3/30/21	(10)	
Weems	Cost Report Optimization	Bill	Shawn		1/5/2021	2/28/2021	1	Once the cost report was completed Shawn reviewed and submitted his review to Bryan and Bill. Bryan worked with the team and addressed all opportunities that could be obtained with the current filing.	R	Y	03/30/21	(30)	



First 6 Months

Initiative	Value
340b Drug program	\$200,000 annually
ED leveling project	\$136,000 annually
Workers' compensation insurance	\$126,000 annually
Equipment	\$27,000
Total 6 months	\$489,000



Results for the first 12 months Alliant/TMH Partnership



Alliant

- Through the initial work we've presented:
 - \$489K savings
 - 3.7 x more than fees



Tallahassee Memorial

- Dr. Newton support and promotion to the community
- Credentialing delegation agreement
- Healogics
- Courtney: Weems profile for TMH Case Management
- Nursing Leadership Day for Courtney in May
- Emergency behavioral health via telemedicine

Next Opportunity Areas

- Chargemaster
- Medicaid eligibility
- Revenue Cycle Improvement
- Coding audit



Partnership

- Alliant, Tallahassee Memorial Healthcare and Weems Memorial Hospital
 - All working together to improve and expand the healthcare services in Franklin County



J.

File Attachments for Item:

J. Evan Blythe (ARPC), Rick Harter (WSP), & Josh Adams (ARPC) will update the Board on the Franklin-98 project

Project Update



Josh Adams,

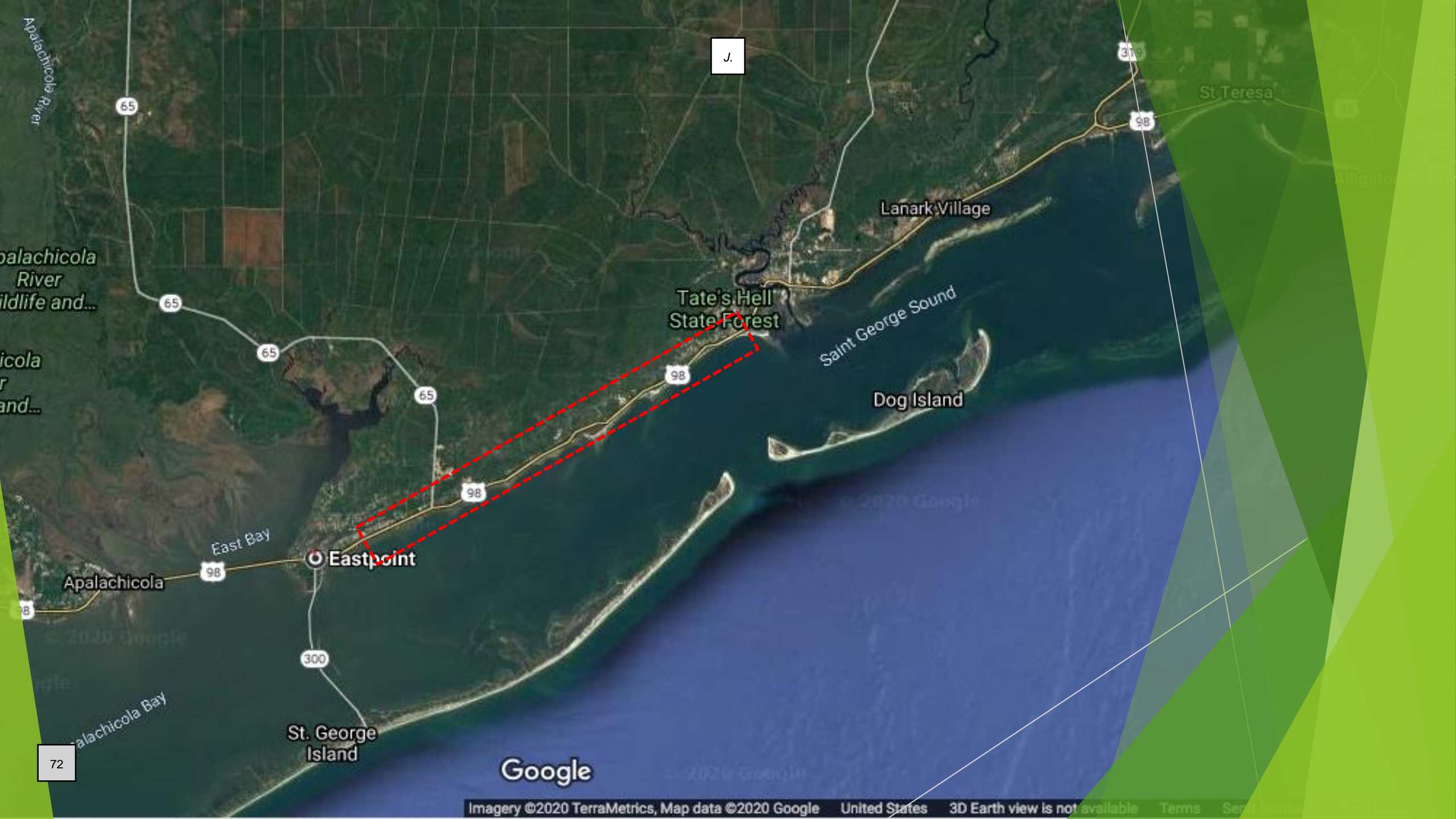
Apalachee Regional Planning Council (ARPC)



Rick Harter,

WSP USA, Inc. (formerly Ecology & Environment, Inc.)





J.

72

Google



J.

How Green or Gray Should Your Shoreline Solution Be?

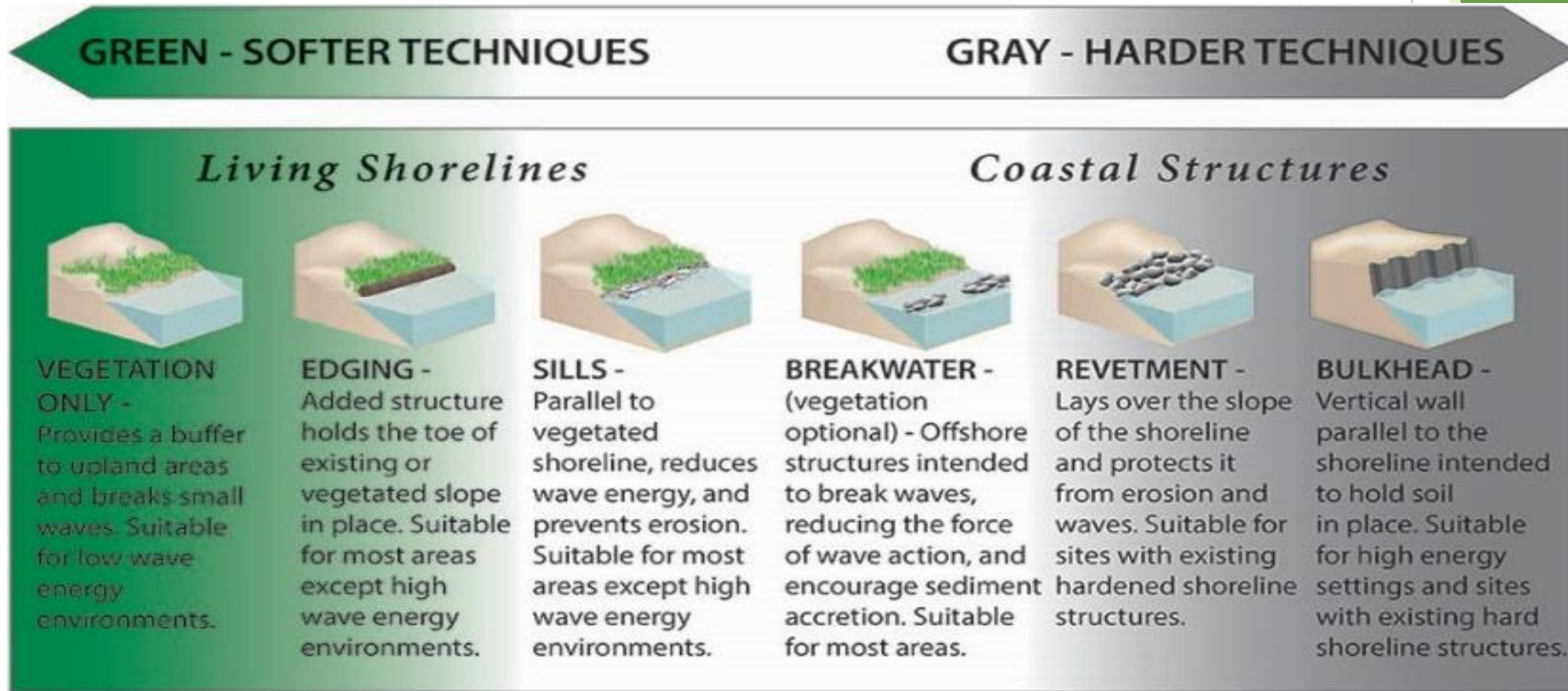


Diagram from [NOAA Living Shorelines](#).



Before Hurricane Michael

After
Hurricane
Michael



Background

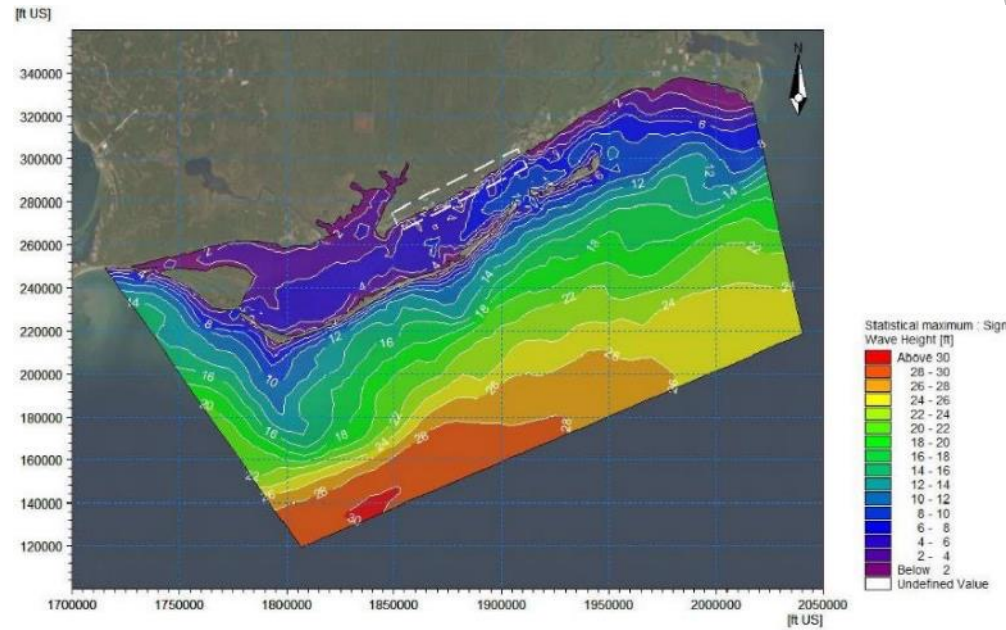
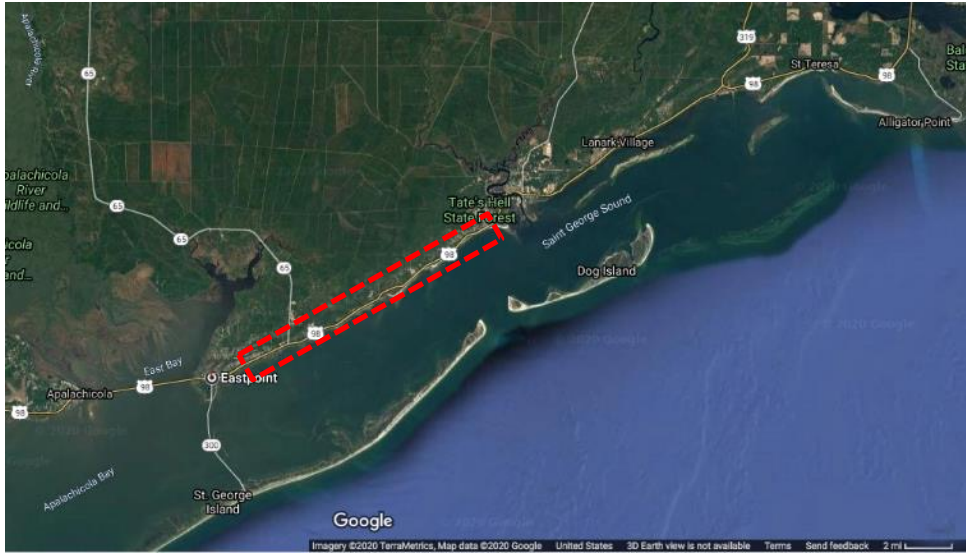
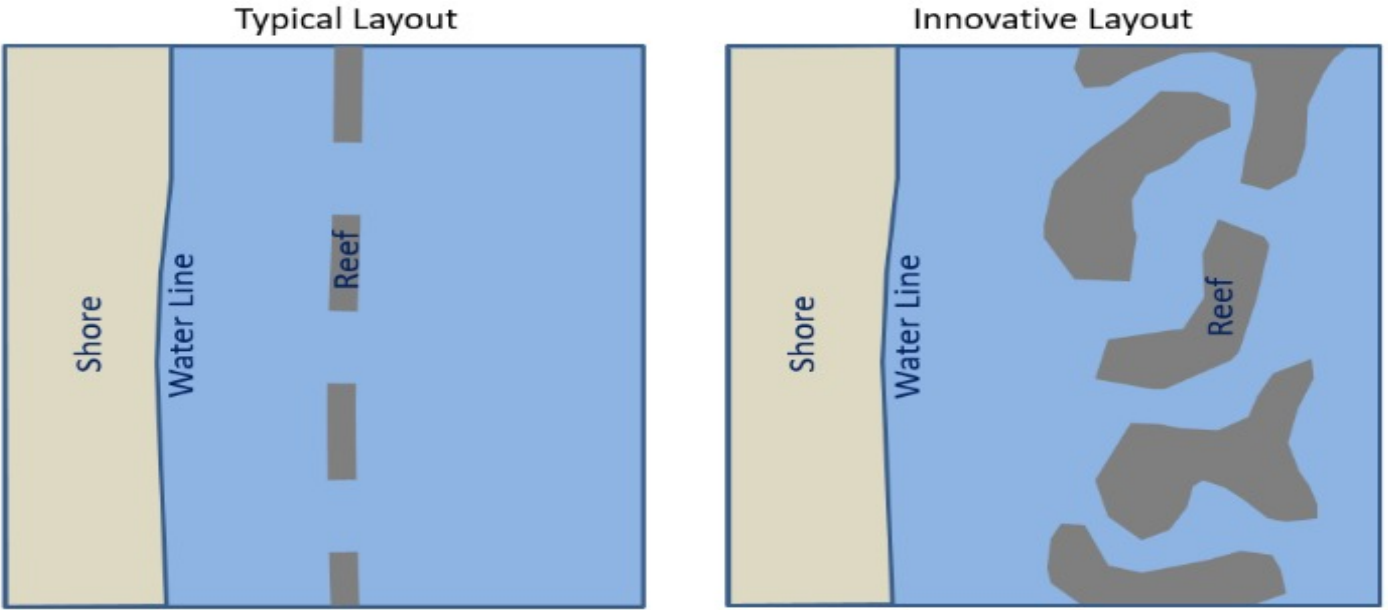


Figure above: Maximum Significant Wave Heights for Category 3 Storm Conditions, model overview

Goals/Vision

- ▶ Specific Restoration Goals:
 - ▶ 20 acres of new reef
 - ▶ 30 acres of new marsh

- ▶ Project Benefits:
 - ▶ Ecological Productivity
 - ▶ Resiliency
 - ▶ Economic Development



Our innovative design approach will maximize habitat and coastal resiliency, while achieving better aesthetics through natural design.

J.

FRANKLIN 98

Protecting community, conserving the coast.



Phase 1 funded by FDEP:



Phases 2 & 3 funded by:



NFWF

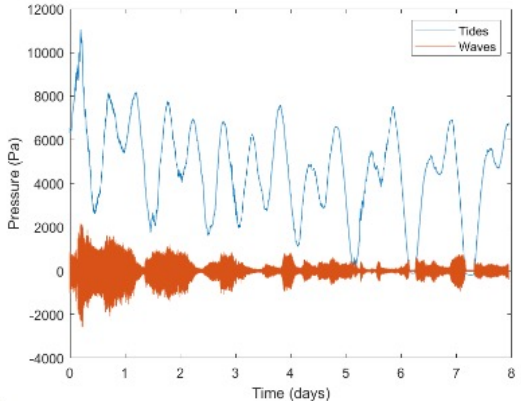
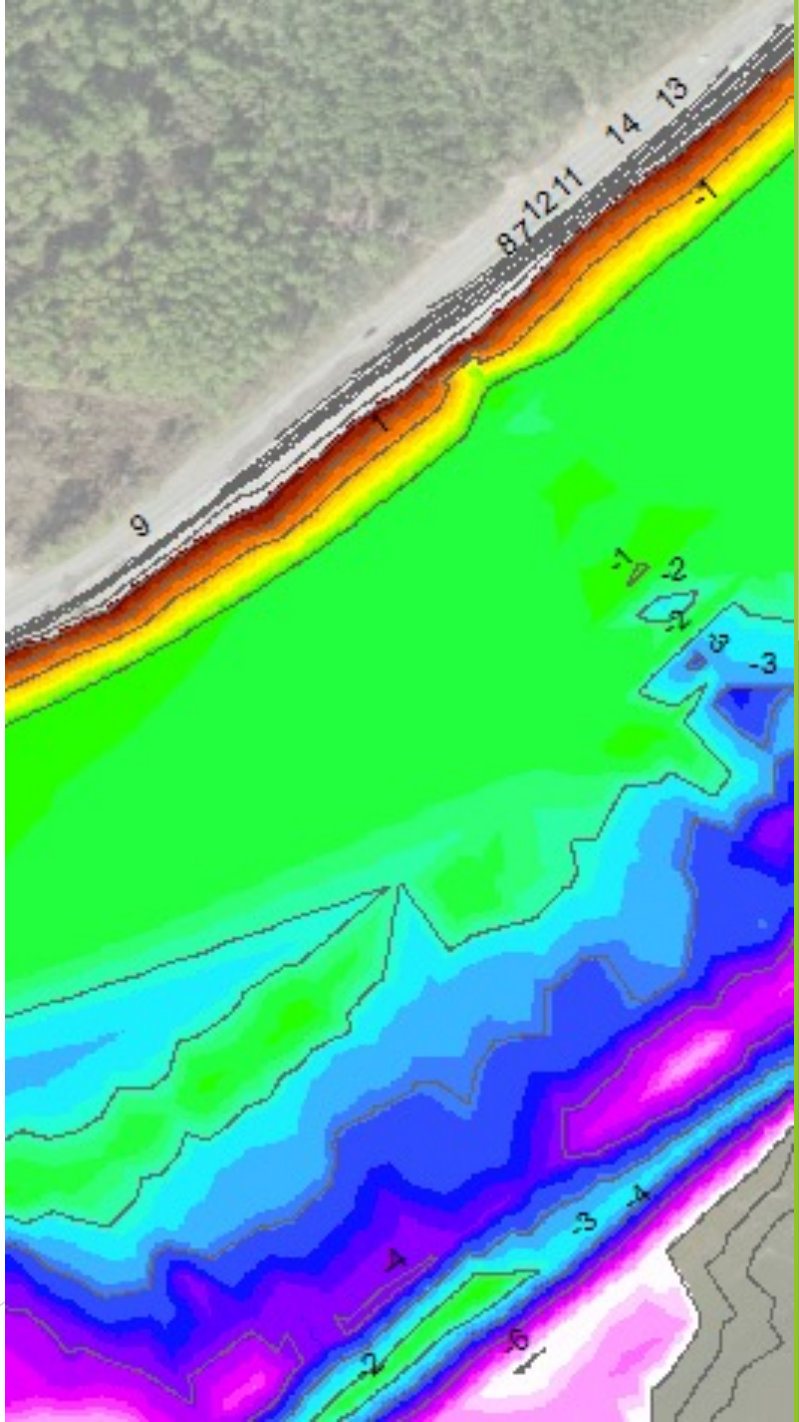
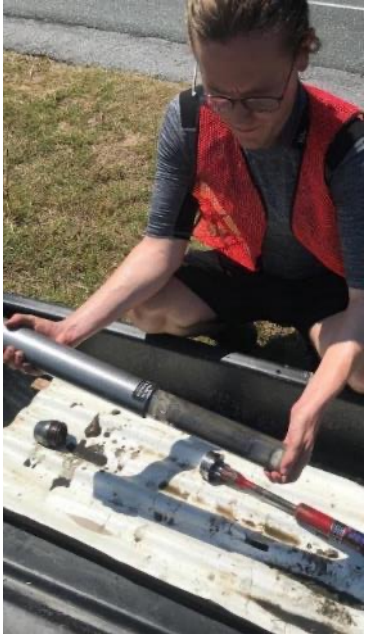


J.

Data Collection & Analysis

Detailed site information to complete the engineering and final project design:

- ▶ Bathymetric/topographic (elevation) surveys
- ▶ Ecological characterization
- ▶ Threatened and endangered (T/E) species survey
- ▶ Benthic habitat mapping
- ▶ Hydrodynamic data collection
- ▶ Geotechnical survey



Design Considerations

- I. Site Conditions
 - A. Seagrass Coverage
 - B. Wave Climate
 - C. Bathymetry
- II. Design Considerations
 - A. Regulatory
 - B. Stakeholder Input
 - C. Coastal Infrastructure



Preliminary Design Review

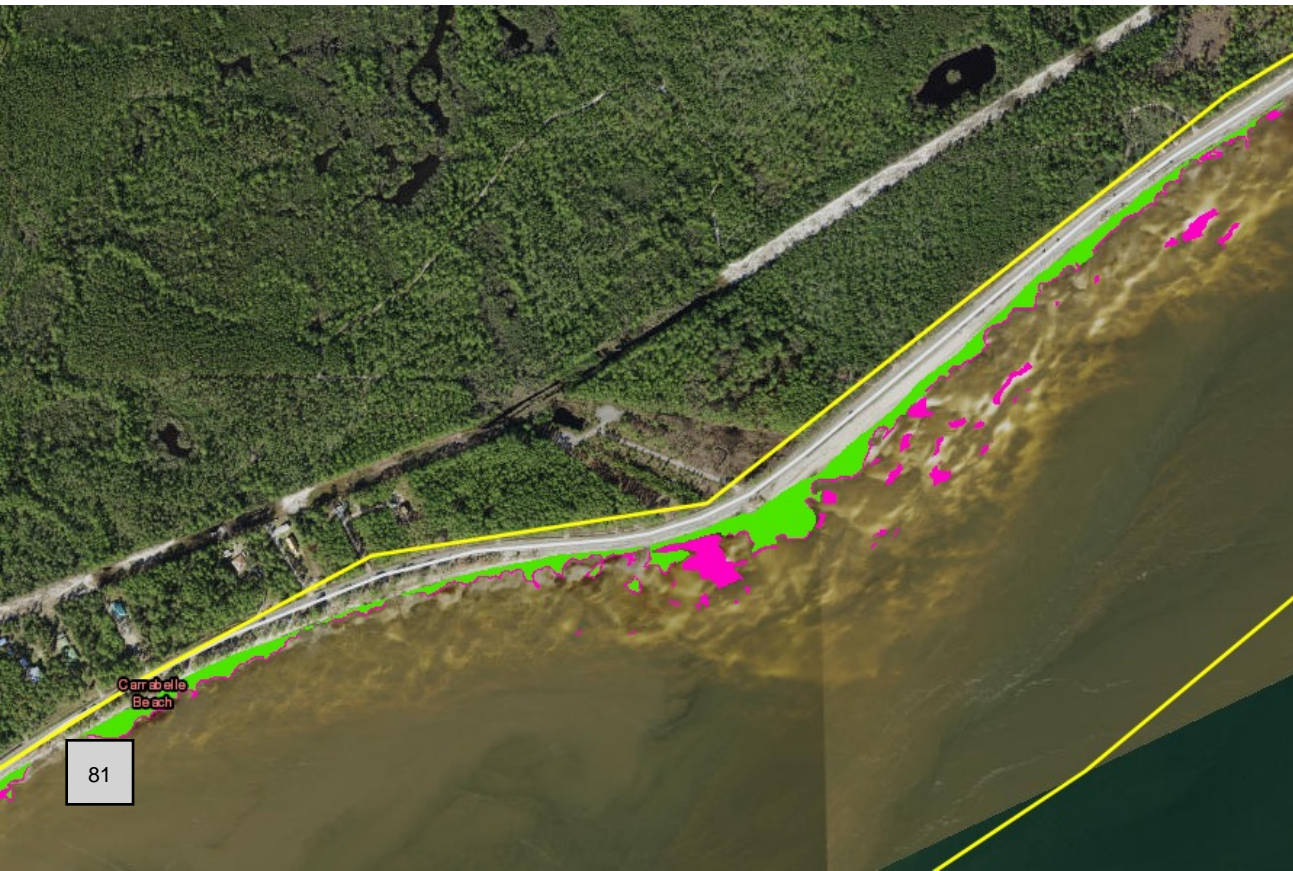
J.



Go to ArcGIS Online map:

<https://wspgeo.maps.arcgis.com/apps/webappviewer/index.html?id=4d1216357a5846239821f937d75a6801>

1. Zoom/pan to see proposed reefs/marsh.
2. Add comments to map.



81

Comment Form

Franklin 98 Living Shoreline Map
Public Comment Form

EDITING INSTRUCTIONS

MOBILE: First zoom to the area relevant to your comment, then tap "point" or "area" below. Note that when drawing an area a red line won't appear until you choose the second point of your polygon. Double tap to complete the shape and open the comment form.

BROWSER: First click the "point" or "area" below, and then click the location relevant to your comment (hint: use your mouse wheel or the +/- icons to the right to select a precise spot).

After you type your comment and optional contact information and select 'Save', your input is submitted (it will not be visible on the map here).

Add a New Comment (point)

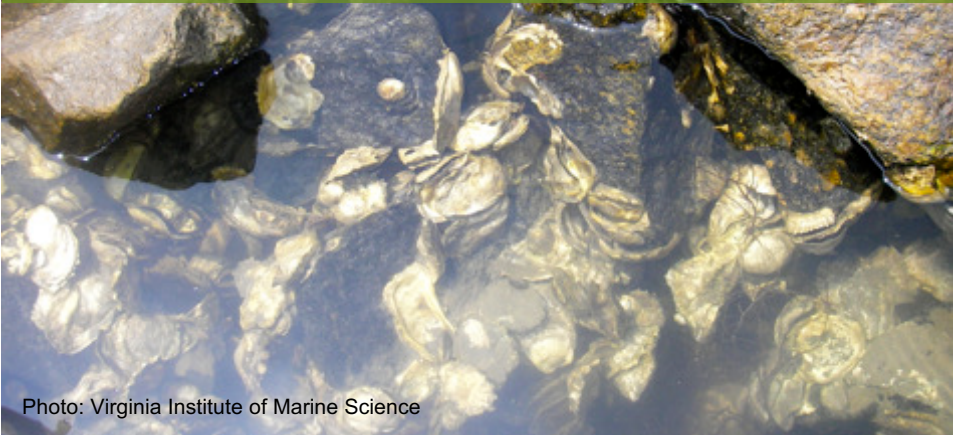
●
Add a New Comment

Add a New Comment (area)

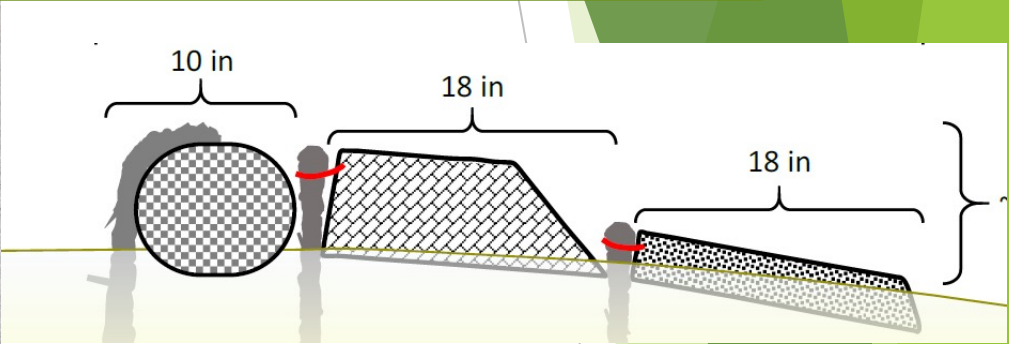
▽

Proposed Marsh Sill Materials

Rocks/Recycled Concrete



Oyster Catcher Pillows/Logs



Oyster Prisms



Oyster Catcher Table Tops



Proposed Reefs



Riprap/recycled concrete



Reef balls



Reef balls



Oyster Catcher Tabletops



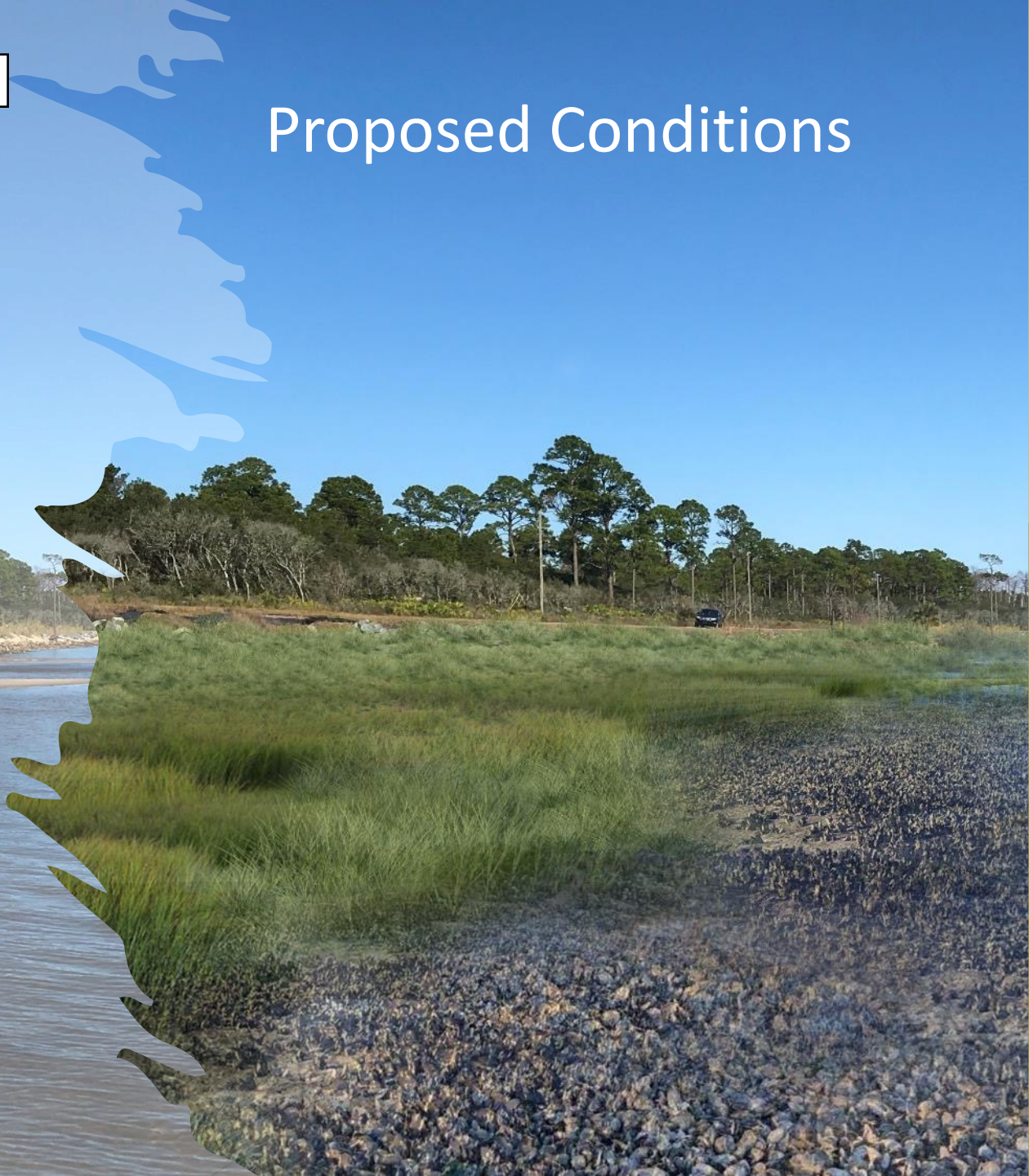
Imagine the Possibilities



Existing Conditions

J.

Proposed Conditions



Questions or Comments?



Josh Adams, Apalachee Regional
Planning Council (ARPC)
Environmental Planning Manager
jadams@arpc.org
850-488-6211 ext. 104



Rick Harter, WSP
Coastal Restoration Specialist
Rick.Harter@wsp.com



File Attachments for Item:

K. Information Items

1. As of Wednesday, April 28, 2021, all of the replacement mobile homes for the Eastpoint Wildfire CDBG project are set up. There is some minor work still underway, which is scheduled for completion by Friday, April 30, 2021, which is the grant expiration date. A total of 23 homes have been replaced in the Eastpoint Wildfire CDBG program.

2. Although I have inquired about the status of the County's Hurricane Michael CDBG-Disaster Recovery application for restoration of dunes on Saint George Island, we have not received any news from DEO about the odds of funding. I did advise the Board during the application process that the score would be low, because the project would not primarily benefit low/moderate income persons, and it is not a potable water/sewer/drainage project. However, we have not received any notice of rejection.

FRANKLIN COUNTY EASTPOINT WILDFIRE CDBG HOME REPLACEMENTS

Owner-Occupant	Address		
Dasen, Carol	615 Ridge Road, Eastpoint		
Woodall, W. Glenn	605 Wilderness Rd., Eastpoint		
Gilbert, D. Dallas Jr.	576 Ridge Road, Eastpoint		
Boatwright, Sean	601 Ridge Road, Eastpoint		
Polous, J. Matthew & Paula	605 Ridge Road, Eastpoint		
Nowling, Shelby & J. Colby	275 Smith Street, Eastpoint		
Banks, Annie Rebecca	638 Ridge Road, Eastpoint		
Sanders, Paul J.	582 Ridge Road, Eastpoint		
Banks, Mary (J. Alvin deceased)	754 Ridge Road, Eastpoint		
Hill, Kathy	773 Buck Street, Eastpoint		
Thomas, Mary Louise	633/645 Ridge Road, Eastpoint		
Creamer, Anna & M. Devin	568 Wilderness Road, Eastpoint		
Dalton, Billy	658 Ridge Road, Eastpoint		
Bettinger, Lucy	697 Ridge Road, Eastpoint		
Joyner, James & Kennett, Anita	701 Ridge Road, Eastpoint		
King, Arlene (Thompson)	680 Wilderness Road, Eastpoint		
Shiver, Steven M.	700 Ridge Road, Eastpoint		
Gordie, William	608 Ridge Road, Eastpoint		
Henry, Derek A.	683 Ridge Road, Eastpoint		
Langley, Bonnie	649/659 Ridge Road, Eastpoint		
Estes, Edward C. & Frances	725 Ridge Road, Eastpoint		
Holian, Phillip & Lillian	686 Ridge Road, Eastpoint		
Lewis, Brenda	659 Wilderness Road, Eastpoint		

M.

File Attachments for Item:

M. Notice is given that on the 4th day of May, 2021 at 11:00 a.m. (ET), or as soon thereafter as is possible, in the courtroom at the Courthouse Annex, located at 34 Forbes Street, Apalachicola, Florida, the Franklin County Board of County Commissioners shall conduct a public hearing to consider adopting a county ordinance entitled:

An Ordinance Prohibiting the Parking or Leaving of Private Motor Vehicles, Trailers or Fifth Wheels on the Public Right of Ways on Alligator Point and St. George Island In Areas Marked No Parking; Providing Areas For Parking; Providing For Immobilization Devices; Providing for Towing at Owner's Expense on Authorization of County Sheriff; Providing for Penalties; Revoking All Other Ordinances Regulating Parking On Alligator Point and St. George Island; Providing for Severability and Providing for an Effective Date.

NOTICE OF INTENT TO CONSIDER ADOPTION OF A COUNTY ORDINANCE

Notice is given that on the 4th day of May, 2021 at 11:00 a.m. (ET), or as soon thereafter as is possible, in the courtroom at the Courthouse Annex, located at 34 Forbes Street, Apalachicola, Florida, the Franklin County Board of County Commissioners shall conduct a public hearing to consider adopting a county ordinance entitled:

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The public is invited to attend the public hearing. Those persons who desire to speak regarding the adoption of the ordinance may appear at the hearing and shall be heard.

The proposed ordinance is on file with, and may be viewed at, the office of the Clerk of Court at the Franklin County Courthouse, which is located at 33 Market Street, Apalachicola, Florida.

The meeting room is handicap accessible; however, those persons who may require special assistance to attend the public meeting must make arrangements in advance by calling deputy clerk Jessica Gay at 850-653-8861, x100 at least two business days in advance of the meeting.

Any person who may desire to challenge the outcome of the meeting is responsible for recording a verbatim transcript of the meeting.

FRANKLIN COUNTY ORDINANCE 2021- ____

An Ordinance Prohibiting the Parking or Leaving of Private Motor Vehicles, Trailers or Fifth Wheels on the Public Right of Ways on Alligator Point and St. George Island in Areas Marked No Parking; Providing Areas for Parking; Providing for Immobilization; Providing for Towing at Owner’s Expense on Authorization of County Sheriff; Providing for Penalties; Revoking All Other Ordinances Regulating Parking on Alligator Point and St. George Island; Providing for Severability and Providing for an Effective Date.

WHEREAS, the Board of County Commissioners has determined that the imposition of restrictions and penalties on the obstruction of public property in areas marked “No Parking” is a proper and reasonable exercise of the police power of the County; and that it is further appropriate that the Sheriff of Franklin County be empowered to authorize either the booting or the removal and towing of such vehicles, or both, at the expense of the owner or the person in control of the motor vehicle, camper, trailer or Fifth Wheel; and,

WHEREAS, the Board of County Commissioners has determined further that providing for parking along the rights of ways along public roads at public beach access points is also a proper and reasonable exercise of the police power of the County; and,

WHEREAS, the Board of County Commissioners hereby determines that the penalties imposed by this ordinance are reasonable and are rationally related to the purpose of regulating parking at Alligator Point, Florida and St. George Island, Florida; and,

WHEREAS, it is the intention of the Board of County Commissioners that the phrase “Alligator Point” shall also include Bald Point;

NOW THEREFORE BE IT ORDAINED THAT:

1. The parking or leaving unattended of any motor vehicle, camper, water vessel or trailer on public streets and public property at either St. George Island, Florida or Alligator Point, Florida, in one or more areas designated by signage as a "No Parking" area is hereby prohibited. The signage given for designated “No Parking” areas shall be permanently installed, oriented for drivers, with the bottom of the sign not less than four feet above ground level and the top of the sign not more than six feet above ground level. The text of the sign, in not less than four inches high, the words “No Parking Area.”
2. Any motor vehicle, camper, water vessel or trailer that is parked or otherwise left unattended on a public street or public property in an area designated by signage as a "No Parking" area at either St. George Island, Florida, or Alligator Point, Florida is a violation of this ordinance.
3. Any motor vehicle may park or otherwise be left unattended on a public street or public property in an area designated by signage as a “Public Parking Area” at either St. George Island, Florida, or Alligator Point, Florida and shall not be in violation of this ordinance. Due to limited right of way width, it shall be a violation of this ordinance to park campers, water vessels or trailers within areas designated for “Parking.” The signage given for designated “Parking” areas shall be permanently installed, oriented for drivers, with the bottom of the sign not less than four feet above ground level and

the top of the sign not more than six feet above ground level. The text of the sign, in not less than four inches high, the words "Public Parking Area."

4. Signage Authorized: Franklin County is authorized to post such signs that will adequately notify the public of the parking restrictions established by this ordinance, as is provided herein; provided that the placement, adequacy, or number of such signs shall not affect the validity of this ordinance or of any prohibition hereunder or of any action by the Sheriff or of prosecution for any violation hereof.

5. Immobilization of motor vehicles ("booting"):

Vehicles parked in "No Parking" areas; booting:

Except as otherwise limited herein, the Franklin County Sheriff's Department may cause any motor vehicles, campers, water vessels or trailers (sometimes collectively referred to herein as "vehicle") parked in an area marked "No Parking" to be booted without the permission or authority from the owner or duly-authorized driver thereof and to avoid liability for the costs of such booting, provided that the following requirements are satisfied:

(a) The motor vehicle, camper, water vessel or trailer is unlawfully parked, and signage giving notice, in the form specified herein ("Notice Sign"), shall be prominently posted on the property on which the vehicle is booted. The notice sign shall be permanently installed, oriented for drivers, with the bottom of the sign not less than four (4) feet above ground level and the top of the sign not more than six (6) feet above ground level, and shall be continuously maintained on the property for not fewer than twenty-four (24) hours before the towing or removal of vehicles.

(b) The text of the notice signs shall clearly display, in reflective letters on a contrasting background or lit by flood lighting, the following information:

i. In not less than four (4) inches high, the words "booting/tow away zone";
ii. In letters at least two (2) inches high, notice that unauthorized vehicles will be booted or towed away at the owner's expense;

iii. In letters at least two (2) inches high, the days of the week and hours of the day during which vehicles will be booted;

iv. In letters at least one (1) inch high, the fee to unboot the vehicle;

v. In letters at least one (1) inch high, the name and address of the person performing the booting service;

vi. In letters at least two (2) inches high, the telephone number to call and the on-site location (if applicable) where a person can go to request the unbooting of the vehicle; and

The notice sign shall read substantially as follows (with the designated information to be inserted at the indicated spaces): BOOTING/TOW-AWAY ZONE; IF YOU PARK YOUR VEHICLE AND LEAVE THE PREMISES, YOUR VEHICLE WILL BE IMMEDIATELY BOOTED SUBJECT TO A (insert fee) FEE TO RELEASE VEHICLE OR TOWED AT YOUR EXPENSE. BOOTING PERFORMED BY: (inset name, address and telephone number to call to request removal of the immobilization device);

(c) A vehicle occupied by a living natural person or animal may not be booted;

(d) The vehicle may not be a police, fire fighting, rescue squad, ambulance or other emergency vehicle marked as such;

(e) Immediately after a vehicle is booted, the person booting such vehicle, shall affix at the rearmost portion of the window adjacent to the driver's seat of such vehicle, a sticker with a completely removable adhesive, measuring eight and one-half by eleven inches containing a warning that any attempt to move the vehicle may result in damage to the vehicle, and stating the name and business address of the person who booted such vehicles as well as a business telephone number which will facilitate the dispatch of personnel responsible for removing the boot.

(f) In addition, any person who booted a vehicle, or other person authorized to accept payment of any charges for such booting, shall provide a signed receipt to the individual paying the booting charges at the time such charges are paid. Such receipt shall state the name, business address, and business telephone number of the Franklin County Sheriff's Department, the name of the deputy who booted such vehicle, and such receipt shall include a telephone number of the office within the Sheriff's Department responsible for receiving complaints with respect to booting, whether this is a first offense, second offense or third or subsequent offense, and the amount paid to remove the boot.

(g) No charge shall be imposed for the booting of a vehicle unless and until the requirements of this section have been met.

(h) After booting, any deputy sheriff shall release such vehicle as soon as practical, but not to exceed thirty (30) minutes of receiving a request for such vehicle's release; provided, however, that full payment of any charge for booting is made at or prior to the time of such vehicle's release. The owner or person in control of a vehicle which has been booted shall be permitted to pay any charge for booting at the location where such vehicle was booted and the deputy sheriff receiving payment for booting services shall accept payment for charges from the owner or duly authorized representative in accordance with the provisions of this ordinance.

(i) A booted vehicle shall not remain immobilized for more than twenty-four (24) hours. After such period of time has expired, the vehicle shall be released from the steel boot and may be towed or removed pursuant to this article, and no fee shall be assessed for release of the booting device.

(j) A person may not be charged more than the maximum fee established by resolution by the County Commission.

(k) The cost to remove the boot shall be as follows:

- First Offense: \$100.00
- Second Offense: \$250.00
- Third Offense and subsequent offenses: \$500.00.

Franklin County reserves the right to amend the cost to remove the boot by resolution at any regular meeting of the Board of County Commissioners.

6. Penalties: The penalty for the violation of this ordinance shall include immobilization ("booting"); removal and towing of such motor vehicle, camper, water vessel or trailer at the owner's or duly authorized representative's expense and the same may be recovered by the owner or duly

authorized representative only upon the payment of all reasonable towing charges and storage charges authorized by law. The penalty provisions of this ordinance are cumulative. For purposes of this section, the person in control of the motor vehicle, camper, water vessel or trailer shall be included within the meaning of duly authorize representative.

A vehicle occupied by a living natural person or animal may not be towed.

7. Enforcement: This ordinance may be enforced by any duly sworn law enforcement officer, including the Franklin County Sheriff

8. Definitions:

a. "Alligator Point" means that area of Franklin County, Florida, specifically including the public streets known as Alligator Drive and Bald Point Road, but shall not be limited to those two streets, and also includes all public property and streets located, presently and in the future, within the following areas in Franklin County, Florida: to wit:

- i. Sections 3 and 35, Township 6 South, Range 2 West;
- ii. Sections 1 and 2, Township 7 South, Range 2 West;
- iii. Sections 4, 5 and 6, Township 7 South, Range 1 West;
- iv. Sections 13, 24, 25 and 36, Township 6 South, Range 2 West;
- v. Sections 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, Township 6 South, Range 1 West.

b. "Camper" means an accessory to a motor vehicle used for camping, including, but not limited to a recreational vehicle, travel trailer, popup camper or camper shell.

c. "Immobilization" shall mean booting as provided in Section "5".

d. "Motor Vehicle" shall include any self-propelled wheeled device that does not move upon rails, but which moves in, upon or by which any person(s) or property is or may be transported upon a street or other public right of way, except devices moved by human power.

e. "No Parking Area" shall mean those areas of the public streets and other public property, at St. George Island, Florida, and Alligator Point, Florida, at which are placed signs informing the public that it shall not park in those locations.

f. "Park" or "Parking" means the stoppage of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in unloading passengers or property.

g. "St. George Island" means that part of Franklin County, Florida, described as follows:

That area shown as St. George Island, Florida as shown on the General Highway Map of Franklin County produced by the Florida Department of Highway Transportation, dated July 1988, revised October 1990 and March 1994, which is bounded on the South by the Gulf of Mexico, on the East by East Pass and on the West by the Government Cut/Bob Sikes Cut and on the North by Apalachicola Bay and St. George Sound.

c. "Trailer" means a separate vehicle not driven or propelled by its own power, but drawn by some independent power, including, but not limited to boat trailers, tractor trailers and fifth-wheels.

d. "Water Vessel" means a ship, boat or other similar vessel used or capable of being used in navigation on water, whether motorized or human powered.

9. Savings Clause: If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional, void or invalid, it shall be stricken and the remaining provisions of this ordinance shall survive, and shall remain in full force and effect.

10. Effective Date: This ordinance shall take effect as provided by law.

11. Repeal: Any ordinance in conflict the terms of this ordinance is hereby repealed to extent of such conflict. Specifically, but not limited to, any other ordinance regulating parking on St. George Island, Florida and Alligator Point, Florida.

Adopted this 4th day of May, 2021.

FRANKLIN COUNTY, a political subdivision of the State of Florida

By: _____
Ricky D. Jones, Its Chairman

ATTEST:

By: _____
Michele Maxwell, Clerk of Court

Approved to Legal Form and Substance:

By: _____
Thomas M. Shuler, County Attorney

DRAFT

N.

File Attachments for Item:

N. FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REQUEST FOR QUALIFICATIONS PROFESSIONAL CONSULTANT SERVICES FOR THE COMPLETION OF A COUNTY-WIDE DUNE RESTORATION STUDY

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS
PROFESSIONAL CONSULTANT SERVICES FOR THE COMPLETION OF A
COUNTY-WIDE DUNE RESTORATION STUDY**

PART I – BACKGROUND

The Resources and Ecosystems Sustainability, Tourism Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act) established a new Trust Fund in the Treasury of the United States, known as the Gulf Restoration Trust Fund, as a result of the Deepwater Horizon Oil Spill and the damages it caused to Florida coastal communities. Franklin County Board of County Commissioners has been allocated RESTORE Act Direct Component Program funding to conduct eligible projects for the purpose of restoring the Florida Gulf Coast. Franklin County Board of County Commissioners (BOCC) has amended our Multi-Year Implementation Plan (MYP) to include a County-Wide Dune Restoration Study to identify the needs, research, survey, and suggest solutions with estimated costs for the rebuilding and stabilization of dunes throughout Franklin County.

PART II – GENERAL INFORMATION

The Franklin County BOCC is seeking **Professional Consultant Services for Completion of a County-Wide Dune Restoration Study**. This Study will cover approximately sixteen (16) miles of coastal area in the St. George Island residential area, the Carrabelle Beach area, Alligator Point, and Bald Point. This planning area scope would not include Dog Island because it is within a CBRA Zone, and it would not include dune restoration of any State lands, including St. George Island State Park and St. Vincent Island, which is a national wildlife preserve. Please see **Exhibit F** of this RFQ for project location map(s).

PART III – PROPOSAL RESPONSE INFORMATION

RFQ with criteria, requirements and anticipated scope of work will be provided upon written request by contacting directly: Erin Griffith, Fiscal Manager, by e-mail at erin@franklincountyflorida.com, or in writing to 34 Forbes Street, Suite 1, Apalachicola, Florida 32320 or by telephone at (850) 653-9783 extension 158.

Proposal submissions must be sealed and marked with the name of the proposer and titled “**Professional Consultant Services for Completion of a County-Wide Dune Restoration Study**,” so as to identify the enclosed proposal. Each submittal shall include [one (1) original and five (5) copies] of the proposal. Proposals must be delivered to the Franklin County Courthouse, Office of Clerk of the Court, located at 33 Market Street, Suite 203, Apalachicola, Florida 32320, no later than **4:00 PM, E.T. on May 3, 2021**. RFQ responses will be opened **May 4, 2021**, at the regular meeting of the Board of County Commissioners. Proposals received later than the date and time specified above will be rejected. The Board will not be responsible for the late deliveries of proposals that are incorrectly addressed, delivered in person, or by mail or any other type of delivery service.

The Franklin County BOCC reserves the right to accept or reject any or all proposals or any parts thereof, and the determination of this award, if an award is made, will be based on the final evaluation of the submitted proposals and thereafter the invitation to negotiate a professional services contract. The Board reserves the right to waive irregularities in the proposal.

Any questions concerning this RFQ should be direct to **Erin Griffith, Fiscal Manager**, by e-mail at **erin@franklincountyflorida.com**, or in writing to **34 Forbes Street, Suite 1, Apalachicola, Florida 32320** or by telephone at **(850) 653-9783 extension 158**. Questions will be received until 5:00 p.m. on **Wednesday April 21, 2021**. After this time, a cone of silence will be in place until a Respondent is selected.

PART IV – GENERAL CONSIDERATIONS/INDEMNIFICATIONS

1. Proposals must be submitted by mail, courier or in person to Franklin County Courthouse, Office of Clerk of the Court, located at 33 Market Street, Suite 203, Apalachicola, Florida 32320.
2. Proposals that are no delivered to the physical address of the Clerk of the Court prior to the specified time will not be considered and will be returned to the responder unopened.
3. Once opened no Proposal may be withdrawn prior to the BOCC action without written consent from the Clerk of the Court.
4. Proposals constitute an offer to contract, which will remain valid and in effect, for a period of no less than 180 days from the date of submission.
5. It is the responsibility of the Respondents to fully understand and follow all conditions and specifications contained in this request.
6. The Respondent shall be licensed to perform the required services in Florida and work with Franklin County on all areas of work outlined in this RFQ.
7. Two or more firms may combine for the purpose of responding to this solicitation provided that one is designated as the “Prime” Respondent. The other firm(s) will be referred to as the “Sub-Consultant(s).” By signing and submitting the Letter of Response, the Respondent certifies that the response is made without prior understanding, agreement or connection with any corporation, firm, entity or person submitting a response for the same goods/services (unless otherwise specifically noted), and is in all respects fair and without collusion, fraud, and that the individual signing the Letter of Response has full authority to negotiate for and bind the Respondent.
8. By submitting a response, the Respondent warrants that is has not employed or retained any company or person, other than a bona fide employee working solely for the Respondent to solicit or secure this award and that is has not paid or agreed to pay any person, company, corporation, individual, or firm other than a bona fide employee working solely for the Respondent, any fee, commission, percentage, or gift or other consideration contingent upon

or resulting from the award. Breach or violation of this provision serves as just cause to terminate the award without liability and, to deduct from the agreement price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

- 9. Proposal responses must include a completed:
 - A. Certificate(s) of Insurance or Sworn Statement from Insurance Agent
 - B. Hold Harmless, Release and Indemnity Agreement (Only applicable when State of Florida Worker’s Compensation Exemption is being used)
 - C. Florida Public Entity Crimes Statement as required by F.S. §287.133(3)(a)
 - D. Byrd Anti-Lobbying Amendment Certification Form
 - E. Copeland Anti-Kickback Act (40 U.S.C. 3145) Certification Form
 - F. Drug Free Workplace Statement as outlined by F.S. §287.087
 - G. Federal Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
- 10. All Proposal responses require a current Certificate of Insurance listing Franklin County as an “Additional Insured” and the following coverages on the respondent:
 - A. Errors and Omissions Liability \$1,000,000 per occurrence
 - B. General Liability and Worker’s Compensation \$1,000,000 per occurrence

Alternatively, Respondents may provide a sworn statement from an insurance agent, verifying that is the Respondent is awarded the bid, Certificates of Insurance will be issued to the Respondent in the amounts required within thirty (30) days of the acceptance of the proposal. Additionally, all proposed sub-consultants shall be insured under the Respondent’s policies. All coverages for sub-consultants shall be the same as the requirements state herein.

- 11. Respondents shall include certification information showing Worker’s Compensation Insurance/Exemption on all employees working on the project. Worker’s Compensation exemptions will be accepted upon provided a current exemption certificate, Articles of Incorporation, and a signed Franklin County Worker’s Compensation Hold Harmless Agreement.
- 12. Any Respondent, who does not furnish the required insurance documents within thirty (30) days after acceptance of the proposal, is hereby advised that the proposed award may be revoked and negotiations initiated with the next lowest Respondent who meets all proposal specifications.

13. Federal Requirements

A. Use of Federal Funds – Resources and Ecosystems Sustainability, Tourism Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act)

- 1. Any contract(s) awarded under this solicitation are expected to be funded in part by a grant from the U.S. Department of Treasury. Neither the United States nor any of its departments, agencies, or employees is or will be a party to this solicitation or any resulting contract.
- 2. Any Consultant(s) performing work associated with this solicitation that are paid by any Federal or State grant will sign an annual statement of compliance to both Franklin County Code of Conduct Policy and Franklin County Conflicts of Interest Policy during the grant period.

B. Access to Records and Record Retention

- 1. Any Consultant(s) performing work associated with this solicitation must make available to Treasury, the Treasury Office of the Inspector General, and the Government Accountability Office any documents, papers or other records, including electronic records, of the Consultant pertinent to this award, in order to make audits, investigations, examinations, excerpts, transcripts, and copies of such documents. This right of access also includes timely reasonable access to Consultant’s personnel for the purpose of interview and discussion related to such documents. This right of access shall continue throughout the contract period and three (3) years (2 CFR 200.333) after closeout of the Federal grant award.
- 2. Any Consultant performing work associated with this solicitation must retain all records pertinent to the Award of federal funds for a period of three (3) years, beginning on a date as described in 2 CFR §200.333. Records may be stored electronically or in hard copy format, although electronic format is preferred. The term “records includes, but is not limited to the following:
 - Copies of all contracts and documents related to the contract;
 - Subcontractor awards, contracts, conflict of interest forms;
 - Copies of all contracts and documents related to the contract;
 - Subcontractor awards, contracts, conflict of interest forms;
 - Site visits, reports, audits, and other monitoring of contractors;
 - All financial and accounting records;
 - Any reports, publications, and data sets related to the federally funded project; and
 - Any litigation, claim, investigation, or audit relating to any activity under this contract.

C. Compliance with Federal Regulations and Executive Orders

1. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must be in compliance with all applicable Federal regulations in 2 CFR Part 200, and RESTORE Act Standard Terms and Conditions provided by the U.S. Department of Treasury, including Presidential Executive Order Numbers 11246 and 11375, which prohibit discrimination in employment regarding race, creed, color, sex, or national origin and requires inclusion of the standard Federal Equal Employment Opportunity Construction Specifications.
2. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work in this project must comply with the Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246).
3. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must make positive efforts to use small and minority business and women business enterprises for construction activities when available and feasible in accordance with Federal regulation 2 CFR 200.321.
4. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must comply with the regulations described in the Copeland “Anti-Kickback Act” (40 U.S.C. 3145), which provides that each CONTRACTOR OR SUBCONTRACTOR must be prohibited from inducing, by any means, any person employed in the construction, completion, or repairs of public work, to give up any part of the compensation to which he or she is otherwise entitled.
5. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must comply with regulations described in Title VI of the Civil Rights Act of 1964, which prohibit the exclusion of participation in, deny benefits, or be subject to discrimination because of race, color, national origin, handicap, age, or religion, under any program or activity receiving federal financial assistance.
6. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work in this project must certify he or she will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to an officer or employee of any agency or Congress in connection with obtaining and Federal contract, grant or any other award covered in 31 U.S.C. 1352 Byrd Anti-Lobbying Amendment.
7. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must comply with the requirements of 40 U.S.C. 3701-3708 Contract Work Hours and Safety Standards Act, which apply to contracts in excess of \$100,000 that involve the employment of mechanics or laborers.

8. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must comply with the requirements of section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, which requires CONTRACTOR(s) and SUBCONTRACTORS(s) to procure only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000.

PART V – SCOPE OF WORK

The purpose of this project is to fund a planning study to identify the needs, research, survey, and suggest solutions with estimated costs for the rebuilding and stabilization of dunes throughout Franklin County, approximately sixteen (16) miles of shoreline.

1. Identify the needs for the amount of sand needed to rebuild the dunes;
2. Identify the need for vegetation to stabilize and protect the dunes and animal habitats;
3. Provide research on the area as documentable evidence of the needs;
4. Survey the project area and provide maps as documentable evidence for the study;
5. Provide suggestions on the materials needed to rebuild and stabilize the dunes; and
6. Provide itemized costs estimates for the construction necessary to rebuild and stabilize the dunes.

PART VI – EVALUATION/SELECTION PROCESS

Franklin County shall follow the procedures of the Consultants’ Competitive Negotiation Act, Title XIX, Chapter 287, Section 055 of the Florida Statutes. The selection committee shall consider the following factors:

1. Prepare an alphabetical listing of proposers determined to be interested and available. Evaluate the proposals meeting minimum submission criteria based upon qualifications and conduct discussions with up to three (3) firms deemed to be the most highly qualified to provide the services required. Each of the firms will be required to execute the Truth-In-Negotiation Certificate as defined in Florida Statutes, 287.055. Selection as best qualified will be based on the following considerations:

No	Evaluation Criteria	Points
1	Did the firm follow submittal requirements and clearly demonstrate an understanding of the purpose for the Request for Qualifications?	10
2	Qualifications of personnel assigned	15
3	Geographic location of the firm, including permanent office of project management team	
4	Current workload and potential effect on project schedule/deliverables	10
5	Past record of professional accomplishments	

6	Financial viability and responsibility	25
7	Firm’s reputation and competence, including technical education and training, availability of adequate personnel, equipment and facilities, the extent of repeat business of the firm and, where applicable, the relationship of cost estimates by the firm to actual costs on previous projects	
8	Familiarity with anticipated project areas/scope of work required	25
9	Previous project experience with programs similar in size and scope	
10	Firm’s capability to meet project/deliverable schedules and timing	15
11	Willingness to meet budget requirements (Price Proposal)	
Total		100

In compliance with 2 CFR 200.320(d)(1), the Selection Review Committee will consider the most qualified firm that demonstrates the knowledge, qualification and ability to complete the intended Scope of Work based on the above listed criteria provided by the proposers. A proposer’s ability to successfully complete the Scope of Work should be based on their demonstrated qualifications, past accomplishments of similar work., financial responsibility, and staff availability and capacity in order to accurately determine that the project objectives will be achieved timely, feasibly, and in compliance with federal uniform guidance and RESTORE Act Standard Terms and Conditions.

2. Review of all responses to the Request for Qualifications received will proceed as follows:
 - a. The Review Committee will review all written documents submitted;
 - b. The Committee’s ranking of prospective firms shall be based on the Evaluation Criteria listed above;
 - c. The Committee may request oral presentations/interviews from the Respondent when establishing the recommended priority or short list. Firms will be notified of dates and times of any interviews.

3. Direct one-on-one contact with any of the Board of County Commissioners members, the County Administrator, or County Attorney is not allowed during the short listing process unless initiated by the County to request specific information to understand information submitted in the proposal.

4. The County reserves the right to accept or reject any or all submittals that it may, in its sole and absolute discretion, deem unresponsive, or waive technicalities which best services the overall interests of the County. The County Commission’s decision on these matters shall be final.

PART VII – COST AND PRICE ANALYSIS

The County has conducted a cost and price analysis to create a budget for the Scope of Work required, in accordance with 2 CFR §200.323. This cost and price analysis will be used to evaluate the Respondents during the Evaluation/Selection Process.

PART VIII – SMALL, WOMEN, MINORITY AND LABOR SURPLUS PARTICIPATION

The County encourages the use of small, minority, women and labor surplus business enterprises to participate in this Request for Qualifications process. The County will conduct the following six (6) required affirmative steps to contracting with small, minority, women and labor surplus business enterprises, as required by 2 CFR §200.321:

1. Establish a qualified small, minority, and women’s business enterprises on a solicitation list.
2. Ways to assure that small, minority, and women’s business enterprises are solicited whenever there are potential resources.
3. Dividing the total requirements, when economically feasible, into smaller tasks or quantities permit maximum participation by small, minority, and women’s business enterprises.
4. Establish a delivery schedule, where requirement permits, which encourages participation from small, minority, and women’s business enterprises.
5. Use services provided by SBA or other organizations to encourage participation from small, minority, and women’s business enterprises.
6. Require the prime contractor to consider the 5 affirmative steps above when selecting subcontractors.

PART X – DISADVANTAGED BUSINESS ENTERPRISES

The Franklin County Board of County Commissioners hereby affirms that it will affirmatively ensure that any Disadvantaged Business Enterprise will be afforded full opportunity to submit Statement of Qualifications in response to this invitation and will not be discriminated against on the grounds of race, color, gender, religion, age, disability, marital status or national origin in consideration for an award.

PART XI – PROPOSAL SUBMITTAL FORMAT

LETTER OF RESPONSE – A letter or response prepared by a corporate officer or principal of the firm authorized to obligate the firm contractually should at a minimum include the following information:

1. Date
2. RFQ title
3. Consultant firm name and address
4. Consultant point of contact name, phone, e-mail address
5. Brief overview of the Consultant firm
6. Number of Consultants dedicated to project

PROJECT UNDERSTANDING AND PAST EXPERIENCE – Demonstrate experience in other projects similar in scope and complexity to the project described in Part V Scope of Work of this RFQ.

1. Firm history and specialties – including projects similar to the Scope of Work
2. References – include five (5) references for projects similar to the Scope of Work
 - a. Project name
 - b. Project contact name
 - c. Telephone number
 - d. E-mail address
 - e. Brief description of the project
 - f. Project year
 - g. Contract amount

STAFF QUALIFICATIONS – Identify the roles and responsibilities of the proposed personnel with each individual’s experience and qualifications. Include resumes for each team member involved in the project.

1. Consultant firm organizational chart
2. Number of years experience completing similar projects
3. Availability of staff & ability to meet the time requirements of the project

APPROACH AND METHODOLOGY – Explain how project design will be approached and what methodology will be followed to complete the project.

1. Include a detailed plan as to how the Consultant(s) will develop a project plan and execute it
2. Include communication methods with County staff during the project planning process
3. Describe monthly progress reporting process

~~**PRICE PROPOSAL**—A contract amount and fee schedule will be established for this contract on a Task Order basis, according to the final Scope of Work. However, the Consultant should provide descriptions of the positions/roles of each Consultant staff dedicated to the project, hourly rate cards for each position/role (compared to General Services Administration rates), Scope of Work task description , and a total of estimated hours necessary to complete the Scope of Work.~~

Example:

Position/Role	Hourly Rate Card	Task Description	Estimated # of hours
Project Manager	\$210	Project Oversight	40

REQUIRED FORMS – The person authorized and responsible for binding this proposal must complete, sign and include the following forms in order to be considered a Respondent to this RFQ. Respondents whom do not complete, sign and include these forms in their proposal will be deemed unresponsive and will be disqualified during the Evaluation Process.

1. Certificate(s) of Insurance or Sworn Statement from Insurance Agent
2. Hold Harmless, Release and Indemnity Agreement (Only applicable when State of Florida Worker’s Compensation Exemption is being used)
3. Exhibit A - Florida Public Entity Crimes Statement as required by F.S. §287.133(3)(a)
4. Exhibit B - Byrd Anti-Lobbying Amendment Certification Form
5. Exhibit C - Copeland Anti-Kickback Act (40 U.S.C. 3145) Certification Form
6. Exhibit D - Drug Free Workplace Statement as outlined by F.S. §287.087
7. Exhibit E – Federal Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

PART XII – RFQ TIMELINE

SCHEDULE	DATE/TIME
Advertisement Request for Proposal	Thursday April 1, 2021 at 12:00PM EST
Deadline for Questions	Tuesday April 20, 2021 at 5:00PM EST
Proposal Submission Due Date and Time	Monday May 3, 2021 at 5:00PM EST
Evaluation Committee Meeting (Public Meeting)	Wednesday May 5, 2021 at 9:00AM EST
Board Approval of Selection and Award (subject to change)	Tuesday May 20, 2021 at 9:00AM EST

PART XIII – LENGTH OF SERVICE

The selected Respondent’s professional consulting services begin upon written Notice to Proceed (NTP) by the County. It is anticipated that the NTP will be issued by June 1, 2021. It is projected that all work will be completed within a 6 -8 month time period.

PART XV – TITLE VI NONDISCRIMINATION POLICY STATEMENT

Franklin County values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the County believes that the best public policy and governmental services result from careful consideration of the needs of all of its communities and when those communities are involved in the public policy and governmental services decision making process. Thus, the County does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, the County will not exclude from participation in, deny benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

[END OF RFQ INSTRUCTIONS]

EXHIBIT A - SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

(This form must be signed and sworn to in the presence of a notary public or other official authorized to administer oaths.)

1. This sworn statement is submitted to

By _____

[print individual's name and title]

For _____

[print name of entity submitting sworn statement]

whose business address is _____

(if applicable) its Federal Employer Identification Number (FEIN) is _____

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement) : _____.

2. I understand that a "public entity crime" as defined in Paragraph 287.133 (1)(g), Florida Statutes (2017), means a violation of any public entity or with an agency or political subdivision of any other State or of the United States, including, but not limited to, any Proposal or Contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "*convicted*" or "*conviction*" as defined in Paragraph 287.133 (1)(b), Florida Statutes (2017), means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "*affiliate*" as defined in Paragraph 287.133 (1)(a), Florida Statutes (2017), means:

- a) A predecessor or successor of a person convicted of a public entity crime; or
- b) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "*affiliate*" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the

management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding thirty-six (36) months shall be considered an affiliate.

- 5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes (2017), means any natural person or entity organized under the laws of any state or of the United

States with the legal power to enter into a binding Contract and which Proposals or applies to Proposal on Contracts for the provisions of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

- 6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement: [indicate which statement applies]

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list [attach a copy of the final order].

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31, OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I

AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT.

[signature] [date]

STATE OF FLORIDA
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority _____

[Name of individual

signing]

who, after first being sworn by me, affixed his signature in the space provided above on this

_____ day of _____, 20 ____.

NOTARY PUBLIC _____

My commission expires: _____

**EXHIBIT B - Byrd Anti-Lobbying Amendment
Contractor Certification Form**

_____, as a proposed contractor for _____, certify
(Name of Contractor) (RFQ/RFP/Bid NO.)
that any Contractor employee or Subcontractor performing work on this project must
comply with regulations described in the Byrd Anti-Lobbying Amendment (31 U.S.C.
1352), which requires that each Contractor or Subcontractor employee certifies that he or
she has not used any Federal appropriated funds to pay any person or organization for
influencing or attempting to an officer or employee of any agency or Congress in
connection with obtaining any Federal contract, grant or any other award.

By my signature, as the Authorized Official for the Respondent, I affirm that all
Contractor and Subcontractor employees understand and agree with the Byrd Anti-
Lobbying Amendment requirements described above.

CONTRACTOR:

By: _____
Signature

Authorized Official Name

Authorized Official Title

Street Address

City, State, Zip

Date

**EXHIBIT C - Copeland Anti-Kickback Act (40 U.S.C. 3145)
Contractor Certification Form**

_____, as a proposed contractor for _____, certify
(Name of Contractor) (RFQ/RFP/Bid NO.)
that any Contractor employee or Subcontractor performing work on this project must
comply with regulations described in the Copeland “Anti-Kickback Act” (40 U.S.C.
3145), which provides that each Contractor or Subcontractor must be prohibited from
inducing, by any means, any person employed in the construction, completion, or repair
of public work, to give up any part of the compensation to which he or she is otherwise
entitled.

By my signature, as the Authorized Official for the Respondent, I affirm that all
Contractor and Subcontractor employees understand and agree with the Copeland “Anti-
Kickback Act” requirements described above.

CONTRACTOR:

By: _____
Signature

Authorized Official Name

Authorized Official Title

Street Address

City, State, Zip

Date

EXHIBIT D - DRUG FREE WORKPLACE FORM

The undersigned in accordance with Florida Statute 287.087, hereby certifies that

_____ does:
(Name of Business/Company/Consultant Firm)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities, professional or contractual services that are obligated under this solicitation/contractual arrangement a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 1893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this Individual/Business/Consultant complies fully with the above requirements.

Company Name

Authorized Official Name

Street Address

Signature

City, State, Zip Code

Authorized Official Title

Phone

Date

**EXHIBIT E - Federal Certification Regarding
Debarment, Suspension, Ineligibility
And Voluntary Exclusion**

Contractor Covered Transactions

- (1) The prospective contractor of the Recipient, _____, certifies, by submission of this document, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the Recipient's contractor is unable to certify to the above statement, the prospective contractor shall attach an explanation to this form.

CONTRACTOR:

By: _____
Signature

Name and Title

Street Address

City, State, Zip

Date

EXHIBIT F – LOCATION MAPS



FRANKLIN COUNTY BOARD N. COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS
PROFESSIONAL CONSULTANT SERVICES FOR COMPLETION OF A
COUNTY-WIDE DUNE RESTORATION STUDY

ADDENDUM #01
REVISED RFQ DOCUMENT &
QUESTIONS AND ANSWERS
April 19, 2021

Franklin County Board of County Commissioners has issued an **Addendum #01** to the **Request for Qualifications for Professional Consultant Services for Completion of a County-wide Dune Restoration Study**. Please review and acknowledge your receipt and review of this Addendum #01 in your response due no later than **4:00 p.m., EDT on Monday, May 3, 2021**.

RFQ REVISIONS

- **Page 9, PART XI- PROPOSAL SUBMITTAL FORMAT -Price Proposal** has been removed from this RFQ. After consultation with the U.S. Department of Treasury, the Franklin County Board of County Commissioners has decided to remove this requirement to submit a **Price Proposal** from the RFQ process. The Franklin County Board of County will consider the Respondent's willingness to meet budget requirements, but a specific point value will not be assigned for price or cost.

Q: On page six the RFQ states that Franklin County shall follow the procedures of the Consultant's Competitive Negotiation Act (CCNA) procurement process, however, on page nine a price proposal is requested. We wanted to confirm that price is required. We also wanted to find out how the price factors into the evaluation criteria on pages six and seven.

A: In accordance with Section 287.055(4)(b), Florida Statutes, in addition to the ability of professional personnel, Franklin County will evaluate the willingness of the qualified firm to meet time and budget requirements of the project. The referenced project has been funded through a grant application process by the U.S. Department of Treasury, RESTORE Act Direct Component Program, and includes strict budgetary requirements that must be adhered to in order to achieve the project goals and objectives in a cost feasible and timely manner. However, the requirement for a **Price Proposal** has been removed from this Request for Qualifications process, and price/cost will not be assigned a point value during the evaluation process.

Q. Page 9 of the RFQ, Price Proposal: Is this requirement in keeping with the Florida Competitive Negotiations Act (CCNA)?

A. After further evaluation, the **Price Proposal** requirement has been removed from this Request for Qualification process.

FRANKLIN COUNTY BOARD N. COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS
PROFESSIONAL CONSULTANT SERVICES FOR COMPLETION OF A
COUNTY-WIDE DUNE RESTORATION STUDY

Q. If deemed unlawful, would the County please remove this RFQ response requirement along with any other pricing related evaluation criteria?

A. After further evaluation, the **Price Proposal** requirement has been removed from this Request for Qualification process.

Name: _____

Company Name: _____

Date: _____

FRANKLIN COUNTY BOARD N. COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS
PROFESSIONAL CONSULTANT SERVICES FOR COMPLETION OF A
COUNTY-WIDE DUNE RESTORATION STUDY

ADDENDUM #02
QUESTIONS AND ANSWERS

April 23, 2021

Franklin County Board of County Commissioners has issued an **Addendum #02** to the **Request for Qualifications for Professional Consultant Services for Completion of a County-wide Dune Restoration Study**. Please review and acknowledge your receipt and review of this Addendum #02 in your response due no later than **4:00 p.m., EDT on Monday, May 3, 2021**.

Q: Can submittals be received electronically? If so, what is the maximum file size?

A. No. Electronic Submissions are not accepted by the Franklin County Board of County Commissioners.

Q. If available, please share a georeferenced shape or GIS file of the 16 project miles included in this RFQ? If no files are available, please provide the Florida DEP R monument references for each segment of the project area.

A. There are no GIS or mapping data sets available for the site relating to dune restoration. The exact areas and amount of restoration needed would be determined within this scope of work. The scope includes the approximate sections along St. George Island, Carrabelle Beach, Alligator Point and Bald Point as depicted in the basic project map included in the RFQ. The planning area scope would not include Dog Island because it is within the CBRA zone, and it would not include restoration activities on any State lands, including St. George Island State Park and St. Vincent Island, which is a National Wildlife Preserve.

Q: As specified in the RFQ, the County will conduct affirmative steps to contracting with small, minority, women and labor surplus business enterprises, as required by 2 CFR §200.321 including establish a qualified small, minority, and women’s business enterprises on a solicitation list. Please share this list.

A. Franklin County performed the 6 Affirmative Steps to Contracting with Small, Disadvantaged, Minority, and Women Business Enterprises, in accordance with 2 CFR §200.321. We searched the Florida Unified Certification Program (UCP) Disadvantaged Business Enterprise Directory, using NAICS Code 541330: Engineering Services and the Florida Department of Management Services Certified Vendor Directory using commodity codes 81102101 Coastal Engineering. The search results produced twelve (12) contractors who are certified S/M/WBE contractors. Direct e-mail invites were issued to these identified contractors on March 31, 2021. The following certified S/M/WBE contractors were identified:

-Above Group, Inc.

FRANKLIN COUNTY BOARD N. COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS
PROFESSIONAL CONSULTANT SERVICES FOR COMPLETION OF A
COUNTY-WIDE DUNE RESTORATION STUDY

- AE Engineering Inc.
- Baker Consulting & Engineering LLC
- Brightwater Solutions, LLC
- Cabral Engineering Inc.
- CDC Engineering Inc.
- Drummond Carpenter, PLLC
- Earth Resources, Inc.
- In Depth, Inc.
- Landesco, PLLC
- Larry M. Jacobs and Associates, Inc.
- Nadic Engineering Services

Q. Please clarify if there is a page limit on the proposal or proposal components.

A. There is no page limit on the proposal or proposal components.

DEADLINE FOR QUESTIONS AND ANSWERS WAS 5:00 P.M. ON APRIL 21, 2021. NO MORE QUESTIONS AND ANSWERS WILL BE RESPONDED TO PRIOR TO THE SUBMISSION DATE FOR PROPOSALS [4:00 p.m., EDT on Monday, May 3, 2021].

Name: _____

Company Name: _____

Date: _____

O.

File Attachments for Item:

O. FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS REQUEST FOR QUALIFICATIONS PROFESSIONAL CONSULTANT SERVICES FOR PLANNING AND DESIGN – ST. GEORGE ISLAND STORM WATER DRAINAGE IMPROVEMENTS

FRANKLIN COUNTY BOARD 0. COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS
PROFESSIONAL CONSULTANT SERVICES FOR
PLANNING AND DESIGN – ST. GEORGE ISLAND STORM WATER DRAINAGE IMPROVEMENTS
ADDENDUM #02
QUESTIONS AND ANSWERS
April 23, 2021

Franklin County Board of County Commissioners has issued an **Addendum #02** to the **Request for Qualifications for Professional Consultant Services for Planning and Design – St. George Island Storm Water Drainage Improvements**. Please review and acknowledge your receipt and review of this Addendum #02 in your response due no later than **4:00 p.m., EDT on Monday, May 3, 2021**.

Q: Is there a page limit for the proposal?

A. There is no page limit on the proposal or proposal components.

Q: Is this project a feasibility and drainage study or is there a construction plans component to it?

A. The intended outcome of this project is to get to final design and ready for construction including cost estimates for construction.

DEADLINE FOR QUESTIONS AND ANSWERS WAS 5:00 P.M. ON APRIL 21, 2021. NO MORE QUESTIONS AND ANSWERS WILL BE RESPONDED TO PRIOR TO THE SUBMISSION DATE FOR PROPOSALS [4:00 p.m., EDT on Monday, May 3, 2021].

Name: _____

Company Name: _____

Date: _____

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS
PROFESSIONAL CONSULTANT SERVICES FOR
PLANNING AND DESIGN – ST. GEORGE ISLAND STORM WATER
DRAINAGE IMPROVEMENTS**

PART I – BACKGROUND

The Resources and Ecosystems Sustainability, Tourism Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act) established a new Trust Fund in the Treasury of the United States, known as the Gulf Restoration Trust Fund, as a result of the Deepwater Horizon Oil Spill and the damages it caused to Florida coastal communities. Franklin County Board of County Commissioners has been allocated RESTORE Act Direct Component Program funding to conduct eligible projects for the purpose of restoring the Florida Gulf Coast. Franklin County Board of County Commissioners (BOCC) has amended our Multi-Year Implementation Plan (MYP) to include a storm water drainage improvement project located in the St. George Island commercial district.

PART II – GENERAL INFORMATION

The Franklin County BOCC is seeking **Professional Consultant Services for Planning and Design of the St. George Island Storm Water Drainage Improvements Project**. The commercial district on St. George Island which runs from 3rd Street East to 3rd Street West, from Gorrie Drive to Bayshore Drive. The existing storm water pond currently provides treatment to approximately 25% of the area, however the facility is quickly approaching capacity. The appeal of the quaint commercial area has led to the increase desirability of the commercial area of St. George Island and there are several proposed developments underway that will increase the population, increase demand for commercial development, and therefore potentially increasing storm water runoff as spaces that have previously been undeveloped will become developed. Please see **Exhibit F** of this RFQ for project location map(s).

PART III – PROPOSAL RESPONSE INFORMATION

RFQ with criteria, requirements and anticipated scope of work will be provided upon written request by contacting directly: Erin Griffith, Fiscal Manager, by e-mail at erin@franklincountyflorida.com, or in writing to 34 Forbes Street, Suite 1, Apalachicola, Florida 32320 or by telephone at (850) 653-9783 extension 158.

Proposal submissions must be sealed and marked with the name of the proposer and titled “**Professional Consultant Services Planning and Design – St. George Island Storm Water Drainage Improvements,**” so as to identify the enclosed proposal. Each submittal shall include [one (1) original and five (5) copies] of the proposal. Proposals must be delivered to the Franklin County Courthouse, Office of Clerk of the Court, located at 33 Market Street, Suite 203, Apalachicola, Florida 32320, no later than **4:00PM, E.T. on May 3, 2021**. RFQ responses will be opened **May 4, 2021**, at the regular meeting of the Board of County Commissioners. Proposals received later than the date and time specified above will be rejected. The Board will

not be responsible for the late deliveries of proposals that are incorrectly addressed, delivered in person, or by mail or any other type of delivery service.

The Franklin County BOCC reserves the right to accept or reject any or all proposals or any parts thereof, and the determination of this award, if an award is made, will be based on the final evaluation of the submitted proposals and thereafter the invitation to negotiate a professional services contract. The Board reserves the right to waive irregularities in the proposal.

Any questions concerning this RFQ should be direct to **Erin Griffith, Fiscal Manager**, by e-mail at **erin@franklincountyflorida.com**, or in writing to **34 Forbes Street, Suite 1, Apalachicola, Florida 32320** or by telephone at **(850) 653-9783 extension 158**. Questions will be received until 5:00 p.m. on **Wednesday April 21, 2021**. After this time, a cone of silence will be in place until a Respondent is selected.

PART IV – GENERAL CONSIDERATIONS/INDEMNIFICATIONS

1. Proposals must be submitted by mail, courier or in person to Franklin County Courthouse, Office of Clerk of the Court, located at 33 Market Street, Suite 203, Apalachicola, Florida 32320.
2. Proposals that are no delivered to the physical address of the Clerk of the Court prior to the specified time will not be considered and will be returned to the responder unopened.
3. Once opened no Proposal may be withdrawn prior to the BOCC action without written consent from the Clerk of the Court.
4. Proposals constitute an offer to contract, which will remain valid and in effect, for a period of no less than 180 days from the date of submission.
5. It is the responsibility of the Respondents to fully understand and follow all conditions and specifications contained in this request.
6. The Respondent shall be licensed to perform the required services in Florida and work with Franklin County on all areas of work outlined in this RFQ.
7. Two or more firms may combine for the purpose of responding to this solicitation provided that one is designated as the “Prime” Respondent. The other firm(s) will be referred to as the “Sub-Consultant(s).” By signing and submitting the Letter of Response, the Respondent certifies that the response is made without prior understanding, agreement or connection with any corporation, firm, entity or person submitting a response for the same goods/services (unless otherwise specifically noted), and is in all respects fair and without collusion, fraud, and that the individual signing the Letter of Response has full authority to negotiate for and bind the Respondent.
8. By submitting a response, the Respondent warrants that is has not employed or retained any company or person, other than a bona fide employee working solely for the Respondent to

solicit or secure this award and that is has not paid or agreed to pay any person, company, corporation, individual, or firm other than a bona fide employee working solely for the Respondent, any fee, commission, percentage, or gift or other consideration contingent upon or resulting from the award. Breach or violation of this provision serves as just cause to terminate the award without liability and, to deduct from the agreement price, or otherwise recover, the full amount of such fee, commission, percentage, gift or consideration.

9. Proposal responses must include a completed:
 - A. Certificate(s) of Insurance or Sworn Statement from Insurance Agent
 - B. Hold Harmless, Release and Indemnity Agreement (Only applicable when State of Florida Worker’s Compensation Exemption is being used)
 - C. Florida Public Entity Crimes Statement as required by F.S. §287.133(3)(a)
 - D. Byrd Anti-Lobbying Amendment Certification Form
 - E. Copeland Anti-Kickback Act (40 U.S.C. 3145) Certification Form
 - F. Drug Free Workplace Statement as outlined by F.S. §287.087
 - G. Federal Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
10. All Proposal responses require a current Certificate of Insurance listing Franklin County as an “Additional Insured” and the following coverages on the respondent:
 - A. Errors and Omissions Liability \$1,000,000 per occurrence
 - B. General Liability and Worker’s Compensation \$1,000,000 per occurrence

Alternatively, Respondents may provide a sworn statement from an insurance agent, verifying that is the Respondent is awarded the bid, Certificates of Insurance will be issued to the Respondent in the amounts required within thirty (30) days of the acceptance of the proposal. Additionally, all proposed sub-consultants shall be insured under the Respondent’s policies. All coverages for sub-consultants shall be the same as the requirements state herein.

11. Respondents shall include certification information showing Worker’s Compensation Insurance/Exemption on all employees working on the project. Worker’s Compensation exemptions will be accepted upon provided a current exemption certificate, Articles of Incorporation, and a signed Franklin County Worker’s Compensation Hold Harmless Agreement.
12. Any Respondent, who does not furnish the required insurance documents within thirty (30) days after acceptance of the proposal, is hereby advised that the proposed award may be

revoked and negotiations initiated with the next lowest Respondent who meets all proposal specifications.

13. Federal Requirements

A. Use of Federal Funds – Resources and Ecosystems Sustainability, Tourism Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act)

1. Any contract(s) awarded under this solicitation are expected to be funded in part by a grant from the U.S. Department of Treasury. Neither the United States nor any of its departments, agencies, or employees is or will be a party to this solicitation or any resulting contract.
2. Any Consultant(s) performing work associated with this solicitation that are paid by any Federal or State grant will sign an annual statement of compliance to both Franklin County Code of Conduct Policy and Franklin County Conflicts of Interest Policy during the grant period.

B. Access to Records and Record Retention

1. Any Consultant(s) performing work associated with this solicitation must make available to Treasury, the Treasury Office of the Inspector General, and the Government Accountability Office any documents, papers or other records, including electronic records, of the Consultant pertinent to this award, in order to make audits, investigations, examinations, excerpts, transcripts, and copies of such documents. This right of access also includes timely reasonable access to Consultant’s personnel for the purpose of interview and discussion related to such documents. This right of access shall continue throughout the contract period and three (3) years (2 CFR 200.333) after closeout of the Federal grant award.
2. Any Consultant performing work associated with this solicitation must retain all records pertinent to the Award of federal funds for a period of three (3) years, beginning on a date as described in 2 CFR §200.333. Records may be stored electronically or in hard copy format, although electronic format is preferred. The term “records includes, but is not limited to the following:
 - Copies of all contracts and documents related to the contract;
 - Subcontractor awards, contracts, conflict of interest forms;
 - Copies of all contracts and documents related to the contract;
 - Subcontractor awards, contracts, conflict of interest forms;
 - Site visits, reports, audits, and other monitoring of contractors;
 - All financial and accounting records;
 - Any reports, publications, and data sets related to the federally funded project; and

- Any litigation, claim, investigation, or audit relating to any activity under this contract.

C. Compliance with Federal Regulations and Executive Orders

1. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must be in compliance with all applicable Federal regulations in 2 CFR Part 200, and RESTORE Act Standard Terms and Conditions provided by the U.S. Department of Treasury, including Presidential Executive Order Numbers 11246 and 11375, which prohibit discrimination in employment regarding race, creed, color, sex, or national origin and requires inclusion of the standard Federal Equal Employment Opportunity Construction Specifications.
2. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work in this project must comply with the Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246).
3. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must make positive efforts to use small and minority business and women business enterprises for construction activities when available and feasible in accordance with Federal regulation 2 CFR 200.321.
4. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must comply with the regulations described in the Copeland “Anti-Kickback Act” (40 U.S.C. 3145), which provides that each CONTRACTOR OR SUBCONTRACTOR must be prohibited from inducing, by any means, any person employed in the construction, completion, or repairs of public work, to give up any part of the compensation to which he or she is otherwise entitled.
5. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must comply with regulations described in Title VI of the Civil Rights Act of 1964, which prohibit the exclusion of participation in, deny benefits, or be subject to discrimination because of race, color, national origin, handicap, age, or religion, under any program or activity receiving federal financial assistance.
6. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work in this project must certify he or she will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to an officer or employee of any agency or Congress in connection with obtaining and Federal contract, grant or any other award covered in 31 U.S.C. 1352 Byrd Anti-Lobbying Amendment.
7. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must comply with the requirements of 40 U.S.C. 3701-3708 Contract

Work Hours and Safety Standards Act, which apply to contracts in excess of \$100,000 that involve the employment of mechanics or laborers.

8. Any CONTRACTOR(s) or SUBCONTRACTOR(s) performing work on this project must comply with the requirements of section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, which requires CONTRACTOR(s) and SUBCONTRACTORS(s) to procure only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000.

PART V – SCOPE OF WORK

The purpose of this project is to prepare a feasibility study with options for the construction of additional storm water treatment facilities or treatment methods to be developed in the commercial district of St. George Island. This proposed project will create greater capacity for storm water treatment as Franklin County continues to grow. None of the streets in the commercial district have any swales, nor is a plan in place to address capacity concerns, and feasibility if another means of treating storm water is necessary. All storm water ultimately flows to the bay; however, the area is near sea-level, presenting challenges in developing storm water treatment capacity. In the process of creating the plan the selected firm will interface with county staff and Board to provide treatment options within the estimated construction budget.

1. Provide research on the area as documentable evidence of the needs for storm water drainage improvements;
2. Survey the project area and provide maps as documentable evidence of the needs for storm water drainage improvements;
3. Provide a budget to implement the treatment options selected by the County.
4. Provide the necessary construction plans and specifications, as appropriate, for the treatment options selected by the County.

PART VI – EVALUATION/SELECTION PROCESS

Franklin County shall follow the procedures of the Consultants' Competitive Negotiation Act, Title XIX, Chapter 287, Section 055 of the Florida Statutes. The selection committee shall consider the following factors:

1. Prepare an alphabetical listing of proposers determined to be interested and available. Evaluate the proposals meeting minimum submission criteria based upon qualifications and conduct discussions with up to three (3) firms deemed to be the most highly qualified to provide the services required. Each of the firms will be required to execute the Truth-In-Negotiation Certificate as defined in Florida Statutes, 287.055. Selection as best qualified will be based on the following considerations:

No	Evaluation Criteria	Points
1	Did the firm follow submittal requirements and clearly demonstrate an understanding of the purpose for the Request for Qualifications?	10
2	Qualifications of personnel assigned	15
3	Geographic location of the firm, including permanent office of project management team	
4	Current workload and potential effect on project schedule/deliverables	
5	Past record of professional accomplishments	25
6	Financial viability and responsibility	
7	Firm’s reputation and competence, including technical education and training, availability of adequate personnel, equipment and facilities, the extent of repeat business of the firm and, where applicable, the relationship of cost estimates by the firm to actual costs on previous projects	
8	Familiarity with anticipated project areas/scope of work required	25
9	Previous project experience with programs similar in size and scope	15
10	Firm’s capability to meet project/deliverable schedules and timing	
11	Willingness to meet budget requirements (Price Proposal)	
	Total	100

In compliance with 2 CFR 200.320(d)(1), the Selection Review Committee will consider the most qualified firm that demonstrates the knowledge, qualification and ability to complete the intended Scope of Work based on the above listed criteria provided by the proposers. A proposer’s ability to successfully complete the Scope of Work should be based on their demonstrated qualifications, past accomplishments of similar work., financial responsibility, and staff availability and capacity in order to accurately determine that the project objectives will be achieved timely, feasibly, and in compliance with federal uniform guidance and RESTORE Act Standard Terms and Conditions.

2. Review of all responses to the Request for Qualifications received will proceed as follows:
 - a. The Review Committee will review all written documents submitted;
 - b. The Committee’s ranking of prospective firms shall be based on the Evaluation Criteria listed above;
 - c. The Committee may request oral presentations/interviews from the Respondent when establishing the recommended priority or short list. Firms will be notified of dates and times of any interviews.

3. Direct one-on-one contact with any of the Board of County Commissioners members, the County Administrator, or County Attorney is not allowed during the short listing process unless initiated by the County to request specific information to understand information submitted in the proposal.

4. The County reserves the right to accept or reject any or all submittals that it may, in its sole and absolute discretion, deem unresponsive, or waive technicalities which best services the overall interests of the County. The County Commission’s decision on these matters shall be final.

PART VII – COST AND PRICE ANALYSIS

The County has conducted a cost and price analysis to create a budget for the Scope of Work required, in accordance with 2 CFR §200.323. This cost and price analysis will be used to evaluate the Respondents during the Evaluation/Selection Process.

PART VIII – SMALL, WOMEN, MINORITY AND LABOR SURPLUS PARTICIPATION

The County encourages the use of small, minority, women and labor surplus business enterprises to participate in this Request for Qualifications process. The County will conduct the following six (6) required affirmative steps to contracting with small, minority, women and labor surplus business enterprises, as required by 2 CFR §200.321:

1. Establish a qualified small, minority, and women’s business enterprises on a solicitation list.
2. Ways to assure that small, minority, and women’s business enterprises are solicited whenever there are potential resources.
3. Dividing the total requirements, when economically feasible, into smaller tasks or quantities permit maximum participation by small, minority, and women’s business enterprises.
4. Establish a delivery schedule, where requirement permits, which encourages participation from small, minority, and women’s business enterprises.
5. Use services provided by SBA or other organizations to encourage participation from small, minority, and women’s business enterprises.
6. Require the prime contractor to consider the 5 affirmative steps above when selecting subcontractors.

PART X – DISADVANTAGED BUSINESS ENTERPRISES

The Franklin County Board of County Commissioners hereby affirms that it will affirmatively ensure that any Disadvantaged Business Enterprise will be afforded full opportunity to submit Statement of Qualifications in response to this invitation and will not be discriminated against on the grounds of race, color, gender, religion, age, disability, marital status or national origin in consideration for an award.

PART XI – PROPOSAL SUBMITTAL FORMAT

LETTER OF RESPONSE – A letter or response prepared by a corporate officer or principal of the firm authorized to obligate the firm contractually should at a minimum include the following information:

1. Date
2. RFQ title
3. Consultant firm name and address
4. Consultant point of contact name, phone, e-mail address
5. Brief overview of the Consultant firm
6. Number of Consultants dedicated to project

PROJECT UNDERSTANDING AND PAST EXPERIENCE – Demonstrate experience in other projects similar in scope and complexity to the project described in Part V Scope of Work of this RFQ.

1. Firm history and specialties – including projects similar to the Scope of Work
2. References – include five (5) references for projects similar to the Scope of Work
 - a. Project name
 - b. Project contact name
 - c. Telephone number
 - d. E-mail address
 - e. Brief description of the project
 - f. Project year
 - g. Contract amount

STAFF QUALIFICATIONS – Identify the roles and responsibilities of the proposed personnel with each individual’s experience and qualifications. Include resumes for each team member involved in the project.

1. Consultant firm organizational chart
2. Number of years experience completing similar projects
3. Availability of staff & ability to meet the time requirements of the project

APPROACH AND METHODOLOGY – Explain how project design will be approached and what methodology will be followed to complete the project.

1. Include a detailed plan as to how the Consultant(s) will develop a project plan and execute it
2. Include communication methods with County staff during the project planning process
3. Describe monthly progress reporting process

~~**PRICE PROPOSAL**—A contract amount and fee schedule will be established for this contract on a Task Order basis, according to the final Scope of Work. However, the Consultant should provide descriptions of the positions/roles of each Consultant staff dedicated to the project, hourly rate cards for each position/role (compared to General Services Administration rates), Scope of Work task description , and a total of estimated hours necessary to complete the Scope of Work.~~

Example:

Position/Role	Hourly Rate Card	Task Description	Estimated # of hours
Project Manager	\$210	Project Oversight	40

REQUIRED FORMS – The person authorized and responsible for binding this proposal must complete, sign and include the following forms in order to be considered a Respondent to this RFQ. Respondents whom do not complete, sign and include these forms in their proposal will be deemed unresponsive and will be disqualified during the Evaluation Process.

1. Certificate(s) of Insurance or Sworn Statement from Insurance Agent
2. Hold Harmless, Release and Indemnity Agreement (Only applicable when State of Florida Worker’s Compensation Exemption is being used)
3. Exhibit A - Florida Public Entity Crimes Statement as required by F.S. §287.133(3)(a)
4. Exhibit B - Byrd Anti-Lobbying Amendment Certification Form
5. Exhibit C - Copeland Anti-Kickback Act (40 U.S.C. 3145) Certification Form
6. Exhibit D - Drug Free Workplace Statement as outlined by F.S. §287.087
7. Exhibit E – Federal Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

PART XII – RFQ TIMELINE

SCHEDULE	DATE/TIME
Advertisement Request for Proposal	Thursday April 1, 2021 at 12:00PM EST
Deadline for Questions	Tuesday April 20, 2021 at 5:00PM EST
Proposal Submission Due Date and Time	Monday May 3, 2021 at 5:00PM EST
Evaluation Committee Meeting (Public Meeting)	Wednesday May 5, 2021 at 9:00AM EST
Board Approval of Selection and Award (subject to change)	Tuesday May 20, 2021 at 9:00AM EST

PART XIII – LENGTH OF SERVICE

The selected Respondent’s professional consulting services begin upon written Notice to Proceed (NTP) by the County. It is anticipated that the NTP will be issued by June 1, 2021 It is projected that all work will be completed within a 6 -8 month time period.

PART XV – TITLE VI NONDISCRIMINATION POLICY STATEMENT

Franklin County values diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level. Moreover, the County believes that the best

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public policy and governmental services result from careful consideration of the needs of all of its communities and when those communities are involved in the public policy and governmental services decision making process. Thus, the County does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, the County will not exclude from participation in, deny benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

[END OF RFQ INSTRUCTIONS]

EXHIBIT A - SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

(This form must be signed and sworn to in the presence of a notary public or other official authorized to administer oaths.)

1. This sworn statement is submitted to

By _____
[print individual's name and title]

For _____
[print name of entity submitting sworn statement]

whose business address is _____

(if applicable) its Federal Employer Identification Number (FEIN) is _____

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement) : _____.

2. I understand that a "public entity crime" as defined in Paragraph 287.133 (1)(g), Florida Statutes (2017), means a violation of any public entity or with an agency or political subdivision of any other State or of the United States, including, but not limited to, any Proposal or Contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.
3. I understand that "*convicted*" or "*conviction*" as defined in Paragraph 287.133 (1)(b), Florida Statutes (2017), means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an "*affiliate*" as defined in Paragraph 287.133 (1)(a), Florida Statutes (2017), means:
 - a) A predecessor or successor of a person convicted of a public entity crime; or
 - b) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "*affiliate*" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares

constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding thirty-six (36) months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes (2017), means any natural person or entity organized under the laws of any state or of the United

States with the legal power to enter into a binding Contract and which Proposals or applies to Proposal on Contracts for the provisions of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement: [indicate which statement applies]

___ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

___ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

___ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list [attach a copy of the final order].

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31, OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT.

[signature] [date]

STATE OF FLORIDA
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority _____

[Name of individual

signing]

who, after first being sworn by me, affixed his signature in the space provided above on this

_____ day of _____, 20 ____.

NOTARY PUBLIC _____

My commission expires: _____

**EXHIBIT B - Byrd Anti-Lobbying Amendment
Contractor Certification Form**

_____, as a proposed contractor for _____, certify
(Name of Contractor) (RFQ/RFP/Bid NO.)
that any Contractor employee or Subcontractor performing work on this project must
comply with regulations described in the Byrd Anti-Lobbying Amendment (31 U.S.C.
1352), which requires that each Contractor or Subcontractor employee certifies that he or
she has not used any Federal appropriated funds to pay any person or organization for
influencing or attempting to an officer or employee of any agency or Congress in
connection with obtaining any Federal contract, grant or any other award.

By my signature, as the Authorized Official for the Respondent, I affirm that all
Contractor and Subcontractor employees understand and agree with the Byrd Anti-
Lobbying Amendment requirements described above.

CONTRACTOR:

By: _____
Signature

Authorized Official Name

Authorized Official Title

Street Address

City, State, Zip

Date

**EXHIBIT C - Copeland Anti-Kickback Act (40 U.S.C. 3145)
Contractor Certification Form**

_____, as a proposed contractor for _____, certify
(Name of Contractor) (RFQ/RFP/Bid NO.)
that any Contractor employee or Subcontractor performing work on this project must comply with regulations described in the Copeland “Anti-Kickback Act” (40 U.S.C. 3145), which provides that each Contractor or Subcontractor must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled.

By my signature, as the Authorized Official for the Respondent, I affirm that all Contractor and Subcontractor employees understand and agree with the Copeland “Anti-Kickback Act” requirements described above.

CONTRACTOR:

By: _____
Signature

Authorized Official Name

Authorized Official Title

Street Address

City, State, Zip

Date

EXHIBIT D - DRUG FREE WORKPLACE FORM

The undersigned in accordance with Florida Statute 287.087, hereby certifies that

_____ does:
(Name of Business/Company/Consultant Firm)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities, professional or contractual services that are obligated under this solicitation/contractual arrangement a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 1893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this Individual/Business/Consultant complies fully with the above requirements.

Company Name

Authorized Official Name

Street Address

Signature

City, State, Zip Code

Authorized Official Title

Phone

Date

**EXHIBIT E - Federal Certification Regarding
Debarment, Suspension, Ineligibility
And Voluntary Exclusion**

Contractor Covered Transactions

- (1) The prospective contractor of the Recipient, _____, certifies, by submission of this document, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the Recipient's contractor is unable to certify to the above statement, the prospective contractor shall attach an explanation to this form.

CONTRACTOR:

By: _____
Signature

Name and Title

Street Address

City, State, Zip

Date

EXHIBIT F – LOCATION MAP



FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REQUEST FOR QUALIFICATIONS
PROFESSIONAL CONSULTANT SERVICES FOR
PLANNING AND DESIGN – ST. GEORGE ISLAND STORM WATER DRAINAGE IMPROVEMENTS
ADDENDUM #01
**REVISED RFQ DOCUMENT &
QUESTIONS AND ANSWERS**
April 19, 2021

Franklin County Board of County Commissioners has issued an **Addendum #01** to the **Request for Qualifications for Professional Consultant Services for Planning and Design – St. George Island Storm Water Drainage Improvements**. Please review and acknowledge your receipt and review of this Addendum #01 in your response due no later than **4:00 p.m., EDT on Monday, May 3, 2021**.

RFQ REVISIONS

- **Page 9, PART XI- PROPOSAL SUBMITTAL FORMAT -Price Proposal** has been removed from this RFQ. After consultation with the U.S. Department of Treasury, the Franklin County Board of County Commissioners has decided to remove this requirement to submit a **Price Proposal** from the RFQ process. The Franklin County Board of County will consider the Respondent's willingness to meet budget requirements, but a specific point value will not be assigned to price or cost.

Q: Will the questions be answered in real time or as a part of an addenda at a certain time during the RFQ process?

A. The Franklin County Board of County Commissioners will answer all questions submitted in Addendum format after consultation with appropriate parties has been conducted. All questions are due by **5:00 p.m. EDT on Wednesday, April 21st, 2021**. Should any questions be received by the County after the release of this Addendum and before the deadline for the questions and answers period has lapsed, an additional Addendum will be issued for Respondents.

Q: Page 8: *The County has conducted a cost and price analysis to create a budget for the scope.* What is the estimated budget for design?

A. Franklin County has a pending grant award in the amount of [\$100,000] to be issued by the U.S. Department of Treasury, RESTORE Act Direct Component Program to complete the planning and design Scope of Work in this RFQ. Contract negotiations will not begin until the Grant Award Agreement has been finalized by the U.S. Department of Treasury.

Q. Is there a construction budget?

A. No construction budget has been determined at this time.

FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS

REQUEST FOR QUALIFICATIONS

PROFESSIONAL CONSULTANT SERVICES FOR

PLANNING AND DESIGN – ST. GEORGE ISLAND STORM WATER DRAINAGE IMPROVEMENTS

Q. Who are the S/M/WBE's and what list/prequalification is the County using to establish the certified SMWBE vendors?

A. Franklin County performed the 6 Affirmative Steps to Contracting with Small, Disadvantaged, Minority, and Women Business Enterprises, in accordance with 2 CFR §200.321. We searched the Florida Unified Certification Program (UCP) Disadvantaged Business Enterprise Directory, using NAICS Code 541330: Engineering Services and the Florida Department of Management Services Certified Vendor Directory using commodity codes 81102101 Coastal Engineering. The search results produced ten (10) contractors who are certified S/M/WBE contractors. Direct e-mail invites were issued to these identified contractors on March 31, 2021. The following certified S/M/WBE contractors were identified:

- 305 Consulting Engineers, LLC
- A& B Engineering Consultants, P.A.
- Above Group, Inc.
- AVCON, Inc.
- C. C. Bailey Construction & Development, Inc.
- Cherokee Tribal SWPPP
- Hydra Engineering & Construction, LLC
- Innovative Waste Consulting Services, LLC
- Larry M. Jacobs and Associates, Inc.
- Southeast GeoGroup, Inc.

Q. How are points determined specific to geographic location of the firm; understanding it's grouped with qualifications of personnel assigned?

A. A maximum of 10 points is assigned based on each Evaluation Committee Member's assessment for qualifications of personnel and a maximum of 5 points is assigned based on each Evaluation Committee Member's assessment for geographic location of the firm.

Q. In Part XI, the RFQ requests the submittal of a "Price Proposal". [Florida Statutes 287.055](#) prohibits submission of a price proposal to a public agency, on projects with an estimate construction value exceeding \$325,000. Please advise if the project construction value is to exceed \$325,000, and if so, how we are to respond to the RFQ.

A. While the total construction value for the project is unknown until further planning can be completed through this scope of work, the Price Proposal section has been removed from the RFQ. Please see RFQ Revisions section described and associated revised RFQs to be utilized in response.

FRANKLIN COUNTY BOARD COUNTY COMMISSIONERS

REQUEST FOR QUALIFICATIONS

PROFESSIONAL CONSULTANT SERVICES FOR

PLANNING AND DESIGN – ST. GEORGE ISLAND STORM WATER DRAINAGE IMPROVEMENTS

Q. Is there elevation data available on GIS or a floodplain mapping system, or even as a shapefile? If there is site level data like construction plans or a survey, or elevation data, please provide that?

A. There are no GIS or mapping data sets available for the site relating to the storm water improvements needed within the area defined for the scope of work.

Name: _____

Company Name: _____

Date: _____

File Attachments for Item:

P. Action Items

1. Release RFQs to ranking committee RESTORE Projects

The Board is opening the RFQs for the County Wide Dune Restoration Study and the St. George Island Storm Water Drainage Improvement Projects today. Once the RFQs are opened, the Board will need to turn the RFQs over to the Evaluation Committee (as designated at your April 6th meeting: myself, Alan Pierce and Mark Curenton) to evaluate the responses and make a recommendation to the Board. Upon selection/confirmation of the recommended firm, county staff will then begin negotiations to create a budget to accomplish the Scope of Work in the RFQ. As reported at your meeting on February 16th, the contract will not be able to be awarded until the grant is formally approved by treasury. At this time Franklin County is still awaiting the final review. All costs associated with this work will be paid by RESTORE funds.

Board action to release the responses to the RFQ solicitations to the Evaluation Committee.

2. Perimeter Plants for Eastpoint Dredging Spoil Site

At the April 6, 2021 meeting, the Planting Plan for the Eastpoint Dredging Project was discussed and later approved by FWC (attached). The plan calls for a vegetative fringe for perimeter stabilization along the spoil site. As the county owns and maintains the spoil site, the needed plants are the county's responsibility. Ms. Jenna Harper, ANERR, has agreed to use her staff and volunteers to plant the vegetation with corporation from the Conservation Corps of the Forgotten Coast to harvest, transport, propagate, deliver, install and monitor the plants over a period of up to three years. Included today on the county bill list was a check for \$5,500 made payable to Friends of the Reserve for 2,250 Spartina Alterniflora (marsh grass) in 4" pots which will be split by ANERR and grown into the 4,500-5,000 plants that will be needed at the site. The county is requesting reimbursement for the cost of the plants from the County Soil and Conservation Board.

Board action to authorize the \$5,500 expenditure to the Friends of the Reserve.

3. Budget Request Letters

Franklin County is beginning preparations for the fiscal year 2021/2022 Budget. All budget requests must be submitted by June 15, 2021. I have prepared the attached draft budget request letter with the following instructions: "At the direction of the Board, please keep your request at your current adopted budget. Please be aware, the long term financial impact from COVID-19 as it pertains to the economy nationwide and state shared revenues is uncertain at this time. On March 6th, 2021, the Commission authorized a contract with Evergreen Solutions to perform a wage and pay plan classification study for all county employees due by June 30th, 2021. Changes in compensation and phased implementation of this plan will be considered by the Board during the budget process."

Board action to authorize sending the budget request letters as drafted or with any changes/additional instructions.

4. Trade-in authorization 2002 Caterpillar 963C

The 2021 Caterpillar 963 Track Loader that was ordered for the Franklin County Landfill in October was delivered in late March. At this meeting Franklin County is processing the payment for the new loader from the Tipping Fee Fund. The old 2002 Caterpillar 963C which was in need of repair was traded-in with a residual value of \$20,000 towards the new purchase. Ring Power will need the attached Bill of Sale signed by the Chairman to credit Franklin County for the trade.

Board action to authorize the chairman's signature on the attached Bill of Sale and authorization to remove the 2002 Caterpillar Track Loader County Tag A00410 SN 2DS02657 from inventory.

5. Disposal Request Clerk's Office Obsolete Equipment

The Franklin County Clerk's Office has submitted the attached request to remove the following fixed assets from inventory: Savin Mapping Machine County Tag A004382 and Roll Feeder County Tag A004246 both from 2003 and a Minolta Copier County Tag A004168 from 2002. These items were in disrepair and functionally obsolete. The items will be discarded at the Franklin County Landfill upon authorization.

Board action to authorize the removal from inventory and disposal of the three items noted above.

6. Sheriff's Department E911 Grants

Action item pending – to be updated on Monday

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
FIXED ASSET DISPOSAL REQUEST FORM
*DISPOSAL MUST BE AUTHORIZED BY BOCC***

PART 1 - REQUESTING DEPARTMENT

I request that the following fixed asset(s) be removed from inventory pending authorization from the Board of County Commissioners.

Print Name: Jessica Gay
Department: Clerk's Office

Property Description: _____ Property ID Tag #: _____

Savin Mapping Machine	A004382
Wide Format Roll Feeder	A004246
Minolta Copier	A004168

REASON REMOVAL REQUESTED: The mapping machine & roll feeder is 18 years and the copier is 19 years old and no longer operational. The items will be discarded.

Jessica Gay 4/22/21
Authorized Signature Date

PART 2 - FOR FINANCE OFFICE USE ONLY

Date removal processed: _____ Initials: _____ Date Removal Approved: _____
Add. Notes: _____

PURCHASED FROM:		COMPANY	CITY	DATE OF LAST INVENTORY AND INITIALS OF PERSON TAKEN	
FROM: PANAMA BUSINESS MACHINES			PANAMA CITY, FL.		
DATE PURCHASED OR ACQUIRED:	11/20/02	R	COST	3,695.00	18
VOUCHER NO.	3964	WARRANT NO.	FUND	CLK/OP	19
NAME, MAKE OR MANUFACTURER	MINOLTA	MOTOR NO.	YEAR OR MODEL	4000	18
MANUFACTURERS SERIAL NO:		DISPOSITION (SOLD, TRADED, TRANSFERRED OR JUNKED)	TITLE CERT. NO.		19
		DATE:			18
					19
				CONDITION	CUSTODIAN
				GOOD <input checked="" type="checkbox"/>	
				FAIR <input type="checkbox"/>	K. WADE
				POOR <input type="checkbox"/>	
DESCRIPTION: MINOLTA COPIER					
NUMBER OF UNITS					
ITEM (CLASS & TYPE)		LOCATION (NAME OR NO. OF SCHOOL)		PROPERTY RECORD	
1.	MINOLTA COPIER	CLERK'S OFFICE (AV)		A004168	

FRANKLIN COUNTY

REPLY TO: □
BOARD OF COUNTY COMMISSIONERS
33 MARKET STREET, SUITE 203
APALACHICOLA, FL 32320
(850) 653-8861, EXT. 100
(850) 653-4795 FAX



REPLY TO: □
PLANNING & BUILDING DEPARTMENT
34 FORBES STREET, SUITE 1
APALACHICOLA, FL 32320
(850) 653-9783
(850) 653-9799 FAX

DRAFT

MEMORANDUM

TO: Charles Elliott, Franklin County veterans Service Officer
FROM: Erin Griffith, Fiscal Manager/Grants Coordinator
DATE: May 4, 2021
SUBJECT: Budget Funding Request for FY 2021/2022

Franklin County is beginning preparations for the fiscal year 2021/2022 Budget. All budget requests must be submitted by June 15, 2021.

At the direction of the Board, please keep your request at your current adopted budget. Please be aware, the long term financial impact from COVID-19 as it pertains to the economy nationwide and state shared revenues is uncertain at this time. On March 6th, 2021, the Commission authorized a contract with Evergreen Solutions to perform a wage and pay plan classification study for all county employees due by June 30th, 2021. Changes in compensation and phased implementation of this plan will be considered by the Board during the budget process.

You must utilize the forms provided and please remember that assistance with your budget is available to you if needed. Please address your request and any questions to: Franklin County Board of County Commissioners, Attention: Erin Griffith, Fiscal Manager/Grants Coordinator, 33 Market Street, Suite 203, Apalachicola, FL 32320, erin@franklincountyflorida.com, (850) 653-9783 Ext. 158.

MAINTENANCE DREDGING OF EASTPOINT NAVIGATION CHANNEL

Perimeter planting plan for spoil disposal area to be created by ACOE

Introduction

The maintenance dredging of the Eastpoint navigation channel by the Army Corps of Engineers in the fall of 2021, will create approximately 26-acres of spoil disposal area, with a 3,000-foot linear border that will need vegetation. The estimated area for marsh planting will be roughly 5-acres. Franklin County will coordinate with the Apalachicola National Estuarine Research Reserve (ANERR) to implement and monitor the perimeter planting plan. The county will purchase the starter plants, *Spartina alterniflora*, and supplies. ANERR will coordinate with the Conservation Corps of the Forgotten Coast, to grow and propagate the plants over the next year at the co-managed native plant nursery, in order to create enough plants to complete the project. The Reserve has partnered with the Corps since 2016 to help protect vulnerable shorelines and create essential habitat through the installation of living shorelines. Coordination with the Corps helps the Reserve accomplish critical conservation projects while providing young adults in the county, an opportunity to learn about environmental issues and challenges and gain valuable experience.

Planting

The Reserve, in coordination with the Conservation Corps will be responsible for planting the Eastpoint Breakwater site. The dimensions of the planting area will be roughly 3,000 linear feet by 50-feet wide and will consist of *Spartina alterniflora* spaced on 2-foot centers, that will be planted following the completion of the channel dredging in the Spring of 2022. The site will be marked with flagged stakes to clearly define the planting area. The work shall be performed in a continuous manner from start to finish without interruption or variation and will continue until completed. Signage will be installed to dictate a marsh restoration site. The planting site will be mapped by ANERR on a Trimble GPS unit. The Reserve will access the site through Millender Park or by small boat from Eastpoint ramp.

Plants will be acquired through the Reserve’s and the Conservation Corps native plant nursery. The source of all planting units delivered will be propagated plants collected from permitted donor marshes. Planting units shall be planted in a dug hole. Depth of the planting hole will be fixed so that the stem-root interface shall be positioned slightly below the normal ground. Smooth cordgrass, *Spartina alterniflora*, or *Sporobolus alterniflorus*, will be planted in the low-marsh zone (mean low water to mean high water). Plants will be on 2-foot centers and planted in the spring of 2022 to avoid peak storm season. (2-foot centers=4,500 plants; planting on 5-foot centers= 1,800 plants.) Plants will be planted to a depth of 8-10 inches to bury 3-4 inches of green stem, which is following established protocols for the region. The healthy marsh site to the west of the spoil disposal site will be used as a reference site and used to scale project success.

Monitoring for Success

The Reserve and the Corps will be responsible for planting and monitoring the site during the first three years. At least three permanently marked transects will be established to monitor percent coverage, stem density and average height along the transects to have accurate and repeatable sampling. A 1m² quadrat will be used along the transect line to collect data on the above parameters. The Reserve will check survivorship of plantings at 6 months following planting and at Year 1 to address performance criteria. Photopoints will also be established to visually document the site and to track change over time of the entire project area.

Methods- Monitoring

- Establish at least three fixed transects, evenly spaced, and parallel with elevation gradient. Run transect tape from landward extent of the project to the seaward edge. Avoid trampling along transect path during transect placement. Permanently mark each transect using PVC stakes.
- Place three (3) 1m² quadrats randomly within 2 meters of the transect line and within each vegetation zone or stratum. Within a single zone, quadrats shall be located at least 3 m apart. Orient quadrats parallel with the transect.
- For stem density – Within the 1m² quadrats, count all live rooted stems of any species found within at least one quarter of the quadrat.
- For culm height – Within the 1m² quadrats, measure the height of the tallest individual of each species found within the lower right quarter of the quadrat from the base of the plant to the top of the stem. (You could also measure all culm present and take the average.)

Performance Criteria-

At the end of the first year following planting, at least 80% of the planting shall demonstrate viability. If the planting effort is not deemed successful, a method of enhancement proposal shall be submitted to ANERR. The plan of corrective action shall be implemented within 90-days of written approval. If any of the above success criteria are not met, the County will be responsible for acquiring additional viable plants to replant in unsuccessful areas and will coordinate with ANERR on a replanting plan. Adaptive management actions such as replanting should be implemented if project goals are not reached within three years of project implementation.

Reporting- The Reserve will report all findings/activities to the County as needed.

Budget-

Perimeter Planting and Monitoring at Eastpoint Breakwater			
Species	Qty.	Price Each	Total
<i>Spartina alterniflora</i> - 4-inch pots Quote includes harvesting, transportation, propagation, delivery and planting. These plants will be split in the nursery and will result in 4,500 – 5,000 plants to be used at the site.	2250	\$2.25	\$5,062.50

P.

Supplies/materials needed to: implement planting plan; access site; monitoring for up to three years to include GIS, photopoints, percent coverage/transects to determine success; supplemental planting as needed; debris removal and periodic maintenance.			\$437.50
		Total	\$5,500

Q.

File Attachments for Item:

Q. Informational Item

1. Eastpoint Fishing Pier Hurricane Michael Washout Repair

For information the bid solicitation for the Eastpoint Fishing Pier Hurricane Michael Washout Repair Project is attached to this report. The bid solicitation is currently posted to the county website and the governmental bid platform DemandStar, and advertised in newspapers the Apalachicola Times and the Panama City News Herald. Bids are due by 4:00 p.m. on Friday, May 28th and will be opened on Tuesday, June 1st. The repairs include grading the embankment, patching the damaged asphalt parking area, the installation of articulated concrete block, removing and replacing the damaged guardrail, ADA wooden boardwalk and rubble.



NOTICE TO RECEIVE SEALED BIDS

Pursuant to the regulations found at 2 Code of Federal Regulations (CFR), Part 200 at seq., in addition to the statutory authority requirements and programmatic guidance governing the Federal Emergency Management Agency (FEMA) Disaster Recovery Programs the Franklin County Board of County Commissioners will receive sealed bids from any qualified person, company or corporation interested in constructing:

EASTPOINT FISHING PIER WASHOUT REPAIR

Project is located at the Eastpoint Fishing Pier in Franklin County, Florida and consists of regrading embankment, patching asphalt parking due to storm damage, installing articulating concrete block, remove and replace guardrail, ADA wooden boardwalk, and rubble.

Plans and specifications can be obtained at Dewberry, 324 Marina Drive, Port St. Joe, Florida 32456, (850) 227-7200. Cost for Plans and Specifications will be \$50.00 per set and is non-refundable. Checks should be made payable to DEWBERRY. The bid must conform to Section 287.133(3) Florida Statutes, on public entity crimes.

Completion date for this project will be 150 days from the date of the Notice to Proceed presented to the successful bidder. Liquidated damages for failure to complete the project on the specified date will be set at \$250.00 per day.

Please indicate on the envelope that this is a sealed bid, for “**Eastpoint Fishing Pier Washout Repair**”.

Bids will be received until 4:00 p.m. eastern time, on May 28th, 2021, at the Franklin County Clerk's Office, Franklin County Courthouse, 33 Market Street, Suite 203, Apalachicola, Florida 32320-2317, and will be opened and read aloud on June 1st, 2021 at the County Commission meeting at 34 Forbes Street, Apalachicola, FL.

The Board of County Commissioners reserves the right to waive informalities in any bid, to accept and/or reject any or all bids, and to accept the bid that in their judgment will be in the best interest of Franklin County. All bids shall remain firm for a period of sixty days after the opening.

All bidders shall comply with all applicable State and local laws concerning licensing registration and regulation of contractors doing business to the State of Florida. Franklin County encourages Minority Business Enterprises to respond to this Bid Invitation.

A **mandatory** pre-bid meeting will be held at the project site on Thursday, May 20th at 10:00 Eastern time.

If you have any questions, please call Erin Griffith at (850) 653-9387 Ext.158. All technical questions must be addressed in writing and emailed to Erin Griffith at erin@franklincountyflorida.com no later than May 21, 2021.

File Attachments for Item:

R. Action Items

1. Jingoli Power Laydown Yard: I was recently contacted by a Jingoli Power representative asking if the County would be interested in a lease for a storage and laydown yard for telephone poles, transformers, services trucks, heavy equipment and other related products. Jingoli Power acts as a subcontractor for Duke Energy. The requested area was next to the County's "State yard" off of Bluff Road (see attached map). Prior to seeking your approval today, Jingoli's representatives have cleared the use of this area with AVCON, as this is Airport property but outside of Runway 6/24 Protection Zone, and with Mr. Howard Nabors your Road and Bridge Superintendent, as this is located next to the County's Road Department storage and staging "State yard" that is used mostly during storms and disasters. Jingoli Power would like approval from the Board as soon as possible since hurricane season is approaching and it will take some time for them to prepare the site for use. If the Board is inclined to approve this request, it should be contingent on Attorney Shuler's review of the lease. *Board action to approve the lease agreement for a storage and laydown yard with Jingoli Power for the area shown on the map contingent on Attorney Shuler's review.*

2. Scrivener's Error on Bluff Road: While reviewing the property for the Jingoli Power storage and laydown yard a possible Scrivener's Error was discovered. I asked Mr. Curenton to research this possible error and his statement, attached to my report, is as follows: "The northeast corner of the Apalachicola Airport, where the Franklin County Road Department yard is located is currently Zoned R-4 Single Family Home Industry, as shown on the attached copy of the zoning map, which was originally drawn in 1990. This map was copied from a smaller scale map at that time. The map on the following page from the Franklin County Property Appraiser's website shows the different lots in the area along with the location of the R-4 zoning on the southwest side of Bluff Road. The area highlighted in red is the private residential property located on the southwest side of Bluff Road. In my opinion the R-4 zoned area should only encompass this private residential property. The remainder of the property belonging to Franklin County on the southwest side of Bluff Road should be zoned I-1 Industrial, like the rest of the Apalachicola Airport." Based on Mr. Curenton's information and opinion, will the Board consider declaring this a Scrivener's Error and direct Mr. Curenton to correct the zoning? *Board action to determine if this is a Scrivener's Error.*

3. Gulf County Request: A couple of weeks ago Gulf County sent a request to inquire if Franklin County would be interested in partnering with and participating in funding a dry dock and ship repair facility at the St. Joe Port. I suggested that Mr. Jim McKnight, Director of Gulf County's Economic Development Coalition, meet with each Commissioner to discuss this proposal in detail. Mr. McKnight informed me that he did contact each Commissioner and asked to be added to today's agenda to discuss this with the entire Board. I explained to Mr. McKnight that because the request included a \$5,000,000 commitment of Franklin County's Triumph Allocation to the project, it was important for this Board to discuss it today to voice any concerns or additional questions you may have about the project to each other, before Gulf County representatives appear before you seek a commitment. Mr. McKnight was concerned that even though their request to this Board was last minute, any delay on our end may affect the timeline or deadline for the project, so in the request he is asking for this Board to schedule a workshop as soon as possible to discuss this matter with Gulf County. *Board discussion and direction.*

4. Paving & Striping Projects: Roberts and Roberts is in the County working on a State funded paving project. Due to Leslie Street closer between Highway 98 and Market Street and Forbes Street closer between the main Courthouse Building and the Annex Building, Chairman Jones suggested that I contact the City of Apalachicola about temporarily opening eastern end of Leslie Street, between Market Street and Water Street, as a two-way for access to the Courthouse. The City agreed to the request, so I then contacted Roberts and Roberts for a quote to restripe Leslie Street as a two-way, instead of a one-way with on-street parking, when their striping crew is in the County for the State project, with the expectation that the County would save on mobilization cost. Roberts and Roberts submitted a \$2500 quote for this project. I recommend that since this is for Courthouse access, the cost for this project is divided equally between all five Commissioners from your paving funds. With that same thought process, some of you have requested quotes on small projects in your district. Chairman Jones requested asphalt and striping on portions of 5th, 6th, and 7th streets on St. George Island for a total of \$63,180 which will be paid from District 1's paving funds. Commissioner Lockley asked for asphalt overlay and striping on what is the eastern end of Martin Luther King Jr. Street (Ave J) and also known as the street to the "fish cleaning table" from Water Street. Commissioner Lockley also requested a quote for an asphalt overlay for the Chapman Building parking lot. The total cost for both projects is \$46,530 and will be paid from District 3's paving funds. Commissioner Parish requested repairs, an asphalt overlay and striping on Bluff Road along with grading and an asphalt overlay at the Buddy Ward Park Museum. The total cost for both projects is \$83,070 which will be paid from District 4 paving funds. *Board action to approve these change orders to the County's paving project and authorize Roberts and Roberts to do the four projects as stated above. The first for \$2,500 paid from all five district paving funds, the second for \$63,180 paid from District 1's paving fund, the third for \$46,530 paid from District 3's paving fund, and the fourth for \$83,070 paid from District 4's paving funds.*

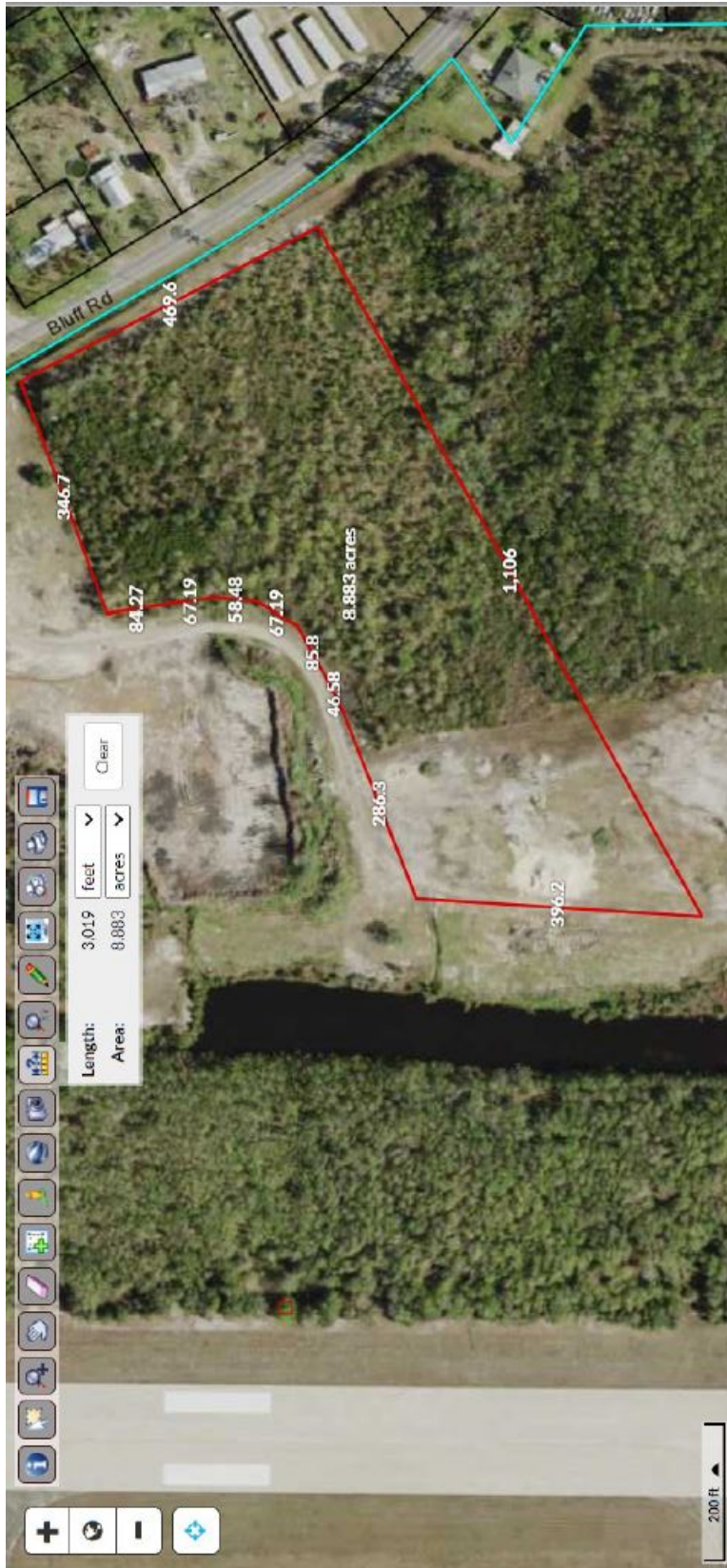
5. CareerSource Agreement: CareerSource Gulf Coast is requesting Board action to approve and authorize the Chairman's signature on the new Grantee/Sub-grantee agreement, which begins on May 15, 2021 and may continue for three years, through May 15, 2024. This final Grantee/Sub-grantee agreement serves as a contract between the CareerSource Gulf Coast board and DEO and outlines each partner's roles and responsibilities. Attorney Shuler has not had the opportunity to review this agreement as yet. *Board action to approve and authorize the Chairman's signature on the new Grantee/Sub-grantee agreement contingent on Attorney Shuler's review.*

6. 8 County Oil Spill Meeting: I received an invitation from State Senator Doug Broxson's office to attend an 8 County Oil spill Administrator's meeting on Monday, May 24th at 12:30 p.m. (ET) at the Walton County Courthouse Annex in Santa Rosa Beach. One of the main meeting topics for discussion are projects that the Board would like to fund with TRIUMPH dollars. I think it is proper for the Board to create a list of projects to submit to the Senator's office for Triumph funding prior to the May 24th meeting. The Board could finalize this list, hopefully a one-page list, at your May 18th regular meeting. *Board discussion and direction.*

7. CRS-LMS: Attached to my report and as part of the County recertification process is the Community Rating System (CRS) Progress Report prepared by Mrs. Angela Lolley, your Floodplain Administrator. As part of the CRS, County homeowners are able to save on their premiums as part of the national flood insurance program. Copies of the report are available for the public and must be submitted to the Board at a public meeting and made part of the official records. The County's Local Mitigation Strategy is submitted as part of the report along with information from your Emergency

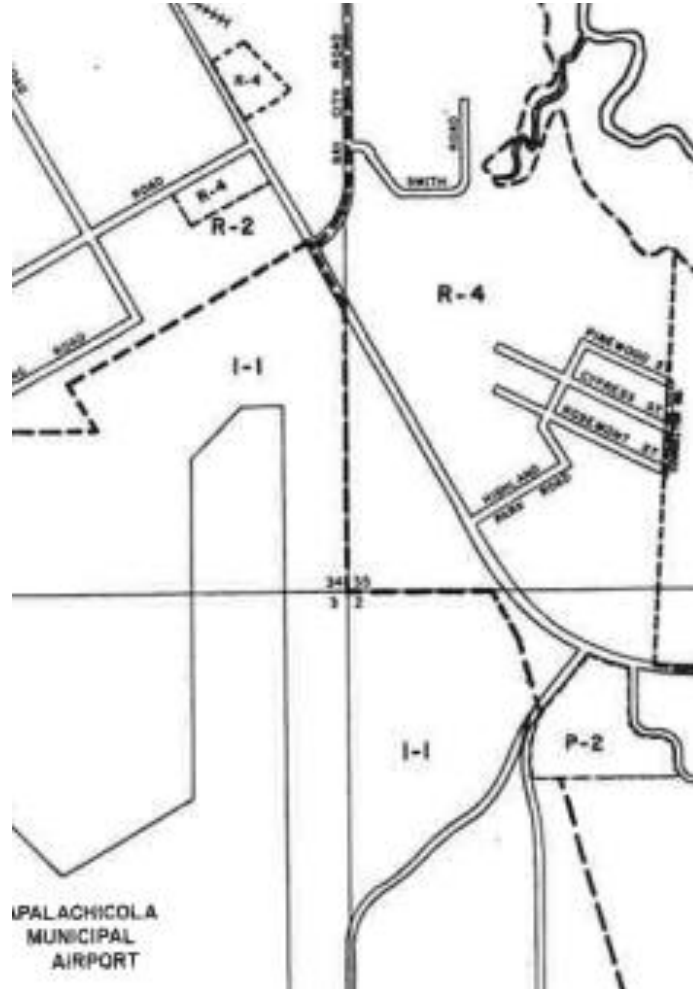
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Management Office. The recertification submission deadline is Monday May 10th. If you have any questions do not hesitate to contact Mrs. Lolley. *Board discussion.*



ZONING AT THE AP^RACHICOLA AIRPORT

The northeast corner of the Apalachicola Airport, where the Franklin County Road Department yard is located is currently zoned R-4 Single Family Home Industry, as shown on the attached copy of the zoning map, which was originally drawn in 1990. This map was copied from a much smaller scale map at that time.



The map on the following page from the Franklin County Property Appraiser's website shows the different lots in the area along with the location of the R-4 zoning on the southwest side of Bluff Road. The area highlighted in red is the private residential property located on the southwest side of Bluff Road. In my opinion the R-4 zoned area should only encompass this private residential property. The remainder of the property belonging to Franklin County on the southwest side of Bluff Road should be zoned I-1 Industrial, like the rest of the Apalachicola Airport.

Mark C. Curenton
County Planner
April 29, 2021

ZONING AT THE AP^R CHICOLA AIRPORT



Franklin County & Gulf County Triumph Co-Application
 Floating Dry Dock and Ship Repair Facility at the Port of Port St. Joe

ACTION REQUESTED: Gulf County hereby requests the Franklin County Commission schedule a workshop to discuss this proposal as soon as possible.

Proposal

Gulf County is requesting Franklin County to partner with them as a co-applicant in applying for a combined total of \$31 million in Triumph dollars to fund a \$57 million dollar project to acquire a floating dry dock and construct a ship repair facility at the Port of Port St. Joe. It is proposed that Gulf County will request/allocate \$26 million of their Triumph allocated funds to the project and Franklin County as a co-applicant will request/allocate \$5 million of their remaining \$53 million in Triumph allocated funds. Gulf County will bond \$20 million dollars in support of the project (to be paid back in lease payments from Eastern Shipbuilding) and a \$6 million dollar State appropriation has been received. The project will create a guaranteed minimum of 215 full time medium to high paying jobs.

Project Funding

Funding Source/Entity	Type Funding	Amount
Gulf County	Issued Bonds	\$20,000,000
Gulf County	Allocated Triumph Dollars	\$26,000,000
Franklin County	Allocated Triumph Dollars	\$5,000,000
State of Florida	Appropriation Received	\$6,000,000
TOTAL PROJECT BUDGET		\$57,000,000

Budgeted Expenses

Expense	Amount
Floating Dry Dock Acquisition	\$48,750,000
Dredging	\$3,500,000
Mooring Dolphins	\$4,000,000
Heavy Moorings	\$750,000
TOTAL PROJECT EXPENSES	\$57,000,000

Answers to questions asked by Commissioners in our individual meetings.

Would Gulf County participate as a co-applicant for Triumph dollars in a project primarily proposed by Franklin County? YES-- Gulf County has a track record of funding Triumph applications from other entities. See table below of Triumph projects supported by Gulf County Triumph allocation request by other entities that already benefits Franklin County and a current request with great potential:

Applicant	Project	Gulf Amount	Jobs Created	Franklin residents employed	# of Franklin residents'	Comment
Gulf Franklin Center	Nurse Simulation Center	2.2 million	Yes	Yes	1	Full time Faculty
Gulf Franklin Center	Unmanned Aerial System Center	2.3 million	Yes	To be determined	Not known	15,000 drone pilot in panhandle by 2030
Gulf Franklin Center	Emergency Response Center	5.1 million	Yes	To be determined	Not known	Franklin will benefit from airship/drones in time of emergency
Port St. Joe Port Authority	Channel dredging	17.5 million	To be determined	To be determined	Not known	May open rail line in Franklin County. Part of Gulf/Gadsden Freight zone

Will there be guaranteed jobs for Franklin County residents? NO—there are a minimum of 215 full time jobs guaranteed by the project, but none are guaranteed to either county. That said the history of the mill jobs held by Franklin County residents (some family members on the commission) and those currently employed by the Sacred Heart Hospital support Franklin County benefitting more than the 16% level of their financial participation in the project (+ 35 of the 215 jobs). The sales tax implemented by the Gulf County Commission to incentivize Sacred Heart Hospital to locate in Port St. Joe is another example of Franklin County resident’s finding good jobs in Gulf County.

Does Eastern Shipbuilding have a prohibition of more than one family member working at the shipyard? NO

What type of jobs will be available at the Eastern Shipbuilding Facility?

- Shipfitters
- Structural Welders
- Pipe Welders
- Equipment Operators
- Pipefitters
- Quality Assurance Technician
- Material Handlers
- Outside Machinists
- Marine Electricians
- Painters/Sandblasters
- Carpenters
- Shipfitter & Pipefitter Trainees
- Warehouse/Shipping & Receiving
- Inside Machinists
- Mechanics
- General Labor
- Safety Technicians
- Welding Trainees

Why Should Franklin County support a project located in Gulf County? In addition to the regional connection to jobs between counties discussed above the following should be considered.

The Project aligns with the new Franklin County welding and digital tool training programs - funded by Triumph and located at the Apalachicola Bay Charter School, that program provides training and certifications in careers. Without the jobs created by this project the trained person would have to leave Franklin County to become employed further exacerbating the outmigration of our young people.

The Project will serve as a catalyst for additional businesses to locate in Franklin County - including the services sector, management companies, architectural, engineering, professional services, employment services, and business support services.

The project broadens the Franklin County’s Economic Base - providing some balance to an ever-increasing dependency on tourism and vacation rentals.

Project Description

The Floating Dry Dock project proposes to create infrastructure, create a skilled workforce, and develop an ongoing ship repair and haul out facility in Port St. Joe. Necessary infrastructure includes a self-docking floating dry dock capable of handling vessels up to 10,000 LT weight and serve as catalyst to a myriad of additional business and industry for the Gulf and Franklin County region. The project will enable our Port to become a vessel outfitting and vessel repair center for the northern Gulf of Mexico competing with the likes of Tampa, Mobile, New Orleans. The dry dock and Infrastructure will be located at the recently opened Eastern Shipyard in Port St. Joe that is now working on Staten Island Ferries and via this grant will begin work on Coast Guard Cutters in 2023.

Franklin County Commissioners and Administration

It is our hope that you will schedule a workshop soon to discuss Franklin County partnering with Gulf County as a co-applicant to Triumph for the needed project funding of this mutually beneficial project. Please let us know if you require any additional information. We are available to meet with you at your earliest convenience.

Jim McKnight, Director Gulf County Economic Development Coalition
Michael Hammond, Gulf County Administrator
Patrick Farrell, Gulf County Commissioner



ACTIVITY 510

March 2020



COMMUNITY RATING SYSTEM PROGRESS REPORT

Franklin County, Florida
120088-NFIP Community

1- Name of CRS Floodplain Management Plan. Franklin County Local Mitigation Strategy

2- Date Adopted: January 25, 2021

3- Have any revisions been made to the plan, or are revisions underway at this time to ensure compliance with both DMA2K and CRS requirements as implemented in the 2002 CRS Coordinator's Manual? If so, what is the expected date of completion for these revisions?

The Franklin County Local Mitigation Strategy was updated and approved in January 2021 with the adoption date of January 25, 2021.

4- Location where copies are available for review: Franklin County Planning & Building Dept.
34 Forbes Street, Suite 1
Apalachicola, FL 32320
(850) 653-9783

5- Summarize any floods that occurred during the year (if any). None

6- What impact did the flood have on the repetitive loss area? None

7- On a separate sheet, list each element of the original plan and note how much was accomplished during the previous year. See attached list

8- Were any of the objectives not reached or is implementation behind schedule? If so, state why. Not all objectives were reached during this year. Overall, implementation is on schedule and in progress.

9- Should new projects be started or should any of the recommendations or objectives be revised? New objectives were proposed in the updated LMS Project List in 2020.

10- The Progress Report discussed and/or made available at a public meeting (This submittal must include documentation that the report was submitted to the governing body, i.e. meeting minutes, released to the media, made available to the public and or prepared by the same planning committee that prepared the plan.) For purposes of this report, the governing body is the governing body of the respective community, i.e. commission, council, etc., Working group minutes are not sufficient.

This progress report was presented to the Franklin County Board of County Commissioners on Tuesday, May 4, 2021. Copies of the report were also provided to the radio station, and the State NFIP Coordinating Office.

FOR MORE INFORMATION, PLEASE CONTACT THE FOLLOWING:

Angela Lolley
Floodplain Administrator
34 Forbes Street, Suite 1
Apalachicola, FL 32320
(850) 653-9783, Ext. 167

LOCAL MITIGATION STRATEGY (LMS) MEETING

Franklin County Emergency Management
28 Airport Road, Apalachicola, FL 32320
Phone: 850-653-8977 Fax: 850-653-3643

**2020 UPDATE ON PROJECTS****COMPLETED ITEMS****COMPLETED PROJECT: Purchase and install a Countywide telephone emergency notification system.**

- *In 2016- Franklin County Sheriffs office discontinued the "Code Red" notification system. Franklin County Emergency Management has started using and maintaining Nixle. The State is going to a state wide notification system and using Everbridge- Nixle is a subsidiary of the Everbridge notification. Alert Franklin has in place since 2017.*

COMPLETED PROJECT: Installation of hydrologic monitoring gauges on the Ochlockonee, Crooked, New and Apalachicola Rivers.

- *The hydrologic monitoring gauges have been installed and are Gauge installation at the Abercrombie Boat Ramp will occur once the ramp is rebuilt. The gauge has been purchased. Contact Preble Rish to install.*

COMPLETED PROJECT: Reduce flooding by replacing culverts and improving cross drains at Mill Road and McIntyre Road.

- *As of November 2012, the status of this stormwater project was the culverts were replaced and the improvement cross drain project was completed. The construction continued through 2013 and was funded through the HMGP.*

COMPLETED PROJECT: Install and updated water pump system in selected areas of Eastpoint.

- *A new system and well on twin Lakes Road was completed in the 2012 - 2013 timeframe. In addition two new vacuum stations was completed. The project will be completed in September of 2016. The Well#1 will be retired and they will begin using Well #4.*

COMPLETED PROJECT: Emergency Management Operations Center Wind Retrofit.

- *An important project and a critical facility for Franklin County. The EOC was awarded a HMGP grant to complete the wind retrofit project. The project was completed in the 1st quarter of 2015. The project description: Protected the entire envelope of the Franklin County Emergency Operations Center by designing and constructing a new hip roof and installing high velocity accordion shutters on the windows and installation of a roll down shutter on the access door of the EOC. The total cost for the mitigation project was: \$94,943. This project will be moved to the completed mitigation project list at the next LMS meeting.*

COMPLETED PROJECT: Franklin County Jail Wind Retrofit

- *A important project and a critical facility for Franklin County. In addition, the jail is a back-up facility for the EOC. The Franklin County Jail was awarded a HMGP grant to complete the wind retrofit project. The project was completed in the 3rd quarter of 2015 and is waiting for final inspection from the State of Florida. The project description: Installed a new retrofit Metal Frame/Metal Roof Assembly over the Jail's Administration Building, and a new Membrane Roof System over the Jail Facility House. In addition provided protection of all windows and doors of the entire structure. The total cost for the mitigation project was: \$729,267. This project will be moved to the completed mitigation project list at the next LMS meeting.*

COMPLETED PROJECT: Institute Flag Warning System/Display Board for Beaches

- Franklin County Parks and Rec has a flag warning system in place and is maintained by FCPR. There is 2 on St George Island and 1 in Carrabelle. They signage and information so that visitors are aware of the flag system. They are looking into installing more flags and a flasher board for visitors/ Franklin County Parks and Recreation has completed the project.

COMPLETED PROJECT: Install weather, water and wind gauges applied to all bridges and in various points around Franklin County.

- In Feb 2017, FCEM has partnered with Weather Stem to place a weather reporting station on St George Island fishing pier. DOT is looking into installing wind gauges on all bridges in the near future. Wind gauges have been placed FCEM will request access to the data from DOT.

COMPLETED PROJECT: Perform a study on the effects of severe hurricanes, high winds, tropical storms, tornadoes and storm surge on businesses that perform essential services to the community.

- ARPC has communicated with FCEM and stated that this study has been completed

NEW, ONGOING, DEFERRED OR INCOMPLETE PROJECTS:

PROJECT ONE: NEW- INCOMPLETE/Within 1 Year Timeframe

Acquisition of Alligator Point Fire Department.

- The acquisition of the Alligator Point, St. Teresa Fire Department in currently in progress..

PROJECT TWO: NEW-INCOMPLETE/1 Year Timeframe

6 Critical Facilities Generators

- Installation of the six generators for the County's critical facilities will be within the next year.

PROJECT THREE: NEW-INCOMPLETE/1 Year Timeframe

Apalachicola, Market Street Vacuum Station, Utility Mitigation

- Construction of a new vacuum sewage station near the intersection of Market Street and Avenue G. The project will upgrade the existing wastewater infrastructure and mitigate future occurrences of sanitary sewer overflows.

PROJECT FOUR: NEW-INCOMPLETE/1 Year Timeframe

Apalachicola, 2 Critical Facilities Generators

- Installation of the two generators for the City of Apalachicola's critical facilities will be within the next year.

PROJECT FIVE: NEW-INCOMPLETE/2 Year Timeframe

Apalachicola, Water Street Drainage

- There have been many storm flooding events that have caused considerable damage and especially to Water Street in the City of Apalachicola's drainage. The goal is to have this mitigation project completed within the next two years.

PROJECT SIX: NEW-INCOMPLETE/5 Year Timeframe

Update and enhance all communications equipment throughout the county

- All Agencies are evaluating/ discussing options for interoperable communications throughout the county. Firenet is operational and this is an ongoing project for the County.

PROJECT SEVEN: ON-GOING/INCOMPLETE/ WITHIN A 5 YEAR TIMEFRAME

Acquire, relocate or elevate repetitive damaged structures throughout the county.

- Funding

PROJECT EIGHT: ON-GOING/INCOMPLETE/5 Year Plan

Build a new EOC in a central location in Franklin County possible location- Highway 65.

- Franklin County is looking at possible BP funds for building a new Multi-Agency Building.

PROJECT NINE: ONGOING/INCOMPLETE/5 Year Plan
Retrofit the Old Carrabelle City Hall as a Volunteer Disaster Corp Training Facility-Retrofit.

- *Various non-profits and county partners will be assisting with the work and funding for this project.*

PROJECT TEN: ONGOING/INCOMPLETE/5 Year Plan

Construct a new Access Road at Franklin County School for Emergency Use

- *Franklin County School and Forestry are constructing an access road through the forest for Emergency Access only to the facility. The Florida Forest Service has given consent for permitting/ Easement which was completed. At this time, this project is waiting for the School Board to construct Road.*

PROJECT ELEVEN: NEW-INCOMPLETE/5 Year Plan

Purchase and install an oxygen filling station that can be utilized after a disaster.

- *New Project for FLDOH - Hurricane Michael left a lot of residents with out access to oxygen- Want to use this as a regional asset.*

PROJECT TWELVE: NEW/INCOMPLETE/5 Year Plan

Carrabelle Fire Hydrant System extended to the west side of the county located between Lighthouse Road and Yents Bayou.

- *Carrabelle Fire Department needs to Fire Hydrants on the West side of Carrabelle to improve fire response to the county - Awaiting Funding.*

PROJECT THIRTEEN: NEW/5 Year Plan

Install generators for all critical facilities, lift stations, government fueling depots located in Franklin County.

- *Cost Varies on location and facility.*

PROJECT FOURTEEN: NEW-INCOMPLETE/5 YEAR Plan

Acquire land and construct a new landfill.

- *Franklin County Landfill is very limited. FCBOCC is looking for a new location for landfill expansion.*

PROJECT FIFTEEN: ONGOING

Protect County Road 370 (Alligator Point Road) from hurricane storm surge.

- *Project is to move the road inland and acquire the repetitive loss property.*

PROJECT SIXTEEN: ON-GOING/5 Year Plan

Perform mitigation efforts on residential homes against severe hurricanes, high winds, tropical storms, tornadoes and storm surge on low/moderate income owner/occupied homes.

- *Franklin County is currently working on a Hurricane Loss Mitigation Program for Franklin County residents- Ongoing Project- Awaiting funding for the fiscal year.*

PROJECT SEVENTEEN: ON-GOING/5 Year Plan

Reduce coastal erosion by planting vegetation and participating in beach re-nourishment programs to enhance the formation of sand dunes and to protect roads from washouts.

- *This is ongoing project- FCEM and ANEER are working with several agencies to mitigate sand dunes and protect roads.*

PROJECT EIGHTEEN: ON-GOING

Florida Forest Service assesses wildfire risk areas across the county establishing mitigation projects to reduce the fuel loads and thus effectively reduce wildfire risk in these areas.

PROJECT NINETEEN: NEW-INCOMPLETE/5 Year Plan

Construct a new Fire Station in Alligator Point.

- *Location for new Fire Station has been identified and old fire station can be purchased with HLMP as a repetitive loss structure.*

PROJECT TWENTY: ONGOING/1 Year Plan

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Work with the Florida Forest Service and develop and participate in the Community Wildfire Protection Plans (CWPP) to reduce wildfire risks within the Wildland-Urban Interface. And inform the public of the Fire wise building and landscape design principles and the Ready, Set, Go program.

The CWPP for Franklin County was completed in 2013. The plan will be updated to reflect any current changes. The Florida Forest Service will continue inform the public of the Firewise building and landscape design principles and the Ready, Set, Go program.

PROJECT TWENTY-ONE: ONGOING

Protect and improve functioning of wetlands and waterways by eliminating and educating residents on living shorelines.

- *ANNEF/FFS work together year-round to locate/eliminate and improve the living shoreline through education and environmental projects.*

PROJECT TWENTY-TWO: ONGOING

Update all County Mapping to include 911 overlay, flood prone areas, damage assessment, and property appraiser properties.

- *FCEM / Flood Plain Manager are working on systems that utilize the maps to identify all repetitive flood prone areas in ensure quicker emergency response time in the event of a disaster.*

PROJECT TWENTY-THREE: ONGOING/5 Year Plan

Mitigate storm water drainage projects throughout Franklin county.

PROJECT TWENTY-FOUR: ONGOING/5 Year Plan

Develop and deliver Disaster Resistant programs for the business and residential communities on "how to prepare" for future disasters.

- *FCEM office delivers ongoing programs and distributes materials on how to prepare for future disasters to the residential and business community. This is an ongoing project. FCEM continually educates all Franklin County Residents in being Disaster ready- Ongoing Project.*

PROJECT TWENTY-FIVE: ONGOING/5 Year Plan

Raise areas of CR 67 to prevent road flooding.

PROJECT TWENTY-SIX: DEFERRED/5 Year Plan

Wind Retrofit all Critical Facilities, Government, and school facilities.

- *This project was deferred due to funding.*

PROJECT TWENTY-SEVEN: NEW/5 Year Plan

Relocation of Apalachicola City Hall

- *Apalachicola City Hall was damaged during Hurricane Michael and is located in a flood prone area. City is seeking to relocate out of the flood prone area.*

PROJECT TWENTY-EIGHT: NEW/5 Year Plan

Upgrade or replace City and County Wastewater treatment facilities.

- *Apalachicola City Utilities needs improvements on current wastewater treatment center.*

PROJECT TWENTY-NINE: ONGOING/5 Year Plan

Implement CRS flood resilience Activities.

- *There will be future discussion on how to accomplish this.*

PROJECT THIRTY: ONGOING/5 Year Plan

Drainage Basin Analysis-Carrabelle/ Apalachicola and Unincorporated Franklin County.

- *The scope of work for the analysis and study will need to be determined.*

PROJECT THIRTY-ONE: ONGOING/5 Year Plan

Evaluate and mitigate all flood prone areas due to sand dune shift and other environmental factors.

- *The scope of work will need to be reviewed and determined.*

PROJECT THIRTY-TWO: DEFERRED/5 Year**Evaluate and mitigate all flooding prone areas.**

- *This project was deferred due to funding.*

PROJECT THIRTY-THREE: ONGOING**Work with the Florida Forest Service in offering forest protection education in the county's schools.**

- *Florida Forest Service has secured a scholarship for 20,000 a year for a graduate Franklin County School graduate further education in Forestry. Agriculture class and FFS continually provides Forest Protection education to all Franklin County Students. Summer program 2 students spent 3 days a week working in the Forest Service- Given one 80,000 Scholarship to a FCS student.*

PROJECT THIRTY-FOUR: ONGOING**Conduct Community Emergency Response Team (CERT) training for the Franklin County residents.**

- *Franklin County has a CERT group and continues to provide CERT training. This is an on-going program for the county.*

PROJECT THIRTY-FIVE: ONGOING**Improve efforts in debris removal of dead, dying or diseased trees and branches next to road and highways.**

- *Duke Energy maintains the power lines. State DOT Contractor maintains the Franklin County State highways.*

PROJECT THIRTY-SIX: ONGOING/5 Year Plan**Work with the Florida Forest Service on evaluating the defensible space on all the critical facilities throughout the county.**

- *The Franklin County EM Director sent specifics to the local Florida Forest Service Florida Forest Service will provide the information on the defensible space on critical facilities.*

PROJECT THIRTY-SEVEN: NEW/2 YEAR PLAN**Replace a control panel at a lift station in the City of Apalachicola.**

- *The City of Apalachicola is upgrading a lift station with an installation of a new control panel. The project is expected to be completed within two years.*

PROJECT THIRTY-EIGHT:NEW/2 YEAR PLAN**Build a new wastewater treatment plant in Eastpoint.**

- *A new wastewater treatment plant in Eastpoint is currently being build. The estimated timeframe for completion is within two years.*

PROJECT THIRTY-NINE: NEW/2YEAR PLAN**Educate the county residents on water saving techniques.**

- *The Emergency Management office will develop materials on water saving techniques that will benefit the county and citizens during a drought period. The estimated cost would to produce materials would be \$500.*

PROJECT FORTY: NEW/2 YEAR PLAN**Organize outreach to vulnerable populations including establishing and promoting accessible heating or cooling centers in the community.**

- *The Emergency Management Department will devise an outreach program to reach the vulnerable populations throughout the County and promote safety and heating and cooling centers in the community. There would be no cost for this mitigation project.*

PROJECT FORTY-ONE: ONGOING/5 Year Plan**Install sirens at various points throughout the county.**

- *Sirens are located at DW Wilson Park, Carrabelle RV Park and Franklin County School- Develop a maintenance plan.*

PROJECT FORTY-TWO: ONGOING**Enforce local laws, which allow local governments to enact burn bans during periods of drought.**

- *The county will continue to enforce the local laws to burn bans during periods of drought.*

PROJECT FORTY-THREE: DEFERRED/5 YEAR PLAN**Install tornado shelters throughout the county.**

- *This project was deferred due to funding.*

DELETED ITEMS

- Retrofit the Carrabelle City Hall Complex- This project was deleted at the August 2016 LMS Meeting due to lack of funding and possible relocation of Carrabelle City Hall. New City Hall was constructed in 2018.
- Inspect septic tanks for low income homeowners and abate failing systems- This project was deleted at the November 2013 LMS Meeting.
- Purchases and install smoke alarms in low income homes- This project was deleted at the November 2013 LMS Meeting.
- Set aside a portion of “In lieu of taxes” funding received by the Franklin County School District from the Florida Division of Forestry Scholarship for students from Franklin County- This project was deleted at the November 2013 LMS Meeting.
- Require Flood Hazard Disclosure in a deed of sale or transfer of improved or unimproved real property- This project was deleted at the November 2014 LMS Meeting.
- Reduce flooding in Rio Vista area by installing a drainage system on the north side of the road into cow creek and the Ochlockonee River- COMPLETED PROJECT
- Highway 98 needs resurfacing from Carrabelle to Apalachicola- NEW-DEFERRED DUE TO HURRICANE MICHAEL-(FDOT is evaluating the road and will be repairing the road) Within a 5 Year Time Frame.
- Reduce or prevent stormwater flooding in Apalachicola in the following areas: 24th and 25th Avenues, 8th through 10th Streets between J and G, and on US Highway 98 and 12th and 16th Streets. (This drainage improvement project is on the DOT 5-year capital project list. The DOT and Preble-Rish have agreed on a resurfacing project on US 98 through Apalachicola and estimated to be complete in 2014. The installation of buffer boxes are currently in progress. Some work has been done on 10th Street. The EM Director will get with the City and DOT for a status on the project. An update on the costs will be available at the next LMS meeting - Moved to deferred to adjust the new storm water projects.)
- Retrofit the FSU Marine Lane buildings. DEFERRED-FSU Marine Labe has other buildings that can benefit from Wind Retrofit. Deferring projects until representative confirms that other buildings need retrofit.

File Attachments for Item:

S. Informational Items

1. Ethics Class: Inform the Board that your Ethics Class is scheduled for 9 a.m. (ET) here in the Commission meeting room on Saturday, May 15th. This class will certify you for 2020. As you may recall we tried to schedule a number of classes last year but due to COVID and other reasons was unsuccessful. Later this year we will schedule another class for 2021 certification.

2. CareerSource Funding: At your last meeting the Board was informed that the last day for the workers participating in the Hurricane Michael program would be on April 30th as there was no additional funding. Once the accounts were balanced, there is actually enough funds for a few more weeks of work. Mr. Fonda Davis, CareerSource, and QLM (the employment agency) worked together to create a list of the current employees and supervisors that will continue to work for the next few weeks. I will ask Mr. Davis to inform the Board once the funds are completely expended.

3. Equal Shot Program: I wanted to use this opportunity to bring some attention and exposure to the Equal Shot basketball program led by JT Escobar. My 6-year-old grandson, Xavier Lewis, participated in this program for the first time this year and that exposed me to some of the great things this program is providing to the County's youth. What makes this program unique from other sports programs is the core mission, "to develop and launch notable leaders & creative problem solvers in the community". They focus not only on athletic development, but also leadership development and skill acquisition. This program is a great compliment to the successful baseball, soccer, and football programs already in the County. I've included a hand-out that provides additional information on the program.

4. LSE Covid-19: As authorized by the Board, Chairman Jones signed COVID-19 Local State of Emergency Declarations for the weeks starting April 5th, 12th, 19th, and 26th.



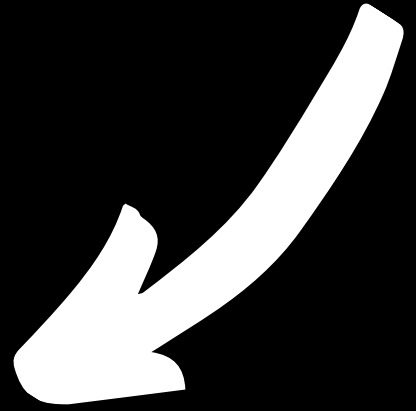
EMPOWERING
UNDER-RESOURCED
YOUTH

EST 2020

EQUAL

SHOT

EMPOWER
LAUNCH
CREATE



WHO WE ARE OUR CORE MISSION

Equal Shot's mission is to develop & launch notable leaders & creative problem solvers into the community.



OUR
OPERATION

WHAT WE DO



We create access within diverse communities, helping to equip them with the necessary **skills** to remain on a successful life trajectory.



WHY WE DO IT

EMPOWER,
+
LAUNCH & CREATE



OPPORTUNITY

48% of children in southern United States live in low income families.

Lack of resource is the most significant determinant for a child's life trajectory.

DIVERSE RELATIONSHIPS

Lack of diversity leads to limited access.

Diverse spaces allow our youth to develop well-rounded perspective to:

- Athletics
- Leadership
- Education
- Mental Health Awareness

HOW WE DO IT (THE SOLUTION)



* Athletic Development

- Club Sessions - Youth Developmental Basketball Leagues
- Group Skill Development - Small Group Skill Training to Develop the "Total Athlete."
- Camps - Ranging from 1 Day, to 2 Months, Our Camps Offer an Outlet For Participants to Grow Athletically, Emotionally, & As a Leader

* Leadership Development

- Leadership Building Blocks
 - Worked Seamlessly Into Our Programs
- Be a Great Teammate
Be Coachable
Compete

* Skill Acquisition

- Mental Health | Striving to reduce the risk of mental health challenges for all participants
- Athletics (Basketball) | Serves as a great equalizer- it cultivates diversity & inclusion no matter your background.
- Vocational Training | Equipping our participants to identify what they are passionate about & gifted to do, then empowering them to go do that by providing the necessary road map, connections, and opportunities for their success.

WHY IT'S IMPORTANT

MENTAL & EMOTIONAL HEALTH



- Emotional intelligence is the #1 predictor of professional success & personal excellence.
- The link between E.Q. & total earnings is so direct that: Every 1 point increased in E.Q. = increase of \$1,300 salary.



- Equal Shot's staff is trauma trained & able to provide "trauma & emotional first aid" to participants.

WHY IT'S IMPORTANT

ATHLETICS: BASKETBALL

- Team sports can have a lasting effect on children's health by providing opportunities to:

- SAFELY SOCIALIZE
- RELIEVE STRESS
- BUILD CONFIDENCE

- Participation in team sports is correlated with lower rates of anxiety, depression, smoking, substance abuse, suicidal thoughts & attempts.





S.

YOUR PART: THE BACKCOURT

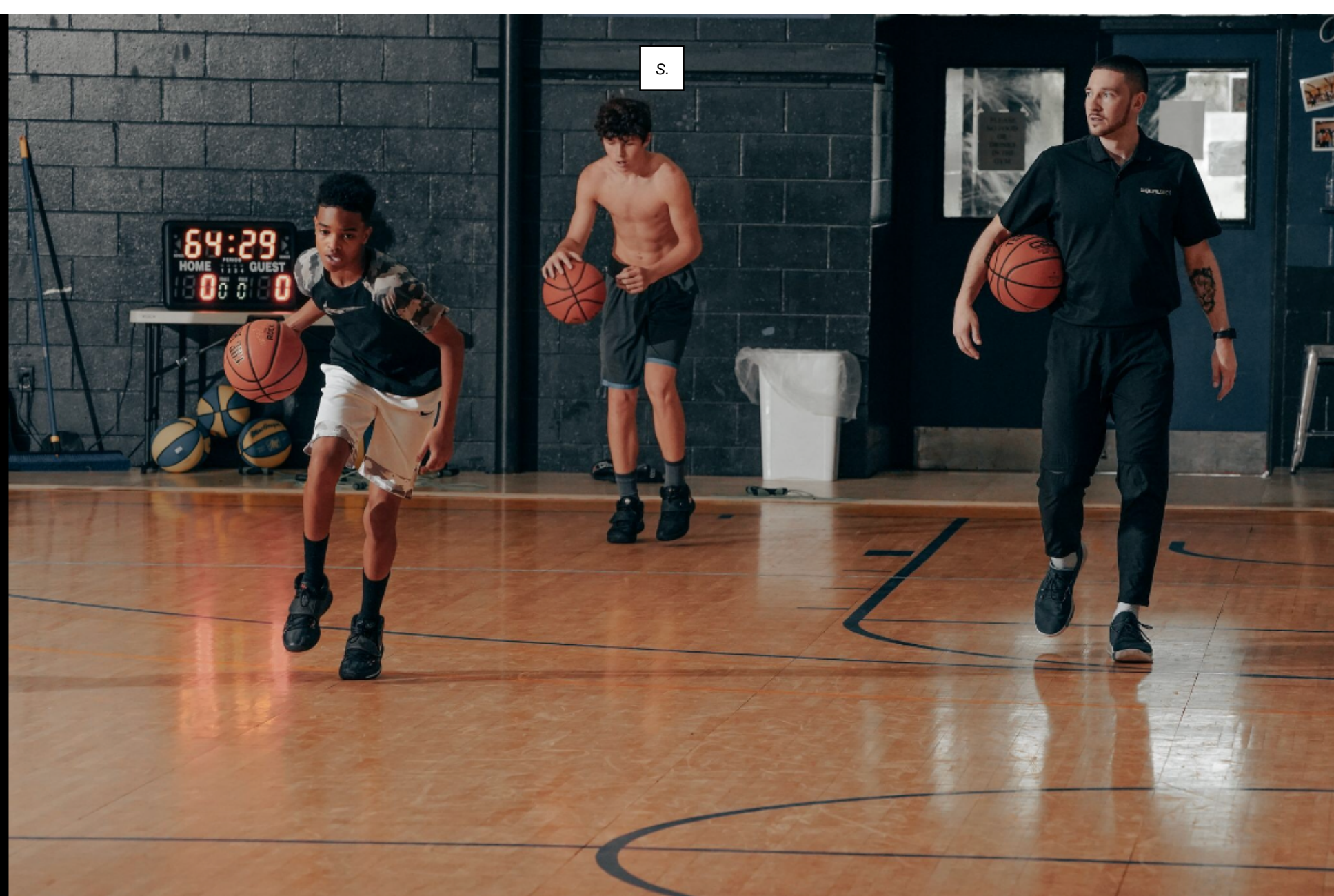
A "backcourt" in basketball refers to a team's guards - the ones who run the show. Backcourt players are the floor generals, the backbone & engine of the team. A team cannot flourish without a strong backcourt- In the same way, Equal Shot cannot flourish without YOUR help! The Backcourt is a team of financial supporters who cover all staff, facility & operation expenses.



By having a group of people dedicated to operational costs, this allows us to use 100% of all donations, grass roots fundraising, grants, etc. to go DIRECTLY to our mission.



In addition to Backcourt givers, Equal Shot conducts non-profit basketball skill development in order to help cover operational expenses.



Let's Connect.

JT Escobar - Executive Director
(850)-545-6677
info@equalshotacademy.com
equalshotacademy.com



T.

File Attachments for Item:

T. Report (agenda packet)

The Law Offices of Thomas M. Shuler, P.A.
Apalachicola, Florida 32320

Phone: 850-653-1757
 Fax: 850-653-8627
 Email: mshuler@shulerlawff.com

Mailing Address:
 34th Street
 Apalachicola, FL 32320

April 30, 2021

To: Franklin County Board of County Commissioners

From: Thomas M. Shuler, County Attorney

Re: May 4, 2021 Meeting

Action Item

1. Parking Ordinance

The draft parking ordinance providing for additional parking and booting of vehicles is attached to the board package. The draft ordinance speaks for itself.

I recommend that board consider and adopt a plan for enhanced public parking along the right of ways at the access points to the public beach. The public trust doctrine supports an action by the board to enhance public use of public lands.

It is also my recommendation is that the board is to table action on the ordinance while the board develops a plan for, and constructs, enhanced parking at Alligator Point and St. George Island. Booting is an action rarely taken by local government. As the board has noted public, our one remaining industry is Tourism, and booting is directly targeting that economic sector.

The public complaints concerning repeated trespass onto private property and public urination already have remedies on the books. Those violating those laws are subject to arrest.

Board Action: Board Discussion.

2. City of Apalachicola – two requests

- a. The City of Apalachicola has asked for an amendment to the Animal Control Interlocal Agreement which would allow them to call a Sheriff's Deputy to the scene instead of sending a local police officer. Any amendment to the Interlocal Agreement will require a public hearing to amend the ordinance because it was adopted by ordinance.
- b. The City of Apalachicola contacted Ms. Erin Griffith and asked for a copy of the lease of the old National Guard hanger at 17 Chapman Drive. There is no such

lease. The City has used this facility for decades as its base of operations for its road department and possibly other city functions. The discussion has been that the City would provide liability, windstorm and fire insurance in the amount of One Million Dollars in lieu of rent. The leases approved by the Board for other entities has been a 15 year lease with a 6 month termination provision.

Board Action: Does the Board want to authorize a public hearing to consider amending the Animal Control Interlocal Agreement/

Does the Board want to enter into written lease with the City?

3. City of Carrabelle

Attached is a draft interlocal agreement for the repair of a box culvert on Ryan Drive, Carrabelle, Florida.

As you know, it is the County's position that Ryan Drive belongs to the City of Carrabelle and is not a County Road. However, assisting with the repair is allowed.

Board Action: I recommend approval of the agreement and authorization for the chairman's signature.

4. Supervisor of Elections Building

The current lease expired on March 1, 2021.

I have discussed renewal of the lease with Mr. Harry Arnold, the building owner.

Mr. Arnold has made the repairs to the building, except for the request that he stabilize the NE corner and a key pad lock on the front door.

The monthly rent has been \$2,000.00 per month for about a decade.

Mr. Arnold requests a 5 year lease at \$2,500.00 per month, with three one year automatic renewals.

Board Action: I recommend renewal of the lease as requested.

5. Chris Langston In Re: Liberty County, Florida

At your last meeting, the Board approved sending a letter of support to Liberty County for a land swap with the State of Florida to facilitate a mining operation.

The minutes provided by Mr. Langston indicate that Liberty County wanted a letter of support to conduct a workshop to consider a land swap.

Board Action: Request a motion authorizing an amended letter to reflect support for Liberty County to hold a workshop.

Informational Items

6. Alligator Point MSBU Assessment

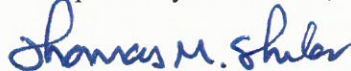
The Board directed me to review the matter concerning the MSBU increase authorized at Alligator Point in 2013. There has been some concern expressed by some members of the public at Alligator Point concerning the use of the increased MSBU funds for uses other than those represented by a prior board of the APVFD, or words to that effect.

My opinion herein is limited to a review whether the County Commission or the ballot voted on by the public required the purchase of any specific itemized list of equipment or fire related expense, and, based on the minutes provided to me, there was no such restriction imposed by either the County Commission or the ballot.

Specifically, there was no mandate by the County Commission that the MSBU funds must be used by the APVFD for the purpose of buying a fire boat, moving the fire department, purchasing a ladder truck or any other specific item. If you recall, both St. George Island and Alligator Point sought an increase in 2013 and the County Commission did not place any specific requirement on either VFD that it purchase, or refrain from purchasing, any particular equipment for fighting fires. The County Commission established policy in the MSBU ordinance and relied on the various VFD's to implement fire protection and rescue services consistent with those policies.

Apparently, the issue is that members of the APVFD sent a letter out prior to the ballot stating its intent to purchase certain items, if the MSBU increase was approved. However, the actual ballot approved by the Board of County Commissioners which was voted on by the public contained no such specific spending restriction. The fact that a subsequent board chose to pursue uses of the MSBU funds other than the representations articulated by a prior board is not unlawful; provided that the MSBU funds are required to be spent in accordance with the MSBU ordinance. I render no opinion regarding whether the expenditures by the APVFD do, or do not, comply with the ordinance because I have not reviewed any of the expenditures.

Respectfully Submitted,



Thomas M. Shuler

Enc: as stated

NOTICE OF INTENT TO CONSIDER ADOPTION OF A COUNTY ORDINANCE

Notice is given that on the 4th day of May, 2021 at 11:00 a.m. (ET), or as soon thereafter as is possible, in the courtroom at the Courthouse Annex, located at 34 Forbes Street, Apalachicola, Florida, the Franklin County Board of County Commissioners shall conduct a public hearing to consider adopting a county ordinance entitled:

An Ordinance Prohibiting the Parking or Leaving of Private Motor Vehicles, Trailers or Fifth Wheels on the Public Right of Ways on Alligator Point and St. George Island In Areas Marked No Parking; Providing Areas For Parking; Providing For Immobilization Devices; Providing for Towing at Owner's Expense on Authorization of County Sheriff; Providing for Penalties; Revoking All Other Ordinances Regulating Parking On Alligator Point and St. George Island; Providing for Severability and Providing for an Effective Date.

The public is invited to attend the public hearing. Those persons who desire to speak regarding the adoption of the ordinance may appear at the hearing and shall be heard.

The proposed ordinance is on file with, and may be viewed at, the office of the Clerk of Court at the Franklin County Courthouse, which is located at 33 Market Street, Apalachicola, Florida.

The meeting room is handicap accessible; however, those persons who may require special assistance to attend the public meeting must make arrangements in advance by calling deputy clerk Jessica Gay at 850-653-8861, x100 at least two business days in advance of the meeting.

Any person who may desire to challenge the outcome of the meeting is responsible for recording a verbatim transcript of the meeting.

FRANKLIN COUNTY ORDINANCE 2021- ____

An Ordinance Prohibiting the Parking or Leaving of Private Motor Vehicles, Trailers or Fifth Wheels on the Public Right of Ways on Alligator Point and St. George Island in Areas Marked No Parking; Providing Areas for Parking; Providing for Immobilization; Providing for Towing at Owner’s Expense on Authorization of County Sheriff; Providing for Penalties; Revoking All Other Ordinances Regulating Parking on Alligator Point and St. George Island; Providing for Severability and Providing for an Effective Date.

WHEREAS, the Board of County Commissioners has determined that the imposition of restrictions and penalties on the obstruction of public property in areas marked “No Parking” is a proper and reasonable exercise of the police power of the County; and that it is further appropriate that the Sheriff of Franklin County be empowered to authorize either the booting or the removal and towing of such vehicles, or both, at the expense of the owner or the person in control of the motor vehicle, camper, trailer or Fifth Wheel; and,

WHEREAS, the Board of County Commissioners has determined further that providing for parking along the rights of ways along public roads at public beach access points is also a proper and reasonable exercise of the police power of the County; and,

WHEREAS, the Board of County Commissioners hereby determines that the penalties imposed by this ordinance are reasonable and are rationally related to the purpose of regulating parking at Alligator Point, Florida and St. George Island, Florida; and,

WHEREAS, it is the intention of the Board of County Commissioners that the phrase “Alligator Point” shall also include Bald Point;

NOW THEREFORE BE IT ORDAINED THAT:

1. The parking or leaving unattended of any motor vehicle, camper, water vessel or trailer on public streets and public property at either St. George Island, Florida or Alligator Point, Florida, in one or more areas designated by signage as a "No Parking" area is hereby prohibited. The signage given for designated “No Parking” areas shall be permanently installed, oriented for drivers, with the bottom of the sign not less than four feet above ground level and the top of the sign not more than six feet above ground level. The text of the sign, in not less than four inches high, the words “No Parking Area.”
2. Any motor vehicle, camper, water vessel or trailer that is parked or otherwise left unattended on a public street or public property in an area designated by signage as a "No Parking" area at either St. George Island, Florida, or Alligator Point, Florida is a violation of this ordinance.
3. Any motor vehicle may park or otherwise be left unattended on a public street or public property in an area designated by signage as a “Public Parking Area” at either St. George Island, Florida, or Alligator Point, Florida and shall not be in violation of this ordinance. Due to limited right of way width, it shall be a violation of this ordinance to park campers, water vessels or trailers within areas designated for “Parking.” The signage given for designated “Parking” areas shall be permanently installed, oriented for drivers, with the bottom of the sign not less than four feet above ground level and

the top of the sign not more than six feet above ground level. The text of the sign, in not less than four inches high, the words "Public Parking Area."

4. Signage Authorized: Franklin County is authorized to post such signs that will adequately notify the public of the parking restrictions established by this ordinance, as is provided herein; provided that the placement, adequacy, or number of such signs shall not affect the validity of this ordinance or of any prohibition hereunder or of any action by the Sheriff or of prosecution for any violation hereof.

5. Immobilization of motor vehicles ("booting"):

Vehicles parked in "No Parking" areas; booting:

Except as otherwise limited herein, the Franklin County Sheriff's Department may cause any motor vehicles, campers, water vessels or trailers (sometimes collectively referred to herein as "vehicle") parked in an area marked "No Parking" to be booted without the permission or authority from the owner or duly-authorized driver thereof and to avoid liability for the costs of such booting, provided that the following requirements are satisfied:

(a) The motor vehicle, camper, water vessel or trailer is unlawfully parked, and signage giving notice, in the form specified herein ("Notice Sign"), shall be prominently posted on the property on which the vehicle is booted. The notice sign shall be permanently installed, oriented for drivers, with the bottom of the sign not less than four (4) feet above ground level and the top of the sign not more than six (6) feet above ground level, and shall be continuously maintained on the property for not fewer than twenty-four (24) hours before the towing or removal of vehicles.

(b) The text of the notice signs shall clearly display, in reflective letters on a contrasting background or lit by flood lighting, the following information:

- i. In not less than four (4) inches high, the words "booting/tow away zone";
- ii. In letters at least two (2) inches high, notice that unauthorized vehicles will be booted or towed away at the owner's expense;
- iii. In letters at least two (2) inches high, the days of the week and hours of the day during which vehicles will be booted;
- iv. In letters at least one (1) inch high, the fee to unboot the vehicle;
- v. In letters at least one (1) inch high, the name and address of the person performing the booting service;
- vi. In letters at least two (2) inches high, the telephone number to call and the on-site location (if applicable) where a person can go to request the unbooting of the vehicle; and

The notice sign shall read substantially as follows (with the designated information to be inserted at the indicated spaces): BOOTING/TOW-AWAY ZONE; IF YOU PARK YOUR VEHICLE AND LEAVE THE PREMISES, YOUR VEHICLE WILL BE IMMEDIATELY BOOTED SUBJECT TO A (insert fee) FEE TO RELEASE VEHICLE OR TOWED AT YOUR EXPENSE. BOOTING PERFORMED BY: (inset name, address and telephone number to call to request removal of the immobilization device);

(c) A vehicle occupied by a living natural person or animal may not be booted;

(d) The vehicle may not be a police, fire fighting, rescue squad, ambulance or other emergency vehicle marked as such;

(e) Immediately after a vehicle is booted, the person booting such vehicle, shall affix at the rearmost portion of the window adjacent to the driver's seat of such vehicle, a sticker with a completely removable adhesive, measuring eight and one-half by eleven inches containing a warning that any attempt to move the vehicle may result in damage to the vehicle, and stating the name and business address of the person who booted such vehicles as well as a business telephone number which will facilitate the dispatch of personnel responsible for removing the boot.

(f) In addition, any person who booted a vehicle, or other person authorized to accept payment of any charges for such booting, shall provide a signed receipt to the individual paying the booting charges at the time such charges are paid. Such receipt shall state the name, business address, and business telephone number of the Franklin County Sheriff's Department, the name of the deputy who booted such vehicle, and such receipt shall include a telephone number of the office within the Sheriff's Department responsible for receiving complaints with respect to booting, whether this is a first offense, second offense or third or subsequent offense, and the amount paid to remove the boot.

(g) No charge shall be imposed for the booting of a vehicle unless and until the requirements of this section have been met.

(h) After booting, any deputy sheriff shall release such vehicle as soon as practical, but not to exceed thirty (30) minutes of receiving a request for such vehicle's release; provided, however, that full payment of any charge for booting is made at or prior to the time of such vehicle's release. The owner or person in control of a vehicle which has been booted shall be permitted to pay any charge for booting at the location where such vehicle was booted and the deputy sheriff receiving payment for booting services shall accept payment for charges from the owner or duly authorized representative in accordance with the provisions of this ordinance.

(i) A booted vehicle shall not remain immobilized for more than twenty-four (24) hours. After such period of time has expired, the vehicle shall be released from the steel boot and may be towed or removed pursuant to this article, and no fee shall be assessed for release of the booting device.

(j) A person may not be charged more than the maximum fee established by resolution by the County Commission.

(k) The cost to remove the boot shall be as follows:

- First Offense: \$100.00
- Second Offense: \$250.00
- Third Offense and subsequent offenses: \$500.00.

Franklin County reserves the right to amend the cost to remove the boot by resolution at any regular meeting of the Board of County Commissioners.

6. Penalties: The penalty for the violation of this ordinance shall include immobilization ("booting"); removal and towing of such motor vehicle, camper, water vessel or trailer at the owner's or duly authorized representative's expense and the same may be recovered by the owner or duly

authorized representative only upon the payment of all reasonable towing charges and storage charges authorized by law. The penalty provisions of this ordinance are cumulative. For purposes of this section, the person in control of the motor vehicle, camper, water vessel or trailer shall be included within the meaning of duly authorize representative.

A vehicle occupied by a living natural person or animal may not be towed.

7. Enforcement: This ordinance may be enforced by any duly sworn law enforcement officer, including the Franklin County Sheriff

8. Definitions:

a. "Alligator Point" means that area of Franklin County, Florida, specifically including the public streets known as Alligator Drive and Bald Point Road, but shall not be limited to those two streets, and also includes all public property and streets located, presently and in the future, within the following areas in Franklin County, Florida: to wit:

- i. Sections 3 and 35, Township 6 South, Range 2 West;
- ii. Sections 1 and 2, Township 7 South, Range 2 West;
- iii. Sections 4, 5 and 6, Township 7 South, Range 1 West;
- iv. Sections 13, 24, 25 and 36, Township 6 South, Range 2 West;
- v. Sections 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, Township 6 South, Range 1 West.

b. "Camper" means an accessory to a motor vehicle used for camping, including, but not limited to a recreational vehicle, travel trailer, popup camper or camper shell.

c. "Immobilization" shall mean booting as provided in Section "5".

d. "Motor Vehicle" shall include any self-propelled wheeled device that does not move upon rails, but which moves in, upon or by which any person(s) or property is or may be transported upon a street or other public right of way, except devices moved by human power.

e. "No Parking Area" shall mean those areas of the public streets and other public property, at St. George Island, Florida, and Alligator Point, Florida, at which are placed signs informing the public that it shall not park in those locations.

f. "Park" or "Parking" means the stoppage of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in unloading passengers or property.

g. "St. George Island" means that part of Franklin County, Florida, described as follows:

That area shown as St. George Island, Florida as shown on the General Highway Map of Franklin County produced by the Florida Department of Highway Transportation, dated July 1988, revised October 1990 and March 1994, which is bounded on the South by the Gulf of Mexico, on the East by East Pass and on the West by the Government Cut/Bob Sikes Cut and on the North by Apalachicola Bay and St. George Sound.

c. "Trailer" means a separate vehicle not driven or propelled by its own power, but drawn by some independent power, including, but not limited to boat trailers, tractor trailers and fifth-wheels.

d. "Water Vessel" means a ship, boat or other similar vessel used or capable of being used in navigation on water, whether motorized or human powered.

9. Savings Clause: If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional, void or invalid, it shall be stricken and the remaining provisions of this ordinance shall survive, and shall remain in full force and effect.

10. Effective Date: This ordinance shall take effect as provided by law.

11. Repeal: Any ordinance in conflict the terms of this ordinance is hereby repealed to extent of such conflict. Specifically, but not limited to, any other ordinance regulating parking on St. George Island, Florida and Alligator Point, Florida.

Adopted this 4th day of May, 2021.

FRANKLIN COUNTY, a political subdivision of the State of Florida

By: _____
Ricky D. Jones, Its Chairman

ATTEST:

By: _____
Michele Maxwell, Clerk of Court

Approved to Legal Form and Substance:

By: _____
Thomas M. Shuler, County Attorney

DRAFT

INTERLOCAL AGREEMENT BETWEEN
FRANKLIN COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA,
AND
THE CITY OF APALACHICOLA, A MUNICIPAL CORPORATION,
FOR THE PROVISION OF ANIMAL CONTROL SERVICES WITHIN CITY LIMITS
PURSUANT TO COUNTY ORDINANCE 2021-3

WHEREAS, Franklin County, a political subdivision of the State of Florida, provides animal control services within unincorporated Franklin County, Florida, pursuant to Franklin County Ordinance 2021-3; and

WHEREAS, the City of Apalachicola (Hereinafter "City") does not have an animal control department and has requested that Franklin County provide animal control services within the city limits of the City; and

WHEREAS, Franklin County has requested, and the City has agreed, that the City coordinate with the Franklin County Animal Control Department to create a process whereby the City police department or Sheriff's Deputy (collectively "police officer"), will first dispatch, and maintain until released by the Animal control officer or the call is completed, whichever occurs first, a police officer to the scene to make the initial contact at the scene of the complaint and make an assessment for each animal control related call within its jurisdiction;

Deleted: City

Deleted: each

NOW THEREFORE, pursuant to §163.01, *et. seq.*, Florida Statutes, the Florida Interlocal Cooperation Act of 1969, it is agreed that the City and Franklin County, hereby enter into an interlocal agreement for the provision of animal control services by Franklin County within the municipal boundaries of the City pursuant to County Ordinance 2021-3, as follows:

- 1. All of the preamble to this interlocal agreement is incorporated herein by this reference.

2. For the fiscal year 2020-2021, the City shall contribute \$3,500.00 to Franklin County to offset the cost of animal control services within the City pursuant to Franklin County Ordinance 2021-3. For the 2020-2021 fiscal year, the payment is due by April 8, 2020.
3. For the fiscal year 2021-2022, and each fiscal year thereafter, until this Interlocal Agreement is either modified or terminated, the City shall contribute (an amount to be mutually agreed upon) to Franklin County to offset the cost of animal control services within the City. This payment is due on October 1st each year beginning October 1, 2021.
4. PROCEDURE FOR ANIMAL CONTROL COMPLAINTS WITHIN THE CITY'S LIMITS: The City police department shall first be dispatched to the scene of a complaint about animals. Upon the receipt of a complaint about an animal within the City limits, the Franklin County Animal Control Officer shall not be dispatched to the scene until after a police officer, has made first contact at the scene and made a determination that Franklin County Animal Control Officers should be dispatched. Once dispatched, Franklin County shall determine whether a violation of the Franklin County Animal Control Ordinance 2021-3 has occurred and what enforcement measures to take, if any. A police officer shall remain on the scene at all relevant times as determined by the Franklin County Animal Control Officer, while responding to a complaint about animals. The Animal Control Officer may release the police officer on the scene upon request. The City, Franklin County and the Sheriff's Department shall meet to determine the protocol for dispatch of the Franklin County Animal Control Officer within City limits.

Deleted: the City police department

Deleted: while a

Deleted: is on the scene or in the field within the City limits

- 5. PROCEDURE TO MODIFY ANNUAL CONTRIBUTION: Franklin County reserves the right to request that the City agree to modify the annual contribution to offset the cost of animal control services within the jurisdiction limits of the two cities.
- 6. PROCEDURE TO TERMINATE INTERLOCAL AGREEMENT: Any party may elect to terminate this interlocal agreement for convenience and without liability upon the provision of ten (10) calendar days-notice. If terminated during the fiscal year, Franklin County shall make a pro-rata refund to the City within thirty (30) business days from the effective date of termination.
- 7. COUNTY EMPLOYEES ARE NOT CITY EMPLOYEES. The parties understand and agree that the employees of the Franklin County Animal Control Department are employees of Franklin County only. They are not employees of the City.

FRANKLIN COUNTY, a political
Subdivision of the State of Florida.

By: _____
Ricky D. Jones, Its Chairman
Dated: ____ day of _____, 2021

ATTEST:

Michele Maxwell, Clerk of Courts

Approved as to form and sufficiency

By: _____
Thomas M. Shuler, County Attorney

CITY OF APALACHICOLA, a municipal
corporation

By: _____
Kevin Begos, Its Mayor
Dated: ____ day of _____, 2021

ATTEST:

By: _____
Deborah Guillotte, Its City Clerk

Approved as to form and sufficiency

By: _____
Daniel W. Hartman, City Attorney

T.

Re: Apalach Interlocal; Animal Control

From: Daniel W. Hartman (dan@fllegalteam.com)
To: mshuler@shulerlawfl.com
Date: Monday, April 5, 2021, 08:23 PM EDT

Michael:

Attached please find a revised animal control interlocal. The revisions are intended to reflect discussion between the City Manager, Michael Moron and Animal Control officer. Please check with the folks and advise if you have any additional revisions or questions. We can then get it finalized and wrapped up.

Dan

Daniel W. Hartman

Hartman Law Firm, P.A.

P.O. Box 10910

Tallahassee, FL 32302

(T) 850.386.4242

(F) 850.386.4241

Email dan@fllegalteam.com

www.fllegalteam.com

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T.

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Animal Control Interlocal.2021.rev2.docx
20.1kB

T.

Draft hanger lease

From: Thomas Shuler (mshuler@shulerlawfl.com)

To: twade@cityofapalachicola.com

Cc: dan@fllegalteam.com

Date: Monday, April 26, 2021, 02:22 PM EDT

Travis, per our discussion earlier.

I texted you a aerial from the PA's website. Please mark the boundary of the area used by the city.

Also, please confirm that the property address of the premises is 26 Chapman Road, Apalachicola, Florida.

I will present this at the May 4, 2021, meeting of the board.

-Michael



FCBCC.Apco.Hanger lease.4.26.21.doc
52.5kB

LEASE

THIS LEASE is made and executed by and between Franklin County, a political subdivision of the State of Florida, whose address is c/o Michael Moron, 34 Forbes Street, Apalachicola, Florida 32320, herein called Lessor, and the City of Apalachicola, whose address is 192 Coach Wagoner Boulevard, Apalachicola, Florida 32320, herein called Lessee.

1. DESCRIPTION OF PREMISES

Lessor leases to Lessee, and Lessee hires from Lessor a hanger building and fenced curtilage located at ~~26~~¹⁷ Chapman Road, Apalachicola, Florida, which is more particularly described on the attached Exhibit "A."

Lessee shall not make any alteration to, remodel or make any improvements to any portion of said premises without the prior written consent of the Lessor or Lessor's authorized representative, which consent may be withheld in the sole discretion of the Lessor. All approved alterations, additions or improvements upon the premises, made by either party, including but not limited to all paneling, decorations, partitions, railings, flooring, walls, galleries and the like, shall, unless Lessor elects otherwise, become the property of the Lessor, and shall remain upon and be surrendered with said premises, as a part thereof, at the end of the term hereof, or any extension thereof. Lessor may, at its sole option, elect, upon the termination of this lease, or any extension thereof, to require Lessee at Lessee's expense to restore or reconvert the premises to their condition at the time of the execution of this lease. Any mechanic's lien filed against the premises, or the building of which the same shall form a part, for work claimed to have been done for, or materials claimed to have been furnished to, Lessee, shall be discharged by Lessee within 10 days thereafter at Lessee's expense. Lessee shall provide an affidavit that all labor and materials have been paid for upon completion of any work, and during work if requested by Lessor. Lessee shall maintain worker's compensation insurance during any such work if required by law.

2. TERM AND TERMINATION BY LESSOR

The term of this lease is fifteen year(s), beginning May __, 2021, at 8:00 A.M. (ET) and ending on December 31, 2036, at 8:00 A.M. (ET), unless either party shall exercise its unrestricted right to terminate this lease sooner. This lease will renew for an additional five-year term ending on December 31, 2041, provided that Lessee provides written notice of intent to renew within 90 days of the end of the initial term.

The Lessor and Lessee reserve to themselves, and this lease is subject to, their unrestricted and unilateral right to terminate this lease, with or without cause, and without cost or damages, provided that the party giving notice of the intent to terminate the lease shall give the other party six months written notice of its intention to terminate this lease. The termination period shall be calculated by calendar days, not business days.

3. RENT

Lessee shall pay Lessor \$1.00 per year for rent, due in full upon the execution of the Lease. In addition, the Lessee shall provide reasonable and prudent management of the premises for itself and the public and community at large, together with general maintenance, upkeep and repairs of the premises and hanger.

4. USE OF PREMISES, GENERALLY

The purpose of this Lease is for Lessee to use, operate and manage the use of the premises for the primary benefit of the public or community interest and welfare, which use the Board of County Commissioners has found to be in the public's interest.

Lessee agrees not to use the premises in any manner, even in its use for the purposes for which the premises are leased, that will increase risks covered by insurance on the building where the premises are located, so as to increase the rate of insurance on the premises, or to cause cancellation of any insurance policy covering the building.

Lessee further agrees not to keep on the premises, or permit to be kept, used, or sold on the premises, anything prohibited by the policy of fire insurance covering the premises.

Lessee agrees to comply, at its own expense, with all requirements of insurers necessary to keep in force the fire and public liability insurance covering the premises and building.

5. NO WASTE, NUISANCE, OR UNLAWFUL USE

Lessee shall not commit, nor allow to be committed, any waste on the premises, create or allow any nuisance to exist on the premises, or use or allow the premises to be used for any unlawful purpose.

7. PAYMENT OF UTILITIES

Lessee shall pay for all utilities furnished the premises, for the term of this lease, and any extension thereof, including, but not limited to, electricity, water, gas, sewer, garbage and telephone service. Lessee shall, at its expense, be responsible to have all utilities (including but not limited to electricity, water, gas, sewer, garbage and telephone service) installed on the premises, including but not limited to meters and hook-ups.

Franklin County shall not have any responsibility for the provision of utilities to the premises and shall have no obligation to pay for utilities provided to the premises during the term of this lease.

8. REPAIRS AND MAINTENANCE

Lessee, at its expense, shall maintain, repair and keep the premises, including, without limitation, windows, doors, adjacent sidewalks, roof, storefront, interior and exterior walls, plumbing, electrical and HVAC in good repair. In consideration of the receipt of nominal rent, the Lessor shall not be responsible for the payment of any repairs. Lessee's insurance shall be the primary insurance for replacement or repairs.

9. DELIVERY, ACCEPTANCE, AND SURRENDER OF PREMISES

Lessor represents, and Lessee agrees, that the premises are in fit condition for use as a place for use in the public and community interest. Lessee agrees to accept the premises on possession as being in

a good state of repair and in sanitary condition, and in fit condition for its use as a place for use in the public and community interest. Lessee shall surrender the premises to lessor at the end of the lease term, or any extension thereof, in the same condition as when it took possession, allowing for reasonable use and wear. Lessee shall remove all signs or symbols placed on the premises by it before re-delivery of the premises to lessor, and to restore the portion of the premises on which they were placed in the same condition as before their placement. This paragraph numbered 9, however, shall in no way be construed to impair lessor's sole option, as provided in paragraph numbered 1 above, concerning any alterations, additions and improvements to the premises.

10. LESSOR'S ENTRY FOR INSPECTION

Lessor reserves the right to enter on the premises at reasonable times after notice to inspect them, and to make repairs, additions or alterations to any part of the building in which the premises leased are located, and lessee agrees to permit lessor to do so. Lessor may, in connection with such alterations, additions, or repairs, erect scaffolding, fences, and similar structures, post relevant notices, and place moveable equipment without any obligation to reduce lessee's rent for the premises during such period, and without incurring liability to lessee for disturbance of quiet enjoyment of the premises, or loss of occupation of the premises.

11. PARTIAL DESTRUCTION OF PREMISES: This provision intentionally deleted.

12. POSTING OF SIGNS BY LESSOR: This provision intentionally deleted.

13. POSTING OF SIGNS, AWNINGS, OR MARQUEES BY LESSEE

Lessee agrees that it will not construct or place, or permit to be constructed or placed, signs, awnings, marquees, or other structures projecting from the exterior of the premises without lessor's prior written consent.

15. LESSEE TO CARRY LIABILITY INSURANCE AND INDEMNIFICATION AGREEMENT

Lessee shall procure and maintain in force during the term of this lease and any extension thereof,

at its expense, fire, hazard and public liability insurance in companies and through brokers approved by lessor, adequate to protect against liability for damage claims through public use of or arising out of accidents occurring in or around the leased premises, in a minimum amount of One Million and 00/100 Dollars (\$1,000,000.00) combined single limit for personal injury and property damage, including storm and hurricane hazards.

Such insurance policies shall provide coverage for lessor's contingent liability on such claims or losses and shall name Lessor as an additional insured. The policies shall be delivered to lessor for keeping.

Lessee agrees to obtain a written obligation from the insurers to notify lessor in writing at least thirty (30) days prior to cancellation or refusal to renew any such policies.

Lessee agrees that if such insurance policies are not kept in force during the entire term of this lease and any extension thereof, lessor may elect either to procure the necessary insurance and pay the premium therefor, and that such premium shall be repaid to lessor as an additional rent installment for the month following the date on which such premiums are paid or Lessor may immediately terminate this lease.

INDEMNIFICATION: In consideration of \$10.00 and other valuable consideration, the receipt and sufficiency of which is acknowledged, Lessee shall assume all liability for any injury or damages that may arise from any accident that occurs in front of the leased premises, or in, on, or about the leased premises in any area under the control of the Lessee, and for any claim connected with the use of the premises by Lessee. Lessee shall indemnify Lessor against all claims filed by parties injured or damaged by an accident as provided herein, including but not limited to Lessor's attorneys' fees and costs, and for any claim connected with the use of the premises by lessee. This agreement is made upon the express condition that the Lessor shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury or injuries to any person or persons or property of any kind whatsoever, whether the

person or property of Lessee, its agents or employees, or third persons, from any cause or causes whatsoever while in or upon said premises or any part thereof during the term of this agreement, or any extension of this agreement, or occasioned by any occupancy or use said premises or any activity carried on by Lessee in connection therewith, and Lessee hereby covenants and agrees to indemnify and save harmless the lessor from all liabilities, charges, expenses (including but not limited to attorneys fees) and costs on account of or by any reason of any such injuries, liabilities, claims, suits or losses however occurring or damages growing out of same.

16. LESSEE'S ASSIGNMENT, SUBLEASE, OR LICENSE FOR OCCUPATION BY OTHER PERSONS

Lessee agrees not to assign or sublease the leased premises, any part thereof, or any right or privilege connected therewith, or to allow any other person, except lessee's agents, business invitees and employees, to occupy the premises or any part thereof, without first obtaining lessor's written consent. One consent by lessor shall not be a consent to a subsequent assignment, sublease, or occupation by other persons. Lessee's unauthorized assignment, sublease, or license to occupy shall be void, and shall terminate the lease at lessor's option. Lessee's interest in this lease is not assignable by operation of law, nor is any assignment of its interest herein, without lessor's written consent.

17. LEASE BREACHED BY LESSEE'S RECEIVERSHIP ASSIGNMENT FOR BENEFIT OF CREDITORS, INSOLVENCY, OR BANKRUPTCY

Appointment of a receiver to take possession of lessee's assets (except a receiver appointed at lessor's request as herein provided), lessee's general assignment for benefit of creditors, or lessee's insolvency or taking or suffering action under the Bankruptcy Act is a breach of this lease.

18. LESSOR'S REMEDIES ON LESSEE'S BREACH

If lessee breaches this lease, lessor shall have the following remedies in addition to its other rights and remedies in such event:

- a. Reentry. Lessor has the right to obtain possession of the premises as provided by law.

b. Termination. After reentry, lessor may terminate the lease on giving ten (10) days' written notice of such termination to lessee. Reentry only, without notice of termination, will not terminate the lease.

19. ATTORNEY'S FEES

Each party shall pay their own attorney fees in the event of any dispute between that arises from, or is related to, this lease.

20. MANNER OF GIVING NOTICE

Notices given pursuant to the provisions of this lease, or necessary to carry out its provisions, shall be in writing, and delivered personally to the person to whom the notice is to be given, or mailed postage prepaid, addressed to such person. Lessor's address for this purpose shall be 34 Forbes Street, Apalachicola, Florida 32320, or such other address as it may designate to lessee in writing. Notices to Lessee may be addressed to lessee at 192 Coach Wagoner Boulevard, Apalachicola, Florida 32320

21. EFFECT OF LESSOR'S WAIVER

Lessor's waiver of breach of one covenant or condition of this lease is not a waiver of breach of others, or of subsequent breach of the one waived. Lessor's acceptance of rent installments after breach is not a waiver of the breach, except of breach of the covenant to pay the rent installment or installments accepted.

22. BINDING EFFECT ON SUCCESSORS AND ASSIGNS

This lease and the covenants and conditions hereof apply to and are binding on the heirs, successors, legal representatives, and assigns of the parties to this lease.

23. TIME OF ESSENCE

Time is of the essence of this lease.

24. EFFECT OF EMINENT DOMAIN PROCEEDINGS: This provision intentionally deleted.

25. COMPLIANCE WITH LAW.

Lessee agrees, covenants and represents that the lessee's use of the premises will comply with, and will not violate, any federal, state, county or local statutes, laws, regulations, rules, ordinances, codes, standards, orders, licenses and permits of any governmental authorities relating to environmental matters (hereinafter "Environmental Laws"). In consideration of \$10.00 and other valuable consideration, the receipt and sufficiency of which is acknowledged, Lessee agrees to indemnify and hold harmless the lessor for any breach of these warranties and representations and from any loss incurred by lessor which is the result of a breach of, misstatement of or misrepresentation of the above covenants, warranties and representations, or for any loss, damage, or expense sustained as a result of hazardous materials being located on the premises, together with all attorneys' fees incurred in connection with the defense of any action against the lessor arising out of the above.

Default of any condition or representation contained in this paragraph numbered 25 shall constitute an event of default under this lease, and Lessor shall have the right, but no duty or obligation, to declare this lease in default, but waiver of the right to declare this lease in default shall not and does not waive any other rights or remedies available to lessor.

26. MISCELLANEOUS

A. Lessee is not an agent or representative or employee of Lessor. During the term of this Lease, neither Lessee, nor anyone acting on behalf of Lessee, shall hold itself out as an employee, servant, representative or agent of Lessor. Neither party will have the right or authority to bind the other party without express written authorization of such other party to any obligation to any third party. No third party is intended by the Parties to be a beneficiary of this Lease or to have any rights to enforce this Lease against either party hereto or otherwise. Nothing contained in this Lease will constitute the Parties as partners or joint ventures for any purpose, it being the express intention of the Parties that no such partnership or joint venture exists or will exist. Lessee acknowledges that Lessor is not providing any vacation time, sick pay, or other welfare or retirement benefits normally associated with an

employee-employer relationship and that Lessor excludes Lessee and its employees from participation in all health and welfare benefit plans including vacation, sick leave, severance, life, accident, health and disability insurance, deferred compensation, retirement and grievance rights or privileges.

B. Except as otherwise provided herein, this Lease shall only be amended by mutual written consent of the Parties hereto or by their successors in interest.

C. The parties acknowledge that they have thoroughly read this lease and have sought and received whatever legal advice as was necessary for them to form a full and complete understanding of all rights and obligations herein. The language of this lease has been agreed to by both parties to express their mutual intent and no rules of strict construction shall be applied against either party hereto.

D. In the event of dispute between the parties arising from this Lease, it shall be presumed that each party equally participated in its drafting and no inferences for, or against, either party shall be presumed in the interpretation and enforcement of this Lease.

FRANKLIN COUNTY, A political
Subdivision of the State of Florida

By: _____
Ricky D. Jones, Its Chairman
Lessor

Witness for Lessor

Dated: May ___, 2021

Witness for Lessor

City of Apalachicola, a
Municipal corporation

Kevin Begos, Its Mayor
Lessee

Witness for Lessee

Dated: May ___, 2021

Witness for Lessee



Overview



Legend

-  Parcels
-  Roads
-  City Labels

Parcel ID	03-095-08W-0000-0010-0000	Alternate ID	08W09S03000000100000	Owner Address	FRANKLIN COUNTY
Sec/Twp/Rng	3-9S-8W	Class	COUNTY		33 MARKET STREET
Property Address	28 AIRPORT ROAD	Acreage	638.3		SUITE 203
					APALACHICOLA, FL 32320
District	1				
Brief Tax Description	639.3 AC ALSO 6 AC				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 4/26/2021
 Last Data Uploaded: 4/26/2021 7:41:43 AM

Developed by  Schneider
 GEOSPATIAL

INTERLOCAL AGREEMENT BETWEEN
FRANKLIN COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA,
AND
THE CITY OF CARRABELLE, A MUNICIPAL CORPORATION,
FOR REPAIRS TO A BOX CULVERT ON RYAN DRIVE

WHEREAS, Franklin County (Hereinafter "County"), is a political subdivision of the State of Florida, with funds available for the repair of the box culvert on Ryan Drive, Carrabelle, Florida; and,

WHEREAS, the City of Carrabelle (Hereinafter "City") is a municipal corporation with funds available for the repair of the box culvert on Ryan Drive, Carrabelle, Florida; and,

WHEREAS, the County has obtained a cost estimate from Roberts and Roberts for the repair of the box culvert on Ryan Drive, Carrabelle, Florida, as is more particularly shown on the attached Exhibit "A" Items numbered 1-18, totaling an estimated \$90,065.00; and,

WHEREAS, the City has approved the payment of one-half of the costs totaling an estimated \$90,056.00; and,

WHEREAS, the County and City have agreed to equally share the estimated cost of \$90,065.00 as shown on Exhibit "A", but understand that this amount is an estimate and that the final cost could be higher or lower based on the actual units values used for the repair;

NOW THEREFORE, pursuant to §163.01, *et. seq.*, Florida Statutes, the Florida Interlocal Cooperation Act of 1969, it is agreed that:

1. All of the preamble to this interlocal agreement is incorporated herein by this reference.
2. The County and the City shall equally share the final cost for the repair of the box culvert on Ryan Drive, Carrabelle, Florida, as shown Exhibit "A," which is a four-page document dated April 21, 2021 splitting the cost 50/50 between the County and the City.
3. The parties have elected not to select Alt. 1 (Line Existing Pipes and Patch Roadway).
4. The City Engineer (Inovia Consulting) shall prepare and deliver engineered construction plans upon which Roberts and Roberts can provide an updated price quote. These plans will be prepared and provided at no cost to the parties. In connection with preparation of the construction plans a survey

will be required at an estimated cost of \$1,600.00. The parties agree to share equally in the cost of this survey.

- 5. Each governmental entity shall pay its one-half of the final invoice from Robert and Roberts as provide in Exhibit "A."

FRANKLIN COUNTY, a political
Subdivision of the State of Florida.

By: _____
Ricky D. Jones, Its Chairman

ATTEST:

Michele Maxwell, Clerk of Courts

Approved as to form and sufficiency

By: _____
Thomas M. Shuler, County Attorney

CITY OF Carrabelle, a municipal corporation

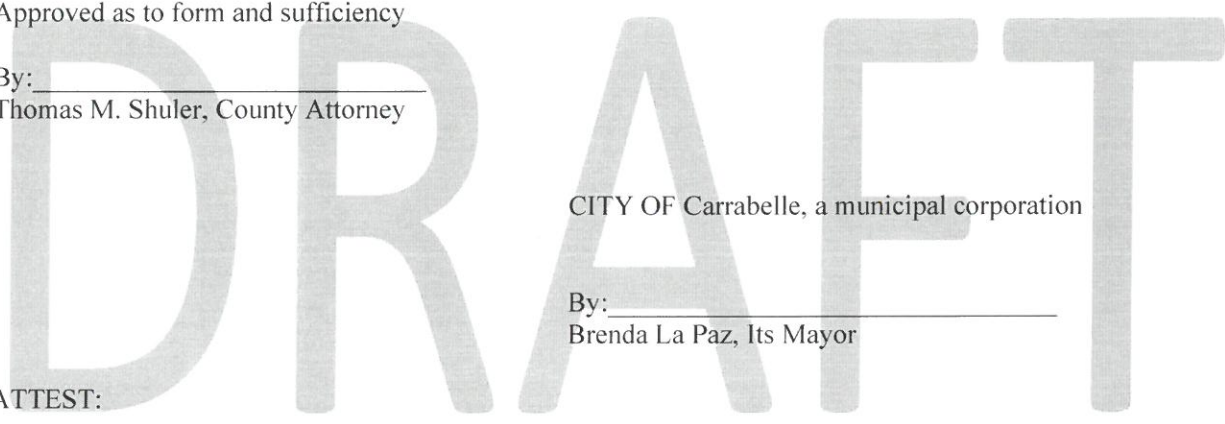
By: _____
Brenda La Paz, Its Mayor

ATTEST:

By: _____
Keisha Millender, Its City Clerk

Approved as to form and sufficiency

By: _____
Daniel W. Hartman, City Attorney



S.O.E. Blvd.

4.21.21

\$2500.00 Mo. 5 yrs. beginning 6/1/21,
per Harry.

T.

Re: Liberty minutes

From: Thomas Shuler (mshuler@shulerlawfl.com)

To: ricky@franklincountyflorida.com; bert@franklincountyflorida.com; noah@franklincountyflorida.com; smokey@franklincountyflorida.com; jessica@franklincountyflorida.com; michael@franklincountyflorida.com; jgay@franklinclerk.com

Date: Wednesday, April 21, 2021, 11:00 AM EDT

Dear Commissioners:

Based on the Liberty County minutes provided by Mr. Langston, the issue is that on 4/6/21, you made a motion to support Liberty County's efforts to obtain state-owned land for mining in circumstances in which Liberty County has not voted to do anything more than schedule a workshop on the matter. I feel like the Board believed that Liberty County had actually made a decision when you made your motion and thought that the matter should come back to you.

Because of this confusion, I asked Mr. Langston to send me any additional minutes which reflected an actual decision by Liberty County that it had voted to pursue a land swap and mining operation. To date, I have not received anything.

Please see the email chain above between myself and Mr. Moron concerning this matter and that further board input seemed appropriate to me.

[A partial copy of the Franklin County draft minutes dated 4/6/21 is attached for your convenient review.](#)
[A copy of the Liberty County minutes showing that they would schedule a workshop is also attached.](#)

Please contact me if you have any questions.

-Michael

The Law Offices of Thomas M. Shuler P.A.

34-4th Street

Apalachicola, Florida 32320

(850) 653-1757 Phone

(850) 653- 8627 Facsimile

mshuler@shulerlawfl.com

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On Thursday, April 8, 2021, 08:45:34 AM EDT, Thomas Shuler <mshuler@shulerlawfl.com> wrote:

T.

Good luck getting Robin to call you back. Let me know how that goes.

The Law Offices of Thomas M. Shuler P.A.

34-4th Street

Apalachicola, Florida 32320

(850) 653-1757 Phone

(850) 653- 8627 Facsimile

mshuler@shulerlawfl.com

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On Thursday, April 8, 2021, 08:39:58 AM EDT, Michael Moron <michael@franklincountyflorida.com> wrote:

Sir

That is how I interpreted the minutes. I plan to call their county attorney today to get a better understanding of what action and discussion took place at the Liberty County BOCC meeting. I will let you know then update the Commissioners.

Michael

Michael Morón
County Coordinator
Franklin County
Board of County Commissioners
Phone (850)653-9783 Ext.155
Fax (850) 653-9799
michael@franklincountyflorida.com

Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

On Apr 8, 2021, at 8:29 AM, Thomas Shuler <mshuler@shulerlawfl.com> wrote:

Mike, please review item #30 on page 8. I am not mistaken, am I, in reading that section to mean that Liberty County has not even approved of the land swap?

I cannot recall Chris actually representing that Liberty County was in favor of the swap, do you?

T.

Should we ask the commissioners if they based their decision to send a letter of support on a belief that Liberty County was in favor of the land swap being proposed? What do you think?

The Law Offices of Thomas M. Shuler P.A.

34-4th Street

Apalachicola, Florida 32320

(850) 653-1757 Phone

(850) 653- 8627 Facsimile

mshuler@shulerlawfl.com

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On Wednesday, April 7, 2021, 04:49:43 PM EDT, Michael Moron <michael@franklincountyflorida.com> wrote:

Michael Morón
County Coordinator
Franklin County
Board of County Commissioners
Phone (850) 653-9783 Ext.155
Fax (850) 653-9799
michael@franklincountyflorida.com

Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure

Begin forwarded message:

From: Chris Langston <chrislangston@live.com>
Date: April 7, 2021 at 4:00:18 PM EDT
To: Michael Moron Franklin County <michael@franklincountyflorida.com>
Subject: Liberty minutes

Hopefully this will suffice.

Chris Langston

T.



FCBCC.Langston.Liberty Minutes.pdf
341.1kB



FCBCC.minutes.draft.4.20.21.pdf
899kB

T.

Minutes:

Clerk Brown advised the Board that Capital Truck is no longer in business so the buy back agreement is not good anymore. Santander advised Clerk Brown that the options are: 1) Not pay for the truck; 2) Pay for and keep the truck; 3) Sell Truck and pay off the loan. The Board requested Clerk Brown to get the pay off on the truck; pay the payment; receive the interest rate currently paying. Re-agenda in January 2021.

29. DEO-State of Florida Agreement

Request for Amendment #DL013-\$825,000 State Appropriated Funds

- Board to discuss/approve request for Amendment of Deliverable #1 of 2.1 to include the installation of a deep well & irrigation system at the Veterans Park.
- Board to discuss/approve request for Amendment of Deliverable 2.1 to include a pole barn covering the basketball court at Veterans Park.

Minutes:

The Board discussed Amendments of Deliverables to the Agreement #DL013 on the State Appropriated Funds Agreement in the amount of \$825,000.00.

- Motion to approve Amendment of Deliverable #1 of 2.1 to include the installation of a deep well & irrigation system at Veterans Park and to include amendment to include a pole barn covering the basketball court at Veterans Park made by Commissioner Phillips, second by Commissioner Brown, motion carried.



30. Robin Myers, County Attorney

Purchase of Property by the State of Florida & Mining Proposal

- Board to discuss/approve letter requesting the State of Florida not purchase property in Liberty County.
- County Attorney Myers to present information to the Board on the Mining Proposal submitted by Chris Langston.

Minutes:

County Attorney Myers discussed the letter requested to be sent to the State of Florida requesting the State to not purchase anymore property in Liberty County.

- Motion to table made by Commissioner Johnson, second by Commissioner Brown, motion carried.

County Attorney Myers discussed the Mining Proposal submitted by Chris Langston. The Board discussed in detail the process involved. Commissioner Brown requested Mr. Langston get support from other Counties first, then schedule a workshop for further discussion.

- Motion to move forward with sending the letter to the surrounding Counties to see how many are in favor of supporting the mining proposal made by Commissioner Johnson, second by Commissioner Brown, motion carried.

31. National Land Realty

Parcel ID# 012-1N-7W-01148-000

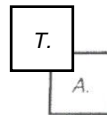
- Letter to the Board requesting to purchase this property.

Minutes:

- No action was taken

32. Apalachee Regional Planning Council

Appointments 2021/2022



said he would like for them to share data from similar counties and communities with us as well as guidelines and a recipe for how to do it.

On a motion by Commissioner Lockley, seconded by Commissioner Boldt, and by a unanimous vote of the Board present, it was agreed to approve the proposal from Apalachee Regional Planning Council for the Code Enforcement Public Workshops. Motion carried 5-0.

AVCON -- John Collins -- Update

- A. Mr. Collins present the updated set of fuel farm alternative locations exhibits and cost estimates. He will review the option recommended by the Airport Manager, Centric staff and County staff for additional comments or questions from the Board.

Mr. Collins presented three different locations for the fuel farm, asking for the Board's input. Mr. Collins said the Triumph board views the fuel farm as an important asset because it will facilitate 24-hour access to fuel in the event of a hurricane. Mr. Collins said the preferred alternative is option 1C because it will allow us to stay within budget. Mr. Pierce urged the Board to stay within the budget and not go above the funds that are allotted. He said it may be possible to acquire the additional funds from Triumph by amending the application but he would not advise it. Commissioner Parrish said he preferred option 1A. The Board and Mr. Collins discussed the pros and cons of the different options as well as the costs.

Mr. Ted Mosteller spoke to the Board in opposition of the proposed locations of the fuel farm alternative project.

Mr. Gordon Hunter spoke to the Board in opposition of the proposed locations of the fuel farm alternative project.

Commissioner Boldt asked if a public hearing or workshop could be held to discuss the fuel farm alternative project and options.

Commissioner Boldt made a motion to hold a workshop for public input to discuss options for fuel farm location. Commissioner Ward seconded the motion with a comment on whether or not there were any deadlines on the use of the funds from Triumph. The Board discussed the process and how far out the project will be delayed. The Board scheduled the workshop for Wednesday, April 14th at 6:00 p.m.

Motion carried 4-1, Lockley opposed.

Chairman Jones requested a meeting with the airport administration to get a status on addressing the foliage issue.

Mr. Moron inquired on the status of the third runway. Mr. Collins said he will have to look into it. He said the inspector made a recommendation it be classified as a utility runway. Mr. Collins noted that the difference in the classifications is how much we have to clear around the runways and not the actual use.

Commissioner Boldt said whenever you classify a runway and you downgrade it you are impairing the future of the airport. He said we need to look at the vision of Franklin County and how we are growing.

The meeting recessed at 11:29 a.m.

The meeting reconvened at 11:38 a.m.

Chris Langston -- Request

- A. Mr. Chris Langston would the Board to support, by a letter of support, Liberty County's efforts in obtaining state-owned property located in Tate's Hell State Forest, specifically the southeast corner, for the mining of fossilized shell to assist in the restoration of oyster reef complexes in Apalachicola Bay.



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Commissioner Lockley made a motion, seconded by Commissioner Ward to approve writing a letter to support Liberty County's efforts in obtaining state-owned property located in Tate's Hell State Forest, specifically the southeast corner, for the mining of fossilized shell to assist in the restoration of oyster reef complexes in Apalachicola Bay with a provision that the County will not be a part of requesting funds to support the project and that the project will not work against the science to restore the bay.

Motion carried 3-2, Chairman Jones and Commissioner Parrish opposed.

ARPC -- Josh Adams -- Update

- A. Mr. Adams would like the Board to adopt the Apalachee Regional Resilience Collaborative. He will have a short presentation for the Board.

On a motion by Commissioner Ward, seconded by Commissioner Lockley, and by a unanimous vote of the Board present, it was agreed to adopt the Apalachee Regional Resilience Collaborative. Motion carried 5-0.

Fiscal Manager/Grants Coordinator - Erin Griffith - Report

A. Action Items

1. RFP Proposals for Buddy Ward Artificial Reef Project

Proposals were due yesterday for the Buddy Ward Artificial Reef Project and today we will open the responses. The project consists of the construction and deployment of at least 25 concrete prefabricated reef modules to construct three reef complexes in the Buddy Ward permit site located approximately 7.5 nautical miles off Bob Sikes Cut. Once the proposals are opened, the proposals will go to a review committee of which we suggest having two members of the Apalachicola Artificial Reef Association (as they are a contributing stakeholder for this project) and one member the FWC Artificial Reef Program. From AARA I would like to recommend Grayson Shepard and Bill Mudd and from FWC, Christine Kittle, a fisheries biologist with the program. Once the proposals are turned over to the committee, a cone of silence between the members of the review committee will be in place until reviewers return their completed score sheets to me before Friday, April 9th for the ranking to be compiled. If there is a consensus amongst the rankings, the committee and county staff will proceed with negotiations with the top ranked proposer and bring to the Board a contract for approval and ratification at your next meeting.

Item previously addressed under RFP / RFQ / Bids Opening.

2. Establish Evaluation Committee for County-Wide Sand Dune Restoration Project and SGI Storm Water Improvements

Alan and I have been working with Melissa Beaudry, Langton Consulting, to finalize the RFQs for the two RESTORE Projects- the County-wide Sand Dune Restoration and the St. George Island Stormwater Improvements. The RFQ solicitations have been advertised in the Panama City News Herald, the Apalachicola Times, posted on the county website and posted on the governmental bid platform Demandstar. The Board will open the RFQs at the May 4th meeting.

When the RFQs are opened, the Board will need to create an Evaluation Committee to evaluate the responses and make a recommendation to the Board. The Evaluation Committee needs to be at least 3 people, and could be myself, Alan Pierce, and Mark Curenton. Upon selection of the firm, county staff will then negotiate with the firm to create