



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

DECEMBER 17, 2019

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.

Call to Order

Prayer and Pledge

Approval of Minutes

1. Minutes-November 19, 2019
2. Minutes-December 3, 2019

Payment of County Bills

3. Bill List for Payment

Public Comments

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

Mayor Kevin Begos - City of Apalachicola - Comments

Department Directors Report

Superintendent of Public Works – Howard Nabors

4. Report

Action Items

No Action Items

Information Items

A. Work Performed/Material Hauled Report (Agenda Packet)

Solid Waste Director – Fonda Davis

5. Report

Action Items

No Action Items

Information Items

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

Emergency Management Director – Pam Brownell

6. Report

Action Items

No Action Items

Information Items

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

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

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

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

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

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

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

Extension Office Director – Erik Lovestrand

7. Report

Action Items

No Action Items

Information Items

General Extension Activities:

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

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

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

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

Sea Grant Extension:

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

4-H Youth Development:

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

Family Consumer Sciences:

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

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

TDC Administrator – John Solomon – Report

8. Report

Action Items

No action items

Information Items

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

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

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

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

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

Board of Adjustment – Amy Ham-Kelly – Report

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

Board Action: Motion to approve, Table or Deny.

Planning and Zoning – Amy Ham-Kelly – Report

Commercial Site Plan Application

10. THIS ITEM HAS BEEN WITHDRAWN BY THE APPLICANT.

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

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

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

Critical Shore Line Applications

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

Board Action: Motion to Approve, Table or Deny

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

Board Action: Motion to Approve, Table or Deny.

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

Board Action: Motion to Approve, Table or Deny.

Final Plat Application

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

Board Action: Motion to Approve, Table or Deny.

Land Use/Re-Zoning Application

15. Consideration of a request for a Public Hearing for a Land Use change of 5.88 acre parcel from Residential to Commercial and Re-Zoning from R-1 Single Family Residential to C-4 Mixed Use Residential on property lying in Section 7, Township 7 South, Range 3 West, 2619 US Highway 98 East, Lanark, Franklin County, Florida. Request submitted by Clayton Studstill, The Studstill Law Firm, PLLC, agent for Timothy Saunders and Christina Saunders, applicants. **(PZ Commission: Motion to Deny- Died for a lack of a second. 2nd Motion to Approve- Died for a lack of a second. No Recommendation from the Planning & Zoning Board)**

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

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

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

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

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

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

17. 11:00 am (ET) - (First of Two Public Hearings) The Franklin County Local Planning Agency will meet at 11:00 am (ET) to accept public comments on a proposed ordinance to amend the St. George Island Corridor Overlay District by removing the prohibition against single family residential uses on the ground floor for property located within a 2,100-foot radius of the center point of the intersection of Franklin Boulevard and Gulf Beach Drive, on St. George Island, Florida, as described in Plat Book 2, page 7, Franklin County, Florida, excluding the area east of the east boundary of Third Street East and west of the west boundary of Third Street West; providing for exemptions; providing for severability; and providing for an effective date.

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

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

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

Clerk of Courts – Marcia M. Johnson – Report

RESTORE Coordinator – Alan Pierce – Report

Information Items

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

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

The 3 highlights of the meeting were:

A) The FDOT will not take over Alligator Drive as it does not meet the needs of the state. The best that will happen is that FDOT will research the opportunity for the state to say Alligator Drive meets a definition for the Federal Highway Safety Administration (FHSA) as an evacuation route, and if that happens then Alligator Drive would become eligible

for FHSA funds after a disaster. It seems on the surface that Alligator Drive would meet the definition of an evacuation route as it is the only access for the Point, but FDOT pointed out that there is a specific FHSA definition of what an evacuation route is, and FHSA has to agree with the application. FDOT will report back to Rep. Shoaf on that matter.

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

C) Rep. Shoaf strongly encouraged the county to expedite additional road protection so that this \$4.7M reconstruction is not damaged as it is so close to the Gulf of Mexico. To that end, I have contacted Dewberry and MRD Associates to see if the county's current \$200K beach renourishment design request to FDEP can be expanded to include design and \$5M of construction funds in 2020. Normally, FDEP authorizes design funds, and then in a following year would provide construction funds. If FDEP will support the inclusion of construction funds, and if Rep. Shoaf is successful in getting legislative funding for the FDEP beach renourishment program so that Franklin County gets funded, then beach renourishment to protect this 1.1 mile segment of Alligator Drive could occur shortly after the road construction is completed. It is possible, then, that it would only be the 2020 hurricane season where the road would not be fully protected. If FDEP does not fund construction funds this year then the road would be exposed to the Gulf of Mexico during the 2020, and 2021 hurricane seasons.

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

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

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

In consideration of a new MSTU I have asked Mike Dombrowski, MRD, to lead this effort because the protection of the road through the installation of a beach has not been completely designed, and therefore I imagine there will be some interface between the team designing the beach project, being MRD, and the team developing a funding source for the maintenance of the project, being the law firm and GSG. MRD has provided me with a scope of work that utilizes the Nabors, Giblin law firm and GSG, to develop the

boundaries of an MSTU, and a preliminary millage rate. MRD has worked with both firms on MSTU projects in the past. The proposed fee is not to exceed \$27,500.

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

The argument for the larger boundary is that the current fire station and water district office are both west of the washout so everyone benefiting from those two services might have a legal connection to the protection of the road. This is a swing of some 1000 parcels and would have a significant impact on a proposed rate.

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

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

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

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

I then spoke with Rep. Shoaf's office and informed them of the funding opportunity coming to FDEM and asked them to promote the airport project with FDEM.

I also advised Rep. Shoaf's office that they should talk to FDEM about also funding the county's new EOC. Rep Shoaf has submitted a bill to fund the county EOC, but if FDEM is getting funding now we would not have to wait for the legislature, or for the risk of a Governor line item veto.

County Coordinator – Michael Morón – Report

Action Items

23. Weems CEO Agreement: At your August 13th meeting the Board authorized an agreement with Pastor David Walker to serve as Weems Hospital Interim Chief Executive Officer for a period of three months, with an option to extend an additional three months on a month to month basis for a salary of \$10,416.67 per month. We are now into the second month of the month to month extension, so I am recommending that the Board renew the agreement with the Interim CEO and guarantee three more months with another three-month option. This would guarantee his position until March 17, 2020. April, May, and June 2020 would be based on a month to month basis.

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

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

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

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

Request: Board discussion.

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

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

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

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

28. FDOT Beautification Grant: The county received notification from the Florida Department of Transportation that Franklin County has been awarded the Beautification Grant in the amount of \$97,385. At your July 16th meeting the Board authorized Mike and Pat O'Connell of the St. George Island Civic Club to team with Mr. Mark Curenton, County Planner, to apply for this grant. The grant funding will be used to improve the landscape, for the state-owned, land between the exit of Bryant Patton Bridge to Bayshore Drive. Mr. Fonda Davis, Parks and Recreation Director, has also been instrumental with this grant as his department is going to maintain the landscaped area. As with other FDOT grant projects, the County is responsible for the grant and will manage this project.

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

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

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

30. 2020 Census: At your December 3rd meeting while informing the Board of the first Census Complete Count Committee meeting, a small advertising and promotional budget was discussed. The Census Bureau states that each person counted brings at least \$14,000 to the county, therefore each local government should contribute \$0.50 (11,000 x .50 = \$5,500) per resident to the Census Committee to assist with awareness and other phases of the 2020 Census. The Census Committee is in the awareness phase of the 2020 Census and would like to order a couple of banners and a tablecloth that would be used during County events to promote the 2020 Census. Mr. Rick Watson, Tax Collector and a member of the Census Committee, will loan the committee a tent during these events. With that in mind, I am asking the Board to consider a budget of up to \$4,500 for the

Census Committee. In addition, the committee is still seeking representatives from the community, in unincorporated Franklin County, to volunteer and assist with reaching those in their neighborhoods that may have questions or need guidance regarding the 2020 Census.

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

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

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

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

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

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

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

34. DACS Aquaculture Use Zone: Mrs. Portia Sapp, Director at the Division of Aquaculture, has sent a package for your review for a new Aquaculture Use Zone. After reviewing the package, the County has until January 11, 2020 to comment on and or to concur with or object to the proposed project. Your comments will be used in the department's evaluation of the proposed Aquaculture Use Zone and activities. The department will consider the following preferences when issuing leases: applicants that are Franklin County residents, applicants that have attended a pre-application meeting (which will be held in Franklin County to provide an overview of the aquaculture leasing process and requirements), applicants that have not previously held a 10-year renewable aquaculture submerged land lease, applicants that have held a Saltwater Products License (SPL) for at least three of the last five years, and applicants that have held a SPL

with an oyster endorsement for at least three of the last 10 years. I sent the package to Mr. Josh Adams (ARPC) to verify that there are no conflicts with the Franklin 98 Living Shoreline project. He verified that there are no conflicts. You may send your comments to me or to Mrs. Sapp (*Portia.Sapp@fdacs.gov*) directly.

Request: Board discussion regarding the preferences and overall project.

Information Items

35. P&Z Office Christmas Week Schedule: The Planning and Zoning Office schedule will deviate slightly from the other County Offices during the week of Christmas. To better serve the contractors, our office will be open on Monday, December 23rd and Tuesday, December 24th (Christmas Eve) and will be closed on Wednesday, December 25, Thursday, December 26th, and Friday, December 27th with the exception of the Building Official. He will do inspections on Monday (12/24) and Friday (12/27). Staff will recommend to all contractors/builders (website and media advertising) that if construction project inspections are needed that week, to schedule the inspections on Monday or Tuesday so the Building Official can do them on Friday, December 27th.
36. FAC 2020 Legislative Day: Remind the Board that Wednesday, January 29, 2020 is the Florida Association of Counties Legislative Day. This will be an opportunity to discuss some of the priorities that affect Franklin County as well as all Florida counties. FAC, in an effort to centralize the day's activities will try and schedule most of the events at the Challenger Learning Center which is steps away from the Capitol Building. Contact Cheyenne as soon as possible about any arrangements for that day.

County Attorney - Michael Shuler - Report

Commissioners' Comments

Adjournment

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
REGULAR MEETING, NOVEMBER 19, 2019
9:00 A.M.
MINUTES**

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

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

Call to Order

Chairman Lockley called the meeting to Order.

Prayer and Pledge

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes

There were no minutes available for approval.

Payment of County Bills

- 1. Commissioner Jones made a motion to approve payment of the County’s bills. Commissioner Massey seconded the motion.** Chairman Lockley inquired about the payment to the Florida Association of Counties. Mrs. Griffith responded the bill is the premium for the General Liability Insurance Policy. **Motion carried; 5-0.**

Organizational Meeting

Appointment of Chairman and Vice-Chairman

Mr. Moron stated each Chairman and Vice-Chairman serve two years. He stated Chairman Lockley has just finished his first year so if they follow that practice this would be his second year. **On motion by Commissioner Massey, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to leave Noah Lockley as Chairman and appoint Ricky Jones as Vice-Chairman.**

Committee Assignments

Commissioner Jones said he would like to be taken off the Transportation for the Disadvantaged Board. **Commissioner Jones made a motion to appoint Commissioner Boldt to the Transportation for the Disadvantaged Board. Commissioner Parrish seconded the motion.** Commissioner Boldt stated he had a good experience when he substituted on this Board. **Motion carried; 5-0.**

Commissioner Jones stated the county has been a member of Opportunity Florida for a couple of years and no one has been attending the meetings and he would like to start with the Board's permission to attend the meetings on a regular basis. He said he does not know how it is structured or if there is anything to pay going back and forth. **On motion by Commissioner Parrish, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to appoint Commissioner Jones to represent the county with Opportunity Florida.** Mr. Moron said he will notify Opportunity Florida of the appointment.

Public Comments

Mr. George Pruett, a business owner and resident of Eastpoint and Fire Chief of the Eastpoint Volunteer Fire Department, said the land use change the Board is considering today would benefit Eastpoint in a big way. He stated there is a move by some people to stymie this project and he cannot understand why every time economic opportunity comes to Eastpoint people want to stop it. He reported they need jobs and good development. He said every gas station is close to the bay so that is not an issue and there are ways to deal with it.

Mr. Pruett stated some years ago the Commission promised the people a new hospital with some money they raised from the 1 cent sales tax. He said he is adamantly against closing the hospital in Apalachicola. He explained people do not have money to travel to visit their family if they are in the hospital out of town. He stated it is not fair to the community or the county to close the hospital and they need to find a way to keep it open in some form.

Attorney Shuler explained there is a time set aside during the public hearing for public comment so individuals can speak now during public comment on those issues and also speak during the public hearing.

Mr. Donnie Mathes, a resident of Apalachicola, said the county decided not to have their engineer look at the ditch problem at Southland but it is the county's problem as it is a county maintained ditch. He detailed the problem with the ditch and the way the water drains. He suggested a way to correct the problem with the ditch. He invited the Commissioners to come out to his property and he will show them how the water should run. He provided his telephone number for the Commissioners.

Mr. Michael O'Connell, St. George Island Civic Club, stated on December 5th at 5:00 p.m. they will have the lighting of the Christmas trees and the Christmas Parade. He said the parade will form at Lighthouse Park and he listed the activities that will occur. He invited the Commissioners to attend.

Ms. Karen Martin, Franklin County Humane Society Director, stated she thinks the Board understand the role the Humane Society plays in the community and are respectful of it. She reported their work is critical to the county. Ms. Martin said she does not understand how they have decided to withhold their funding because it is critical to their mission. She explained they have moved animals to one of their partners as they have been operating at capacity for weeks and needed the room. She discussed the intake of animals and asked the Board to release the promised funding. Chairman Lockley said it is out of their hands once the lawyers get involved. He reported the Board is not trying to be hard on them but it was said they were holding back money and at the same time half of the money that was due to them had not been picked up. Ms. Martin stated that was an unfortunate accounting issue. Chairman Lockley said it is not the Board's fault. Ms. Martin asked if the lawyers should make suggestions to the County Commission. Chairman Lockley stated they will not deal with this issue until Attorney Shuler suggests they take action.

Mr. Bud Hayes, Franklin County Humane Society, stated there has been no dialogue with the attorney. He explained they went back to the status quo before the money was withheld but they are not getting anywhere and need their money. He reported apparently the constituents want a shooting range and the Humane Society is working with the Sheriff's Office to open their range. Mr. Hayes reported this should be the Board's job but the Humane Society is working with the Sheriff. He stated they continue to withhold the money and it is unfair because the money was budgeted to them and they depend on the money. Commissioner Jones explained the Board is pursuing other ways to do a shooting range and because he does not advertise it does not mean he is not having discussions with people. He stated this Board knows their job and is doing their job. He explained last year the Humane Society did not ask for half of the funding that was budgeted to them so at the last meeting they received \$18,000. He said if they did not need it the last quarter they are already halfway through the year. He reported the Board is continuing to take this and they did nothing wrong and did not start this process. Commissioner Jones explained it got to this point because the Board was pushed to that limit. Mr. Hayes said Commissioner Jones pointed out they had not requested their money and he appreciates that because it was his lack of due diligence to follow up on it. He reported they are trying to work to the same goal but they have this money being held in suspension. Chairman Lockley suggested Mr. Hayes talk with the County Attorney. Mr. Hayes agreed to contact Attorney Shuler. Chairman Lockley explained until they get direction from Attorney Shuler they are not addressing this matter. Commissioner Boldt reported two weeks ago he met with a gun range consultant and they have brought a standard of practice for gun ranges published by the National Rifle Association (NRA). He said they also visited the gun range and looked at the opportunities. He stated this Board is empathetic and pressing on for a good alternative. Mr. Hayes addressed the standards for a gun range. Attorney Shuler said the

Humane Society closed the public road to the public gun range and did not reopen the road until the Board took action and withheld the funding. He explained he and Mr. Hayes have an agreement that was ratified by the Board and it says they will maintain the status quo which is the road stays open and the funding stays suspended while they work with the Sheriff to relocate the gun range. He reported the Sheriff is working with a consultant to come up with a plan and cost estimate and once that is completed he will bring that cost estimate back to the Board for their consideration and hopefully that completes this process. Attorney Shuler explained since he does not have the cost estimates at this time he has not brought this item back to the Board. Attorney Shuler explained he notified Mr. Hayes of where they are at this time. He said he does not feel there has been an unreasonable delay and everyone is working in good faith to try and find an acceptable solution. He reported until they have a final solution the funding should remain suspended. Mr. Hayes stated there is not a public road over their property and they own the property in fee simple. Attorney Shuler said if they get in litigation they will resolve that issue. Commissioner Boldt asked if they can add language to the existing sign on Highway 98 that says Humane Society Pet Adoption Center. Attorney Shuler commented the Board does not take action under public comment but they could address it under one of the department reports.

Ms. Bonnie Stewart, Franklin County Humane Society, questioned why the funds are suspended if the road is open and everyone is working toward a resolution. She explained they still have expenses and services that must be provided to the animals. She reported people are using the gun range but the Humane Society still has their funds suspended. Chairman Lockley said this process is not through. Chairman Lockley asked if they spent \$18,000 since last meeting. Ms. Stewart stated the question where the funds are. Chairman Lockley stated the attorneys are still working on this matter.

Mr. Moron stated Commissioner Parrish has to leave at 10:00 a.m. to attend a Consortium meeting so he would like to change the Agenda for some items that are on Mr. Pierce's report that should be addressed when Commissioner Parrish is present. He said if anyone else has something that should be addressed while Commissioner Parrish is present he would ask the Board to allow them to present it.

RESTORE Coordinator – Alan Pierce – Report

Mr. Pierce presented the following items from his report:

26. Board action for the Mr. Shuler, County Attorney, to negotiate an amendment to Mr. Pete Burgher's existing lease at the airport. Mr. Burgher, with the county's permission, built a hangar at his own expense about 20 years ago, and entered into a land lease for the property the hanger occupies. Mr. Burgher currently pays \$1520 a year in a land lease. At the end of the current lease the hanger will convert to the county, but Mr. Burgher would like to donate the hanger to the county now, and then increase his payments so that he would pay a hanger and a land lease. Mr. Burgher is 80 years old and would like to do this so that in the event of something happening to him the hanger, which he currently owns, does not get tied up in probate and estate problems. He is proposing to pay \$300 per

month, which is more than double what he currently pays, and would like to extend his lease by 5 years from Dec. 31, 2019. I have spoken to Jason Puckett, Airport Manager, and Centric Aviation, and they both support the proposal.

Board action to direct Mr. Shuler to negotiate a lease amendment with Mr. Burgher.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to direct Attorney Shuler to negotiate a lease amendment with Mr. Burgher.

Mr. Pierce reported the Department of Emergency Management (DEM) received \$25 million from the Legislature for counties impacted by Hurricane Michael. He said the county requested \$1 million for sand dune restoration but the problem with the request is the number one priority from DEM is a loss of revenue. He explained they are not interested in enhancing projects in any county unless it was associated with a loss of revenue. Mr. Pierce said when the money was allocated he assumed it would all go to one county since Franklin County's tax base did not shrink and the sales tax did not decrease. He reported last week DEM contacted him and said they must show a loss of revenue to receive money. He stated the only loss of revenue is from Weems Memorial Hospital because it was closed from October 9, 2018-October 31, 2018. Mr. Pierce reported last week he met with Mr. David Walker, CEO of Weems Memorial Hospital, about getting together some numbers on the loss of revenue. He stated yesterday DEM called and wanted the amount by the close of business Monday. Mr. Pierce said Mr. Walker was good about getting some figures together and it had to be submitted yesterday so the loss of revenue submitted for Weems Memorial Hospital yesterday was \$226,578. He stated because the loss of revenue is for the Hospital the money could go back to the Hospital. Mr. Pierce reported the Board would have to make this decision but he told DEM and they asked him to put this request in the letter. He explained he is not committing to the money going back to the hospital but they need to wait and see if the county is awarded any money. Mr. Pierce said the letter to DEM has been submitted for the Board file. He explained if the county is awarded then the Board will decide how to use the money because they ask for \$1 million in dune restoration and \$226,578 may not go too far on that project. Commissioner Jones asked if they need to vote to ratify this. Mr. Pierce said he submitted this as an amendment to the initial application.

32. Inform the Board I had written a letter of support months ago for a proposal written by FCMC for a study of alternatives to protecting Alligator Drive and Point properties other than through standard beach renourishment. Ms. Sara Kelty, with FCMC, submitted the project to an organization called the North Gulf Sentinel Site Cooperative, which is a partnership between the Mississippi and Alabama Sea Grant Consortium, who had received some BP funds. After months of review the Cooperative contacted FCMC and said they liked the project but did not have enough funds for the whole project, so the Cooperative on their own initiative had reached out to FDEP for assistance. FDEP has provided the remaining funds through a FDEP Resilience Planning Grant.

The total funding for this study is \$59,920, with it split between the Cooperative and FDEP. The project will explore what other options are available to make a community more resilient to flooding and erosion, and to produce a video of the effort.

After a series of conference calls over the last few weeks with all parties, it was decided that FCMC would provide a support role, but the lead agency will be the Apalachee Regional Planning Council (ARPC). The ARPC will enter into grant contracts with the Cooperative and FDEP, and Franklin County will have no financial or grant obligations. I say all this so that the Board and the public are aware of the project, as it will involve some interviews and activities on the Point by the ARPC. Mr. Chris Rietow, ARPC Executive Director, may be here to talk briefly about this project. I had contacted the ARPC to see if they were interested in administering the project when FCMC could not be the lead.

Mr. Chris Rietow, Apalachee Regional Planning Council, said they are happy to help with the project. He stated recently they have been involved with a lot of projects in Franklin County with respect to resiliency. He explained they are helping with RESTORE administration for Pot #3, the living shoreline project on Highway 98 from Eastpoint to Carrabelle, and the land management plan for the City of Carrabelle so they may need some additional assistance. He reported they went out with a Request for Proposals (RFP) for an outside environmental consultant to help when they exceed their capacities. He explained they just brought the consultant onboard and executed the contract when he received the call from Mr. Pierce asking if they wanted to help. He reported they want to help and their mission is to serve their local governments. Mr. Rietow offered to answer any questions. He explained some of their staff has already met with some of the people from the Consortium and are working on a scope of work that meets the requirements of the grant. He stated in the grant some of the deliverables are kind of broad so they are fine tuning them. Mr. Rietow reported they are confident they can meet the tight deadline of the grant. He said the funding is split by the Department of Environmental Protection (DEP) and the Consortium. He reported the DEP dollars must be spent by April and the remaining funding must be spent by October so they are splitting the deliverables. He explained the deliverables due by April will be submitted and the funding will be obligated and then they will submit the other deliverables by October. Mr. Rietow stated they are confident they can meet both deadlines. Chairman Lockley asked if they should know something by November. Mr. Rietow reported if the Board approves ARPC being the recipient of the grant then they will start moving and get the contract executed because they will be the recipient. He stated they will keep the Board updated as the contract moves along. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve ARPC being the recipient of the grant.** Mr. Pierce pointed out one of the benefits in addition to the alternate studies is because the people from the Cooperative are focusing on the video component and he thinks they can broadcast the dilemma on Alligator Point. He explained they are going to use the video as a training study so many people will see it and to him it has as much value as the study itself. Commissioner Parrish clarified this project will not interfere with the rebuilding of Alligator Point Road if the money is released. Mr. Pierce answered no. Commissioner Parrish reported this is a separate project but could help protect the road. Mr. Pierce explained it is a study for alternatives

besides beach renourishment. He went on to say beach renourishment has nothing to do with rebuilding the road as they are waiting for FEMA to rebuild the road. He reported the road rebuilding is moving forward before anything else happens out there. Commissioner Boldt asked if they will take their proposed plans for protection of the road and see how other plans can complement what they have already thought of. Mr. Rietow replied yes, he explained the idea is to come up with a list of alternatives that give the residents and the county better ideas on how to proceed. He stated that list would be handed over to the county and they would decide which alternative they want to use. He explained they will do their best to incorporate what has already been done, what has been talked about and any new innovative approaches that have not been thought of yet. Commissioner Boldt asked if they will provide historical proof of success with any alternative they submit. Mr. Rietow stated they can include that. Chairman Lockley said he is glad to know about this because he did not know there were other options. Mr. Pierce stated they will see what the alternatives are but there is strong erosion on Alligator Point so some things may not work there that work in other places.

Information Item(s)

27. Inform the Board that FWC has been awarded a \$20M grant from the Gulf Environmental Benefit Fund for Apalachicola Bay Oyster Reef Restoration, Phase II. I spoke to Mr. Jim Estes, FWC senior staff, and received the following details. This is a 5 year project of which the first two years will be working with the FSU oyster project, funded through TRIUMPH, to determine where and how to start rebuilding the oyster bars. In years 3, 4 and 5, FWC will be placing oyster substrate in the Bay. The goal is to rebuild up to 1000 acres of oyster reef. (The Phase I of this project occurred a few years ago where FWC rebuilt about 300 acres of oyster bars.)
28. Inform the Board that the Apalachicola RiverKeepers has been awarded a \$5M grant from the Gulf Environmental Benefit Fund to improve three sloughs in the Apalachicola and Chipola Rivers. The Riverkeepers will be partnering with the Univ. of Florida and the Apalach. Nat. Estuarine Research Reserve (ANERR).
29. Inform the Board that Commissioner Parrish and I spoke last week and we understand that the Special Master appointed by the US Supreme Court has concluded his hearing in New Mexico regarding the Apalachicola River water wars and will make his finding by the end of the year. His finding will be submitted to the Court who should rule on this sometime in the spring term of the Court. We understand that the state of Florida changed its approach and argued that the farmers in southern Georgia should be limited in water use. Previously Florida had argued that the City of Atlanta needed to limit its water use.

Commissioner Parrish said this is what he was told by someone that attended the meeting. He explained the state swapped and the City of Atlanta will continue to conserve. He reported the next issue they will address is the South Georgia farmers but he does not see them doing a lot because the farmers are growing food to feed the country. He said it is not a good argument but he hopes it to be construed as in addition to the issues of the City of Atlanta using more water than they are entitled to thereby starving Apalachicola Bay of the water coming down the river. Commissioner Parrish stated they do not know how the judge will rule but he has all

the previous information from the Special Master in Maine. He reported all they can do is hope for the best and the Supreme Court decision should come in May or June of next year. He explained if they lose this time then it is over. He asked everyone to keep this in their prayers so hopefully they get more water down the river to sustain Apalachicola Bay and the estuary.

30. Inform the Board that Representative Shoaf announced on television last week that he intended to submit a bill in the upcoming legislative session for funds to build a new EOC in Franklin County. The Board may recall that a new EOC was ranked as the county's number one priority.
31. Inform the Board that Centric Aviation and I met twice with TRIUMPH staff last week to work on the fuel farm and back-up generator upgrade at the airport. As the Board may recall, the county has requested \$1M for a new fuel farm and back-up generator so that the airport can be prepared for any future hurricanes where the airport would serve as a megacenter for hurricane recovery. The county has applied for funds saying that the improvements would provide improved hurricane response for the region. TRIUMPH staff has asked us to re-visit the project as a certification/training opportunity. The idea is to use the airport as a training center in conjunction with the various drone programs that are already funded in the school systems of Franklin, Gulf, and Wakulla counties. Centric Aviation would play a role in the certification process and it is possible TRIUMPH would increase the grant award to pay Centric for its effort in providing certifications. We are still working on this request from TRIUMPH staff so even though there is a TRIUMPH Board meeting here tomorrow our project is not on the agenda.

Mr. Pierce said the Board can attend the meeting but there is nothing on the Agenda that deals with Franklin County.

33. Board updates from the last meeting.

A) Commissioner Parrish had asked Mr. Moron to contact Mr. John Collins, AVCON, for an update on the construction of the airport access road. I ended up speaking with Mr. Collins. AVCON and the road contractor have reached an agreement on price, and construction should start in December. The hold-up was not over price, but over a permitting requirement from the Northwest Florida Water Management District. AVCON did not want to issue a Notice to Proceed and put the contractor on the clock until all the permit issues had been cleared up.

Mr. Pierce said he got a copy of the permit yesterday and the contract will be sent to the Board in the next week or two.

B) I had sent an email out to the commissioners the day after the last meeting advising that I had received an email from FCMC saying that FEMA had agreed to let the county proceed with rebuilding Alligator Drive as one project. I then was copied on an email from Senator Rubio's office saying that FEMA was going to set up a follow-up meeting with the county to discuss the project. That meeting has not been scheduled yet. Mr. Clay Kennedy, Dewberry, has contacted Anderson Columbia to make sure that their bid is still good, because we are beyond the 60 day window where some bids are no longer valid because of cost increases. Since the bid was announced, Tropical Storm Nestor did minor

damage to the road base so before Anderson Columbia responds to the inquiry about their bid they were going to investigate the road to make sure the conditions were the same as what they bid on. We all understand the asphalt is gone, but that was going to be removed by the contractor so that is not a substantial change.

Mr. Pierce explained the question is if there was a lot of shifting of the underlay but they do not think there was and the road was placed back within a 24 hour period. He stated Anderson Columbia does not think there will be an issue but they wanted to look at it. Mr. Pierce said the critical thing is when FEMA is going to hold the meeting and when are they going to get the Project Worksheet (PW) obligated. He encouraged the public to continue to contact their elected officials and see what they are doing because until the money is obligated they are still in limbo.

34. Discussion of my future plans. The Board has authorized Mr. Moron to make certain personnel changes to increase his administrative capabilities. Those changes will allow some of my Board responsibilities to migrate to this new position so at this time I am not going to recommend another consultant to replace me. I am here to assist the Board but I think it is prudent to see what capabilities are generated by Mr. Moron's changes before the Board hires another consultant. And, using this report as an example, it would be very difficult to hire a consultant to develop this kind of report. This comes from years of contact on behalf of the county, and many of these items are better performed in-house.

Mr. Pierce stated he just needs to tell the person what he knows and then he can walk away.

Chairman Lockley asked to clear up something on the oyster project. He stated it will be 3 years before they put any oysters on the wild bars. Mr. Pierce agreed and said if the Florida State University (FSU) study proceeds faster then maybe it could happen faster. He said he believes FSU got \$20 million all in a lump sum. He explained it is a matter of the timing between FSU and the Florida Wildlife Commission (FWC) as to when they are confident about the future water flows and where they are going to place the oyster shells. Chairman Lockley explained he brought this up because when people know there is money out there they will want to know when they can go to work. Mr. Pierce reported the schedule Mr. Estes gave him said the first few years are evaluating what they project as future conditions and where the best water will be to grow the most oysters. Chairman Lockley stated it sounds like it will be 3 years. Mr. Pierce agreed that is correct. Commissioner Parrish pointed out the county is not responsible for administering the \$20 million. Mr. Pierce agreed and said it is FWC. Commissioner Parrish stated he attended a National Fish & Wildlife Foundation (NFWF) meeting and they told him they had \$38 million set aside for the State of Florida and the State had not requested any of the money. He reported this \$20 million is probably part of that money and he is glad to see a state agency moving forward and getting this money on behalf of Apalachicola Bay. He stated it is a 5 year project but it is better than before. Mr. Pierce explained 5-8 years ago the county was putting a list of projects together and listed the number 1 project as Apalachicola Bay Recovery and he contacted FWC looking for a partner in this project and could not get any state agency to assist the county. Mr. Pierce stated he is glad to see they got \$20 million and made the request on their own for a program they will run. Commissioner Boldt referenced Item #28

and asked if this project will facilitate water flow into the bay. Mr. Pierce said it is the other way around and will facilitate water flow into the wetlands and swamp. He reported they may remove some of the sand plugs the Corps of Engineers (COE) placed there when they were dredging the river so the water will flow back into the wetland areas. Commissioner Parrish said these are the areas where the fish go to spawn in the spring time so that should help the concentration of fish. Chairman Lockley stated he hopes they do both parts once they get it back and FWC does not leave and have someone out there to control it. Mr. Pierce agreed that has been a challenge since there are not enough oysters to harvest and they are harvesting anyway.

Mr. Moron suggested they get back to the normal Agenda at this time.

Commissioner Parrish brought into discussion the issue of overnight camping in county parks. He said he talked with Attorney Shuler and the county has an ordinance but it may not include all county parks. He reported last week he called the Sheriff to get someone out of Abercrombie Boat Ramp and they moved to Buddy Ward Park. Commissioner Parrish stated the Sheriff is requesting the county place signs in these locations. **Commissioner Parrish made a motion to direct Attorney Shuler to see if they have an ordinance that prohibits overnight camping in all county parks and if they don't have an ordinance then put it in an ordinance and direct Mr. Davis to get signs and put them at the county parks so the Sheriff knows they have an ordinance in place and he can enforce the ordinances. Commissioner Boldt seconded the motion.** Commissioner Jones asked Commissioner Parrish to also include public parking areas in the county. He explained they are having the same problem in these areas. **Commissioner Parrish amended his motion to include public parking areas in the county.** Attorney Shuler said there is an existing ordinance that specifically prohibits overnight camping at the Lighthouse Park and the public parking area. Commissioner Jones asked so they could added on the signage. Chairman Lockley said this is a good idea because it is not going to get better just worse. **Motion carried; 5-0.** Commissioner Parrish asked Mr. Davis to assist the Sheriff with these signs. Mr. Davis stated he saw the camper at Buddy Ward Park and had staff contact the Sheriff this morning.

The meeting was recessed at 9:55 a.m.

The meeting reconvened at 10:10 a.m.

Commissioner Parrish left the meeting at this time.

Department Directors Report

Superintendent of Public Works – Howard Nabors

- 2. Mr. Nabors stated they have been cutting shoulders back in Apalachicola, Eastpoint, Carrabelle, and Alligator Point. He explained they are on St. George Island now and have received some complaints but everything they are cutting is on county right-of-way.

Mr. Nabors reported no one applied with a Commercial Driver’s License (CDL) for the Inmate Supervisor job position so they re-advertised and the person will have 6 months to get the CDL. He explained if they do not get the license within 6 months then they will be terminated.

Mr. Nabors stated hopefully they will be done with grass cutting in December and then they will start on shoulder work, sidewalk work and hedging. He explained they got behind with the shoulder work due to the storm last year. Chairman Lockley said some people are fussing and some are happy but make sure public safety is okay. Mr. Nabors agreed and said there are a lot of things that need to be cut back.

Commissioner Boldt thanked Mr. Nabors for the reflector barrels that are in front of Seacrest Lane where it intersects Highway 98. He explained this helps to remind everyone that there is a cliff there.

Commissioner Boldt asked if they can consider adding language to the sign on Highway 98 that directs people up Highway 65 to the Franklin County Shelter. He requested they add Franklin County Humane Society Pet Adoption Center. Mr. Moron agreed they have permission to add this language since the sign is already there. Mr. Nabors agreed to take care of this matter. **On motion by Commissioner Boldt, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to add this language to the sign.**

Mr. Nabors stated there have been a lot of dead pine trees in the county since the storm. He said they received a call from Alligator Point about some trees and they cut 8 on St. George Island last week. He reported he talked with Commissioner Boldt about the tree at Alligator Point because it is a big tree and it is near someone’s house but on the county right-of-way. Mr. Nabors stated they will need to hire someone to cut this tree. Commissioner Jones asked if this is similar to what they did in Eastpoint. Mr. Nabors replied yes, it is a safety issue. **On motion by Commissioner Boldt, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to remove the trees at Alligator Point.**

Solid Waste Director – Fonda Davis

Mr. Davis provided the following information:

3. FOR BOARD INFORMATION: USE OIL CONTAINERS

All used oil containers have been set out at the following location:

Apalachicola- Market Street at the Haul Out Boat Yard

Eastpoint- Vrooman Park

Carrabelle- City Yard

Commissioner Jones said they started on these containers before Hurricane Michael. He explained the county applied for this grant for hazardous materials. He reported they have set up 3 separate oil containers for public use so they do not have to wait until the landfill is open to get rid of used motor oil.

Mr. Davis requested permission to advertise for part-time Animal Control Officers that they discussed and approved during budget time. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to advertise for part-time Animal Control Officers.**

Emergency Management Director – Pam Brownell

Mr. Moron stated Mrs. Brownell is at her office because they received a Category B check and she and her staff are working on completing Project Worksheets (PW’s) as soon as possible. He said if the Board has any questions they can contact her.

4. Action Items: None

Information Item:

- 1. FCEM Staff continues to work on FEMA reimbursement claims from Hurricane Michael. This includes working with FEMA staff regarding mitigation of damaged parks, roads, etc. Mitigation takes some time but EOC Staff continue to work diligently with FEMA Staff on the most beneficial repairs for Franklin County.
- 2. Emergency management coordinator Tress Dameron taught a CPR class on 11/8/2019.
- 3. Submitting the final documentation for CEMP final review. Awaiting approval.
- 4. Accepting Applications for the Hurricane Loss Mitigation Program. Will be advertising in the paper for next week. Applications can be found on our website.
- 5. Franklin County Emergency Management is diligent in performing public outreach through Facebook and Website.

Extension Office Director – Erik Lovestrand

- 5. Mr. Lovestrand said he has no action items. He reported he did the walk through on the facility yesterday with the contractor and the architect and they created the punch list items. He stated the contractor has 15 days to finish the punch list items and then they will be close to moving their furniture to the facility. Mr. Lovestrand reported the facility is almost ready and they appreciate all the support the county has provided.

County Extension Activities November 6 – November 19, 2019

General Extension Activities:

- Extension office assisted clientele with issues related to peat bog habitat, injured wildlife, insect pests and treatments, and dune restoration on area beaches.

- Work underway on annual report of accomplishments/plan of work, as required by UF/IFAS each year.
- Extension Director attended 2-day Northwest District CED annual planning meeting in Tallahassee.
- Extension Office renovation project “walk-through” scheduled for Nov 18 with architect, to develop list of final tasks for the contractor to complete.

Sea Grant Extension:

- Extension Director developed exhibit about “reef fish catch and release techniques” to be part of UF/IFAS live demonstrations with the public this year at the North Florida Fair. Two “live” sessions provided by this Sea Grant/CED agent.
- Extension Director served as reviewer for two sea turtle-related publications that will be part of the UF/IFAS Electronic Data Information System.

4-H Youth Development:

- Extension Director participated during 4H exhibit judging event at North Florida Fair.
- Two Franklin County 4H youth assisted with the 4H awards presentations during 4H day-at-the-fair.

Family Consumer Sciences:

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

Agriculture/Horticulture:

- Pine beetle attacks continue to be confirmed in the region. Still no sign of Southern Pine Beetle, fortunately.
- Several new Master Gardener students finishing up course being taught by Wakulla CED in Franklin County.

TDC Administrator – John Solomon – Report

Mr. Moron stated Mr. Solomon is attending a Visit Florida Tourism Conference in Panama City Beach and has one action item and read the action item:

Action Item(s)

I am currently at the Visit Florida Tourism Conference in Panama City Beach. Please excuse my absence for the Report.

- 6. St. George Island Bathrooms-The TDC Board approved recommending the pursuit of a loan which would fund the project's new construction (SGI Bathrooms). The loan would be paid annually with the allowable 10% currently budgeted.

TDC Recommendation: Board action to authorize the TDC to pursue a loan as funding for the SGI Bathroom new construction project. This loan will be repaid from allowable TD budgeted funds.

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize TDC to pursue a loan as funding for the St. George Island Bathroom new construction project.

Commissioner Jones reported the August collections were a 20% increase over last year so TDC has exceeded last year in 10 months' time this year. He explained this month is additional and over and beyond what was collected in the previous year.

Information Item(s)

- 7. Collections Report: The August (2019) collections were \$134,238.67. This is a \$22,915.75 (20.58%) increase over August (2018) also this is the highest collections for the month of August by \$4,359.17
- 8. Web Site Activity: We had 23,944 web hits in the month of October (2019).
- 9. Visitor Center Numbers: The Visitor Centers welcomed 3,016 visitors in the month of August. The total for January-October of 2019 is 34,421 Visitors that have visited our centers.
- 10. Forgotten Coast Community Series- In light of the success of the Museum Series and the Events series the TDC Board approved the to start a new video series titled the Community Series which will focus on the individual Communities in Franklin County.
- 11. Meetings: The next scheduled board meeting is January 8th 2020 @ 2:00pm at the Eastpoint Visitor Center

Board of Adjustment – Amy Ham-Kelly – Report

Mrs. Ham-Kelly presented the following report:

- 12. Consideration of a request for a variance to construct a 16' x 28' shed 6.5 feet into the rear setback on an existing footer foundation on property described as Lot 3, Block 103, 24 North Franklin Street, Eastpoint, Franklin County, Florida. Request submitted by Jason Wilson, applicant. ABOA recommended approval by unanimous vote.
Recommended Action: Motion to approve variance request as presented.

Commissioner Jones asked if the footer is already there. Mrs. Ham-Kelly answered yes, it was there before Mr. Wilson purchased the property. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve this request.**

Planning and Zoning – Amy Ham-Kelly – Report

Mrs. Ham-Kelly read the following items:

Scrivener's Error Correction

- 13. Consideration of a request for Scrivener's Error correction of an 18 acre tract known as Black Bear Bayou, lying in Section 8, Township 7 South, Range 4 West, Carrabelle, Franklin County, Florida. Request submitted by Thurman Roddenberry and Associates, agent for John Johnson, applicant. The original map was one large map with very limited detail, about 30 years ago the County hired Baskerville Donovan to create a zoning and land use map series which has about 15 maps in more detail. It has been our determination that the zoning was not captured at the time when the new maps were created due to the limited detail.(PZ Commission: Unanimous Vote to approve Scrivener's Error)

Recommended Action: Motion to Approve and Correct Scrivener's Error

On motion by Commissioner Boldt, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve and correct the scrivener’s error.

Sketch Plat Approval

- 14. Consideration of a request for Sketch Plat approval of a 5 unit subdivision names Black Bear Bayou II a replat of Lots 1 and 7 of Black Bear Bayou, lying in Section 8, Township 7 South, Range 4 West, Carrabelle, Franklin County, Florida. Request submitted by Thurman Roddenberry and Associates, agent for John Johnson, applicant. (PZ Commission: Unanimous Vote to approve Sketch Plat contingent upon Scrivener's error being corrected)

Recommended Action: Motion to Approve Sketch Plat contingent upon the Scrivener's Error being corrected.

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the sketch plat contingent upon the scrivener’s error being corrected.

Commercial Site Plan Review

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

Recommended Action: Motion to approve contingent upon re-zoning being approved today.

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to table this request until after the Paul Parker re-zoning public hearing.

- 16. Consideration of a request for Commercial Site Use Opinion of an existing commercial building within a C-4 Commercial Mixed Use Residential zoning to allow refrigeration and storage of seafood related products without processing them onsite. Property described as 623 Highway 98, Apalachicola, Franklin County, Florida. Property lying in Section 11, Township 9 South, Range 8 West. Request submitted by Garlick Environmental Associates, agent for Charlotte Schneider, applicant. (PZ Commission: Unanimous Vote for approval)

Recommended Action: Motion to approve the refrigeration and storage of seafood related products without processing them onsite.

Commissioner Jones inquired if C-4 allows for this use. Mrs. Ham-Kelly stated C-4 allows mixed use residential and does allow for commercial uses such as refrigeration. She pointed out the seafood will not be processed on the site. Commissioner Jones stated they are asking for a very limited use. Mrs. Ham-Kelly replied yes. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve the refrigeration and storage of seafood related products without processing the products onsite.**

Re-Zoning & Land Use Change Application

- 17. Consideration of a request for a Land Use change from Residential to Commercial and a Re-Zoning change from R-1 Single Family Residential to C-3 Commercial Recreation. Property described as Lot 1, Block 2, Magnolia Bluff Subdivision, 100 North Bayshore Drive, Eastpoint, Franklin County, Florida, lying in Section 36, Township 8 South, Range 7 West. Request submitted by Eastpoint Lands, LLC, applicant. (PZ Commission: 3/2 Vote to Deny)

Recommended Action: Motion to Deny

Commissioner Jones questioned if they are asking for the ability to go to a public hearing. Mrs. Ham-Kelly answered yes. **Commissioner Jones made a motion to allow them to have a public hearing. Commissioner Massey seconded the motion.** Chairman Lockley said they must allow them to have a public hearing. **Motion carried; 4-0.**

- 18. Consideration of request for a Land Use change of 1.39 acres from Residential to Commercial and a Re-Zoning change from R-4 Single Family Home Industry to C-3 Commercial Recreation. Property described as 478 Avenue A, Eastpoint, Franklin County, Florida, lying in Section 30, Township 8 South, Range 6 West, 478 Avenue A, Eastpoint, Franklin County, Florida. Request submitted by Eastpoint Lands, LLC, applicant. (PZ Vote: 4/1 Vote to deny)

Recommended Action: Motion to Deny

Commissioner Jones made a motion to approve this request going to a public hearing. Commissioner Massey seconded the motion. Chairman Lockley said this is the same and they must allow it to go to a public hearing. **Motion carried; 4-0.**

- 19. Consideration of request for land use change of 4 acres from Residential to Commercial and a Re-Zoning change from R-4 Single Family Home Industry to C-3 Commercial Recreation. Property described as 83 Otterslide Road, Eastpoint, Franklin County, Florida, lying in Section 30, Township 8 South, Range 6 West. Request submitted by Eastpoint Lands, LLC, applicant. (PZ Commission: 2/3 Vote to Approve- Motion Failed for lack of support)

Recommended Action: Motion to Deny

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

- 20. Consideration of request for Land Use change of 5.52 Acres from Residential to Commercial and a Re-Zoning change from R-2 Single Family Mobile Home to C-3 Commercial Recreation. Property described as 128 Patty Lane, Eastpoint, Franklin County, Florida lying in Section 30, Township 8 South, Range 6 West. Request submitted by Bruce and Angeline Millender, applicant. (PZ Commission: Failed for lack of a motion)

Recommended Action: Motion to Deny

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

Public Hearings 10:30 AM

Mrs. Ham-Kelly read the item, as follows:

- 21. Consideration of a request to re-zone a 10.32 acre parcel of land lying in Section 18, Township 8 South, Range 5 West, 1849 US Highway 98, Eastpoint, Franklin County, Florida from R-3 Single Family Estate Residential to R-1 Single Family Residential. Request submitted by Robin and Suzanne Ackerman, applicants. The county has not received any letters or emails or opposition or support.

Board Action: Motion to approve, table or deny

Chairman Lockley asked for public comment. There was no public comment. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve the rezoning request.**

Mrs. Ham-Kelly presented the following item for consideration:

- 22. Consideration of a request for a land use change of 1.04 Acres from Commercial Recreation to Commercial Fishing and a re-zoning change from C-3 Commercial Recreation to C-1 Commercial Fishing. Property lying in Section 6, Township 7 South, Range 1 West, 127

Harbor Circle, Alligator Point, Franklin County, Florida. Request submitted by Paul and Stephanie Parker, applicants. The county has received opposition.

Board Action: Motion to approve, table or deny

Chairman Lockley asked for public comment. Mr. Paul Parker, applicant, said he has lived on Alligator Point for 28 years. He referenced the map of the property and said he purchased 2.5 acres of the former KOA Campground property which was zoned C-3 Commercial/Recreation. He explained the uses under the C-3 designation. He reported they did a site plan and got approval for the real estate office and for a store. Mr. Parker stated they bought the commercial part of the South Shoal Project when it went under. He explained they always planned to develop it back to what it was with cabins and RV sites. Mr. Parker said they were approached by Mr. Tom McCrudden who has been in the shellfish hatchery business successfully for over 20 years. He stated Mr. McCrudden has 2 other locations in Florida and he explained there is a great need for shellfish seeds for oysters and claims to re-seed the natural bars and for the developing aquaculture business. He reported Mr. McCrudden proposed leasing the back of their property near the dock to do an oyster and clam hatchery and nursery where they spawn the oysters until they are big enough to place into aquaculture. Mr. Parker explained because they would be spawned in the same water where they would grow out the survival rates would probably be higher. He said after receiving this proposal to lease the property he contacted the county and talked with Mr. Mark Curenton, County Planner, and they thought it could be done under the current zoning. He reported Mr. Curenton called back a couple of days later and said there is a project in Apalachicola that is a hatchery and nursery and they are in C-1 so they think he should rezone that portion of property to C-1. Mr. Parker said that is when they started the process and submitted the rezoning request. Mr. Parker explained he and his wife have lived there and raised their family and he would never do anything that would be detrimental to Alligator Harbor. He said he would not do anything that would not be beneficial or would hurt real estate values because that is how he makes his living. Mr. Parker stated he understands his neighbor's concerns about what is allowed under C-1 versus what their intentions are for the property. He commented that he respects their opinions. He explained they believe this is a better use of the property because they could put in 10 RV sites and cabins. Mr. Parker said they believe this is a less intense use of the property and will generate less traffic and noise than what the property is zoned for. He stated they are devaluing their property and this is actually a down zoning to a more restrictive zoning. Mr. Parker offered to answer any questions. Chairman Lockley asked if they will put anyone to work. Mr. Parker said they will but he is not the operator. He reported 2-4 people will be hired to grow the oysters. Commissioner Massey inquired about the size of the building. Mr. Parker stated there are two buildings side by side and will be on the higher side of the property. He reported he and his wife traveled to Cedar Key for visit one of Mr. McCrudden's other locations. Mr. McCrudden stated the buildings are 3,000 square feet. Commissioner Massey clarified there will not be any digging and they will pipe the building straight to the bay. Mr. Parker agreed this is correct. He stated Mr. McCrudden can place the pumps in a box to make them quieter. He explained the water runs over the shellfish and then is returned to the bay. Commissioner Massey questioned if it runs back to the bay after it is filtered. Mr. Parker

answered yes. He explained this is heavily regulated by the Division of Aquaculture under the Department of Agriculture & Consumer Services (DACCS) and they have visited the property about 3 times. He reported they went diving around his dock to make sure there was no grass and to test the water quality. Mr. Parker stated there is no chemical discharge, no semi-trucks and they are not trying to do a boat landing. Chairman Lockley said that means there will not be much noise or traffic. Mr. Parker said when they visited the other location only one person was working because they are only circulating water. He reported once the animals are spawned then they are just moved from tank to tank. Mr. Parker stated Mr. McCrudden can answer more specific questions.

Mr. Bob Lamey, a resident of Alligator Point, said Mr. Parker described this proposal to the Alligator Point Taxpayers Association. He explained the problem is the future owner and the uses of C-1. He read the allowable uses for C-1. Mr. Lamey discussed the allowable uses and issues that could occur with odor, traffic and noise. He stated these uses do not belong in a residential neighborhood. He reported if they allow this zoning change then it could allow for some of these things. Mr. Lamey said if any of these facilities are built in the future by a new owner they will have these issues and their property values will go down. He requested the Board deny this request.

Attorney Shuler announced the Board's public comment policy limits public comment to 3 minutes for individuals and 5 minutes per person if they are speaking on behalf of an organization or a group.

Ms. Carol Rippee, a property owner at Alligator Point, said their fight is zoning. She reported the DACCS puts out a notice to be able to use the property that is underwater and the property is leased and they also need an upland certificate if they are going to make the seeds that go into the Floating Upweller System (FLUPSY). She reported many people have a FLUPSY because you do not need anything attached to the land. She explained when they ask to make the seeds then they must go inland and have the equipment to keep the operation going. Ms. Rippee said the Department of State (DOS) thinks this is a good thing for the area but they are against the zoning for the reasons mentioned. She reported they were used to the RV park and do not mind an RV park. She stated they are also dealing with the road and equitable costs and what businesses will be charged for the road protection. Ms. Rippee reported they have been given the plan but if they get the zoning they will give them the certificate. She stated the zoning needs to be upgraded to allow for a FLUPSY but not the detrimental uses in C-1. Ms. Rippee asked the Board to revise that or look at C-2. She said they should look at options so they do not consider something that could be harmful in the future. Commissioner Massey reported the traffic will not be a problem because the seed is small to transport and they cannot have a lot of big boats in this area because it is shallow. Ms. Rippee stated they could start shucking the shellfish.

Ms. Ann Maruszak, a resident of 173 Harbor Circle, stated she submitted a letter to the Board and referenced the last 2 pages which contained pictures. She reported Mr. Parker is a friend but she cannot support his efforts toward this project. She said the buildings are close to house

size. Ms. Maruszak reported this operation is close to the residential property. She stated there is also a road down the side of the property and discussed the impact of this business on the residential property. She reported structures are placed on the west most boundary allowing for further expansion of the operation to the east. Ms. Maruszak stated the Board asked the state to see if the FSU property could be used as a boat launch. She asked if the Board can consider working with DACS and DEP to allow for a facility at Bald Point State Park as that would be close to the aquaculture but away from residences. She reported logging takes place on state parks so they might consider dedicating a parcel of land for a boat launch, hatchery and parking.

Mr. Mike Chwalik, a resident of 135 Harbor Circle, said his property is adjacent to the proposed project. He stated according to the site plan more than half of this operation is over sensitive marsh. He reported when he purchased the property Mr. Parker told him he might put a small store of restaurant on this property and that would have fit within the community much like his real estate business. Mr. Chwalik said now they are talking about tanks and Mr. Parker will turn the property over to the out of county business. He reported this is in an aquatic preserve that does not have a fresh water or much of a tidal flush. Mr. Chwalik said the oyster hatcheries are closer to Highway 98. He reported now that the tanks are there he has seen some boat traffic checking on them. He said this is not what their area is about because they enjoy their serenity and they have ecological concerns. Mr. Chwalik stated he is not just concerned about this project but also about future use. He expressed concern over the project and said he hopes they will consider the voices of the community. He said there are environmental concerns to be considered. He questioned where the spat will be placed if it dies.

Mr. Bob Blazer, a resident of 136 Harbor Circle, said he visited some of the adjacent property and viewed the floating hatcheries. He stated this is a great opportunity but he does not think it is for Alligator Point. Mr. Blazer reported they have seen a lot of changes since Hurricane Michael and Commissioner Boldt has done a good job. He said the Board has paid more attention to them and they appreciate it. He stated this proposal caught them off guard and they need more information. Mr. Blazer explained from what he knows Mr. Parker has always had the best interest of Alligator Point but there is a proposed fire department going next to his building. He reported another issue is the curve of the road and the stop sign in this area. He said there will be an impact on traffic and their property values. Mr. Blazer stated Alligator Point has two commercial sites which are the marina and Mr. Parker's property. He asked the Board to allow them time to gather more information and be more informed.

Mr. Steve Fling, a resident of Alligator Point, said his home is within 300 ft. of this development. He stated when he bought his house 8-10 years ago there was a clam hatchery business next door and it was noisy and vibrated his house. He reported they must have positive control over what they are going to have and what they can expect. Mr. Fling asked the Board to table any decision on the zoning change until they know what the new zoning may do to them. He said they have mentioned the concerns of noise levels, lighting, traffic, odors and possible pollution in the harbor. He reported they need to know the full extent of the zoning change and they need control on what the future could bring. Mr. Fling stated the C-1 zoning allows too many

unknowns. He said his home is his biggest investment and this project will devalue his home. He asked the Board to move slowly and carefully and not cause harm to their homes and community. Mr. Fling reported there are neighbors that are concerned here from St. Teresa and Alligator Point and he asked them to stand. He stated there is no rush so they need to postpone it.

Mr. Tom Heinz, a resident of Peninsular Circle, said his concern is not this project but what the potential change in zoning could bring. He stated the height of the buildings could change which affects the views of a lot of people. Mr. Heinz reported RV parks do not bother him so if they want to do an RV park he does not have an objection. He said it is not this project but what could happen with the next owner. He explained they will not have meetings or be here to object with the next owner. He suggested the Board deny this request and find another way to do it such as an exception.

Ms. Victoria Schwatka, a property owner at 1305 Angus Morrison Road, stated her property directly views the back of Mr. Parker's property. She said she is opposed to the zoning change because it will change the residential nature of their community. She explained it will bring in commercial fishing operations and there will be increased noise pollution, light pollution and pollution from the smell of the operation if the electricity is working. Ms. Schwatka stated if they lose power which happens frequently on Alligator Point there will be noise from generators or increased problems with pollution. She reported their property values and tax revenues will be hurt by this project. Ms. Schwatka stated the area currently zoned C-3 is not located in a commercial area but in the middle of a long standing residential neighborhood and there is no reason to change the zoning when there is sufficient property on Highway 98 and Bald Point to accomplish this operation. She said Mr. Parker has stated publicly that he has an alternative business plan under the current zoning and she supports that operation. She requested the Board vote against the zoning change which would permanently destroy the residential nature of Alligator Point.

Ms. Lissa West, a resident of 4106 St. Teresa Avenue, said they get debris from across the bay and wanted to know what impact this will have on them. She stated there are concerns along St. Teresa about this project.

Mr. Vernon Sanders, a resident of 1308 Peninsular Circle, stated he is not concerned about what Mr. Parker will do but what the zoning will allow in the future. He said he agrees with other people that they should postpone this or get better control over the zoning.

Ms. Nancy Widener, a resident of 214 Harbor Circle, reported she is opposed to the rezoning and wants to keep it the way it is.

Ms. Margaret Howard-Trammell, a resident of 21 Harry Morrison Road, stated all the reasons have been given and she agrees with the opposition to this project.

Ms. Lyra Erath, a resident of 1301 Angus Morrison Road, reported when they purchased their home 9 years ago they had no knowledge that there would ever be a commercial property near their home. She stated they value the wildlife, birds and serenity where they live. She explained when they purchased their home it was with the understanding that this was a residential neighborhood and the fishery will be placed right in the middle of the point dividing major residential areas. Ms. Erath stated she strongly opposes this project.

Attorney Shuler said there are two people that have already spoken that want the Board to take additional public comment and he wants to think about that. He asked if there is any other public comment from anyone who has not spoken yet.

Mr. McCrudden reported he is the proposed hatchery owner and understands the citizens concerns. He stated they do not want to devalue their property or create any issues. He explained they are hoping to improve the quality of the bay with restoration by providing seed to oyster farmers when they cannot get the seed. Mr. McCrudden stated it is difficult to find a suitable area to do this. He reported he has a facility near Stewart, Florida and it has been there about 23 years. He said he has another facility in Cedar Key and is proposing this facility because of the site suitability. Mr. McCrudden stated the benefits will outweigh the negative impacts. He explained they do not need tall buildings and can soundproof items so there will be no noise, no lights and no smell. He reported by having the other facilities if a storm is coming he can move the product to another location so there will not be generators. He stated they are also looking at a facility in Naples. Mr. McCrudden stated he has worked with DEP and different universities and wants to work with FSU with their restoration efforts. He explained FSU is on the research side but there is no commercial angle to what they are doing so they would need a commercial hatchery. Mr. McCrudden reported he has been doing this with oysters longer than anyone in the state and also works with groups up the eastern coast with genetic work and restoration projects. He said they can address the different issues and work on improving the live animals in the bay. He explained by having a local facility they can genetically retrieve the animals that are surviving and work with FSU to figure out what is going on and commercially do the restoration. He discussed studies done on the benefits of oysters in relation to improving water quality. Mr. McCrudden said they hope to improve the bay to historical levels of animals out there in the habitats. He offered to answer any questions. He said someone asked where the water is coming from and they will pump it from the bay, filter it, use it in the facility and then re-discharge it back which is governed by Division of Aquaculture through the DACS. He pointed out the water leaving their facility is cleaner than when it came into their facility. He explained they are viewed as beneficial and not like a fish farm that adds food. He stated they are actually filtering and cleaning the water and putting it back in a better condition than when they got it. Commissioner Massey stated he has visited his facility in Cedar Key and it is very clean. Attorney Shuler said if any of the public has questions if they would address them to the Board and then one of these individuals will respond. Mr. Blazer stated they talk about restoring the bay but he was not aware they had a problem in their bay. He reported it is natural and untouched. Commissioner Massey stated the oyster bars are gone in Apalachicola Bay. Mr. Blazer said they are talking about their bay at Alligator

Point. Commissioner Massey explained they are growing oysters here in baskets. Commissioner Jones reported they would not just be selling the product to people operating at Alligator Harbor. He stated there is a move to restore the bay and FSU through Triumph has received money to pursue genetically some of the kind of species that will grow with a lack of freshwater that they are going to continue to have. Mr. Blazer stated he views this as two different subjects. He stated they need more clarification. Ms. West reported Mr. Parker said the reason this had to be changed to C-1 rather than C-2 is because there is already this type of operation in Apalachicola in C-1. She stated that is Apalachicola Bay not their bay. She said their bay is fine and questioned why they are taking a risk with discharge from these hatcheries back into their water. Mr. Lamey said this operation could impact the grasslands which are a habitat for blue heron and egrets. Ms. Maruszak asked if Mr. McCrudden was associated with Southern Cross Sea Farms in Cedar Key and referenced photographs she submitted with a letter she wrote to the Board. She suggested they look at an alternate plan and place the developed facility in Bald Point State Park. Ms. Rippee said if the county's intent is to make the oysters better around the area and save the area is there any county property along Highway 98 that can be considered for this operation instead of the residential area. Attorney Shuler answered no. Mr. McCrudden said he is not involved with Southern Cross Sea Farms. He stated the discharge is regulated by DACS and they have Best Management Practices to follow. He reported DACS inspects to make sure they are in compliance. Mr. McCrudden said Mr. Parker's property is the best location for this facility because of the water quality and where it is situated. He explained the native oysters have been dying off and it is happening around the state and they want to restore them. He reported having a facility here to acclimate the animals suited for this bay in the restoration would be an asset to the county. He explained they would produce the seed from the animals that are surviving. Mr. McCrudden stated the native species of the oyster here is virginica and they would never do a non-native species. He explained it is the genetics of the animals from these areas that are able to survive depending on the issue. He reported they want to restore the bay and improve the water quality. He said it is in his best interest for the water quality to be as good as possible. He reported the area at Alligator Point is very stable and it is difficult to find a suitable place. He stated no one wants this in their backyard but what they are doing is a good thing for the environment and the county. Mr. McCrudden said they are willing to work on items such as the aesthetics of the building, lights and noise so there should be no issues with these concerns. Chairman Lockley asked if the oysters grown in that area will be able to grow in another area. Mr. McCrudden answered yes, the area there is pretty suitable to the other areas in the state. He said they will probably not be able to have a low salinity animal at this facility. He reported oysters at this facility would mainly be focused on oystermen in this area. Mr. Parker stated they must still do a site plan approval which would give the neighbors more specifics about where everything is going. He explained this is another part of the process if the zoning change is approved. He stated he has checked Mr. McCrudden's other operations and he believes it is a less intensive use than what the property is zoned for now. He said he respects and understands his neighbors' concerns. Mr. Parker stated the property was commercial when he bought it and it had been an operating campground with cabins. He reported this property has been commercial since the 1970's as far as he knows. Attorney Shuler explained the Board has heard

the presentation from the party applicant, heard public comment and questions and now they are procedurally at a point to discuss it among themselves. He reported previously Commissioner Boldt consulted him about this matter and at the time he had a voting conflict of interest because of an ongoing contractual relationship (real estate listing agreement) with Mr. Parker's business. Attorney Shuler stated that contract is no longer in force and in effect so his opinion is Commissioner Boldt no longer has a conflict and must vote in this matter. Commissioner Boldt said there are so many complexities with this zoning proposal and he thinks they need to table this matter and do more homework. He stated maybe there is a way to customize the proposed C-1 zoning to meet many of the concerns residents have and look at the traffic and noise issue. Commissioner Boldt said this would allow time to study this project in detail. He reported the tabling should also be complimented with a site plan so they can visualize what is happening there. He explained that will give the quality expected today and will provide a better outcome. Commissioner Boldt recommended tabling for more study. Commissioner Jones asked when they are going through processes where they are changing from one zoning to another and there is opposition to the potential uses if the applicant agrees could they limit the use in C-1 and could that be placed on the deed for the property to prevent/restrict the uses if the property sells. Attorney Shuler stated there are limits and conditions the Board can place on rezoning matters but not limiting and preventing their use. He went on to say Mr. Parker would have to voluntarily agree to limit his C-1 uses. Attorney Shuler reported he could draft with Mr. Parker's voluntary agreement a deed restriction limiting the use of the property to just an oyster hatchery. He stated that will address a number of complaints but not all the complaints. Chairman Lockley asked how many people live in this area around Alligator Point. Mr. Fling said there are 800-900 homes. Mr. Feifer reported there are about 1200-1400 deeded lots within a 5 miles of this location and about 500 houses within that same zone. He stated they need to see the site plan and if they can do conditional zoning. He said he has the same concerns about the potential uses than this project. He stated if the site plan could be incorporated into a deed restriction that might stop some people's concerns. Commissioner Jones reported they are asking for potential developers to spend more money when they do not know if the zoning will be approved. Mr. Feifer responded in another jurisdiction that would be standard to provide a site plan for the County Commission to see before they vote on a zoning change but it is not common here. Chairman Lockley stated Mr. Parker said the property is commercial but is it commercial on the books. Attorney Shuler explained the RV park was originally developed in the 1960's or 1970's before they had zoning classifications and to his knowledge as long as they have had a zoning map this property has been zoned commercial and was always an RV park until the South Shoals development in the early 2000's. Mr. Mark Curenton, County Planner, stated it was an RV park when he came to Franklin County in 1988 and was zoned commercial to allow an RV park. He said up until it was changed and the RV park went out of business and South Shoals was proposed it was zoned for an RV park as C-3 Commercial. Attorney Shuler explained the parcel to the north has retained its C-3 Commercial zoning throughout and that is what they are referring to. Mr. Moron reported Mrs. Ham-Kelly said there was a site plan attached to the Planning & Zoning request that was tabled earlier and he displayed the site plan. He said he is not sure if this answers any questions or not. He explained he asked Mr. Parker first before he

brought up the site plan. Attorney Shuler commented it is a public record. Mr. Dan Garlick, Garlick Environmental Associates, agreed they tabled this matter until the rezoning. He explained Mr. Parker requested he come up with a conceptual site plan to determine how the buildings would fit on the site, make sure they met the Franklin County specifications for parking and for stormwater as it requires a permit from the Northwest Florida Water Management District (NFWFMD). He said this shows what they could do on the site. He reported they have met the parking and there is a road shown on one side but Mr. Parker has mentioned the road could be put on the other side where there is already a paved area. Mr. Garlick said this requires a C-1 zoning as they cannot do aquaculture projects in C-3. He reported C-1 allows some flexibility and relieves the 50 ft. setback from the wetlands line but they must still do a stormwater plan. Mr. Garlick said once the zoning is approved and the concept is approved then they still must go to the state for the NFWFMD permit. He noted the plan is to keep the buildings as far back landward from the water to stay out of the velocity zone as much as they can. He stated the building in the front will definitely have to be on piles and the one in the back may need to be up a couple of feet but they are not sure yet. Mr. Garlick noted where the wetlands line is and said there is an extensive marsh area out there. He said they wanted the Board to have this extra information. Mr. Garlick offered to answer any questions. Chairman Lockley said they must still go to Tallahassee. Mr. Garlick answered yes. He explained with the commercial site plan if the Board approves it this is what the applicant gets. He went on to say if someone comes back in the future and wants to do something different then they would have to get approval again. He reported if they go in the water they must have approval from DEP, NFWFMD and the Corps of Engineers (COE). Mr. Garlick stated this is an aquatic preserve and it used to be an area for prohibition but the water quality is getting better because of the septic tanks being replaced by aerobic units. Chairman Lockley said he believes in change and jobs. Commissioner Boldt reported they need a plan of care and direction on where they are going. He explained they need to look at the modifications before they modify the C-1 zoning. He stated there are about 15 different concerns that people have about this entire project and they should build it into a narrative about what this project looks like and how they go forward for approving it in the future. Commissioner Boldt explained they can table it and give the applicants some deadlines and then they can hear from them in a week or month or two. Chairman Lockley said he is not going to wait a month or two. He asked if they will do that on every proposal that comes before the Board. Commissioner Boldt responded no but because this is a complex proposal and a residential neighborhood it has different implications based on the people here today. Chairman Lockley stated that is why he asked how many people live in this area. He reported from the numbers provided more people stayed away than attended so they must be for the project. Commissioner Boldt disagreed and said the people that are here are from the concentrated area impacted. He explained this is the first of this kind of project on Alligator Point and it needs to be designed so they have a protocol to make it right for the concern of the people that are there. Commissioner Massey stated this is Commissioner Boldt's district and they can give him until the next meeting to get his information and then the full Board can be here and they can make a decision. He explained Mr. Parker has spent his money and wants to know what is going on but he respects Commissioner Boldt and this is his district.

Commissioner Boldt said they are losing time Thanksgiving week so he thinks they should consider this at the December 17th meeting. Mr. Parker agreed that is fine. Commissioner Jones said this date is fine with him. **Commissioner Jones made a motion to table this rezoning request until December 17, 2019 at 10:30 a.m. here.** Mr. Moron asked about the Planning & Zoning request related to this change. Attorney Shuler said they tabled that matter until after the decision is made on the zoning. Attorney Shuler explained they are tabling this to a specific date, time and place because it will not be advertised again in the newspaper. He reported this will be a continuation of the hearing on this matter. Ms. Rippee asked if their comments should be forwarded to Commissioner Boldt. Attorney Shuler stated they can be sent to anyone they would like, Commissioner Boldt and Mr. Moron so he can make sure everyone else receives the same comments Commissioner Boldt receives. Ms. Rippee asked if they will get anything to study before this meeting. She explained they just saw this proposal today. Attorney Shuler reported they will post this application and information on the county's website so they can access the site plan and the other information. Mr. Fling asked Mrs. Ham-Kelly how many emails she received opposing this development or asking that it must be tabled. Mrs. Ham-Kelly said she did not count but there were no letters of support. Attorney Shuler stated they will scan these letters and add them to the website so everyone will have access to them. Mr. Fling reported most of the people on Alligator Point were not aware of this until 10 days ago. He said with more time they will see more people concerned. Mrs. Ham-Kelly reported this was advertised in the newspaper for 2 weeks and posted on the property. She stated the adjacent property owners were also notified. Ms. Rippee asked what newspaper this was published in. Mrs. Ham-Kelly replied The Apalachicola Times. Commissioner Jones requested they vote on the motion. Chairman Lockley stated this is being tabled until December 17th at 10:30 a.m. Mr. Moron commented everything will be posted on the county's website. **Commissioner Massey seconded the motion. Motion carried; 4-0.**

Mr. Moron said he would like to recommend a change to the Agenda and allow the Clerk to present her 2 items and then break for lunch and come back for the 3rd public hearing because it may also be long. The Board agreed to this change.

Clerk of Courts – Marcia M. Johnson – Report

Clerk Johnson said Mrs. Griffith will present this report as it deals with her work. Mrs. Griffith provided the following report for the Board:

Action Item(s)

- 23. I have seven resolutions for adoption on unanticipated revenues as part of the end-of-the-fiscal year bookkeeping. These funds were not included in your original adopted budget because at the time they were unanticipated. All funds have been spent. Approval is needed to comply with Florida Statute 129 to incorporate these funds into your 18/19 budget. The 1st resolution is \$173,894 received from the Florida Tourism Industry Marketing Corporation for Visit Florida promotional activities. The 2nd resolution is \$20,557 received from the Florida Department of Health for payment of expenses relative to pesticide purchases for the prevention of the Zika Virus. The 3rd resolution is \$139,100 in insurance

proceeds received from the Florida League of Cities for the repairs made to equipment at the County Jail after a lightning strike. The 4th resolution is \$11,000 received from Duke Energy relative to providing storage for sea oats as part of the Sea Oat Restoration Project. The 5th resolution is \$46,195 received from State and Federal FEMA funds relative to the storm damage repairs made to the Indian Creek Boat Ramp. The 6th resolution is \$48,264 received from the Florida Department of Education by the Franklin County Sheriff's Department. These funds were used to pay expenditures relative to the School Guardian Program. The 7th resolution is \$52,432 received from the Big Bend Mental Health Program by the Franklin County Sheriff's Department. The funds were used to pay expenditures relative to that program at the Sheriff's Department.

Commissioner Jones left the meeting. **On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to adopt the Resolutions, as follows:**

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated revenues in the amount of \$173,894.00 from Florida Tourism Industry Marketing Corp for Visit Florida Grants, and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2018-2019, and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

130.33.552.4800 Promotional Activities \$173,894.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$173,894.00 in the TOURIST DEVELOPMENT FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 19th day of November 2019.

s/Noah Lockley
Noah Lockley, Chairman

ATTEST:

s/Marcia M. Johnson
Marcia M. Johnson

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated miscellaneous revenues in the amount of \$20,557.00 from the Florida Department of Health for the payment of expenses relative to the prevention of the Zika Virus and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2018-2019 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

142.42.562.5220 Mosquito Control – Pesticides \$ 20,557.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$20,557.00 in the MOSQUITO CONTROL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 19th day of NOVEMBER 2019.

s/Noah Lockley
Noah Lockley, Chairman

ATTEST:

s/Marcia M. Johnson
Marcia M. Johnson

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated property insurance damage reimbursements in the amount of \$139,100.00 from the Florida League of Cities for the payment of expenses relative to equipment repairs after a lightning strike at the County Jail and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2018-2019 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

120.81.523.6401 Jail – Machinery & Equipment \$139,100.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$139,100.00 in the FINE & FORFEITURE FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 19th day of NOVEMBER 2019.

s/Noah Lockley
Noah Lockley, Chairman

ATTEST:

s/Marcia M. Johnson
Marcia M. Johnson

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated miscellaneous revenues in the amount of \$11,000.00 from Duke Energy for the payment of expenses relative to providing storage for the Sea Oat Restoration Project and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2018-2019 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.45.525.6200 Emergency Management – Buildings \$ 11,000.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$11,000.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 19th day of NOVEMBER 2019.

s/Noah Lockley
Noah Lockley, Chairman

ATTEST:

s/Marcia M. Johnson
Marcia M. Johnson

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, Franklin County has received unanticipated State and Federal FEMA funds in the amount of \$46,195.00 from the Florida Division of Emergency Management for the payment of expenses relative to the repair of Indian Creek Park and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2018-2019 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

001.20.572.4604 County Commission – Rep. Indian Creek Park \$ 46,195.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$46,195.00 in the GENERAL FUND in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 19th day of NOVEMBER 2019.

s/Noah Lockley
Noah Lockley, Chairman

ATTEST:

s/Marcia M. Johnson
Marcia M. Johnson

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, the Franklin County Sheriff’s Department has received State grant funds from the Florida Department of Education in the amount of \$48,264.00 as reimbursement for the costs associated with the School Guardian Grant Program and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2018-2019 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

Sheriff’s Budget – School Guardian Program \$48,264.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$48,264.00 in the SHERIFF’S budget in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 19th day of NOVEMBER 2019.

s/Noah Lockley
Noah Lockley, Chairman

ATTEST:

s/Marcia M. Johnson
Marcia M. Johnson

**RESOLUTION
FRANKLIN COUNTY
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, Franklin County is a political subdivision of the State of Florida and subject to Florida Statutes Chapter 129 regarding preparation of budgets, and

WHEREAS, FS 129.06 provides for budget amendments for unanticipated revenues, and

WHEREAS, the Franklin County Sheriff’s Department has received miscellaneous grant revenue from Big Bend Mental Health in the amount of \$52,432.00 as reimbursement for the costs associated with the Big Bend Mental Health Program and

WHEREAS, said revenue is needed to pay certain expenditures incurred in Fiscal Year 2018-2019 and

WHEREAS, FS 129.06(2)(d) provides for budget amendments in relation to receipts and expenditures of the nature that is received, and

WHEREAS, this section requires the Board of County Commission to spread on its minutes the expenditures for the purpose of:

Sheriff’s Budget – Big Bend Mental Health Program \$52,432.00

NOW THEREFORE, BE IT RESOLVED, Franklin County Board of County Commissioners appropriates these unanticipated revenues in the amount of \$52,432.00 in the SHERIFF’S budget in order to comply with FS129(2)(d).

THIS RESOLUTION ADOPTED by the Franklin County Board of County Commissioners this 19th day of NOVEMBER 2019.

s/Noah Lockley
Noah Lockley, Chairman

ATTEST:

s/Marcia M. Johnson
Marcia M. Johnson

Commissioner Jones returned to the meeting.

- 24. For action: the Finance Department needs the following budget amendments and resolutions approved to amend the last year’s budget. The resolutions incorporate unanticipated revenues into your last year’s budget. These revenues were unanticipated and spent during the past fiscal year – the revenues were not included in the original budget because it was not known that the revenue would be received when the budget was originally adopted. Approval is needed to comply with Florida Statute 129. The budget amendments move budgeted values from one line item to another.

Line Item Budget Amendment Requests:

A. The budget amendment below is needed to adjust line items to cover the cost of a shared vehicle that was purchased jointly by the Mosquito Control Department and the Road Department:

DECREASE 142.42.562.5220 Mosquito Control – Pesticides \$17,333.00

INCREASE 142.42.562.6401 Mosquito Control – Machinery & Equip. \$17,333.00

B. The budget amendment below is needed to adjust line items to move budgeted funds for the Emergency Management CERT Grant to the appropriate expenditure line items.

DECREASE 001.45.525.3401 Emergency Mgmt. – Other Contract Svcs. \$20,000.00

INCREASE 001.45.525.5200 Emergency Mgmt. – CERT Operating \$1,205.00

INCREASE 001.45.525.6400 Emergency Mgmt. – Machinery & Equip. \$4,800.00

C. The budget amendment below is needed to move budgeted funds from general boat ramp repairs to the Indian Creek Park boat ramp repair line item for the local match on a FEMA project.

DECREASE 001.20.572.4600 County Commission – Boat Ramp Repair \$6,548.00

INCREASE 001.20.572.4601 County Commission – Indian Creek Park \$6,548.00

D. The budget amendment below is needed to adjust line items relative to the system shared by the Property Appraiser and Tax Collector.

DECREASE 001.20.511.4600 County Comm. – Repair & Maint. \$13,918.00

INCREASE 001.20.511.4601 County Comm. – Repair & Maint. Tax Sys. \$13,918.00

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the line item budget amendments. Commissioner Boldt said he likes Section A where they have a shared vehicle between two departments because that is efficient money spent within the county.

The meeting recessed at 12:05 p.m.

The meeting reconvened at 1:30 p.m.

Public Hearing

Chairman Lockley stated individuals will be allowed 3 minutes to speak and if they are representing a group they will have 5 minutes to speak. Attorney Shuler said Mrs. Ham-Kelly will present what the public hearing is about but in summary this is a public hearing on 2 proposed ordinances. He explained 1 is a proposed ordinance to change the land use on a parcel of land at the western intersection of Highway 98 and Highway 65 from a residential zoning category to a commercial zoning category. He stated the second proposed ordinance is to change the zoning from residential zoning to commercial zoning. Attorney Shuler said Mrs. Ham-Kelly will present the procedural history from the Planning & Zoning Commission and read the caption of the 2 ordinances into the record so the Board and the public are aware of what the ordinances are trying to accomplish. Mrs. Ham-Kelly read the following items:

- 22. Land Use:** Consideration of a request for a land use change of 7.68 Acre parcel from Single Family Residence and Single Family Home Industry to Commercial Business. Property lying in Section 22, Township 8 South, Range 6 West. Request submitted by James Ward, applicant. The county has received opposition.

Board Action: Motion to approve, table or deny

Re-Zoning: Consideration of a request for a rezoning from R-1 Single Family Residential and R-4 Single Family Home Industry to C-2 Commercial Business. Property lying in Section 22, Township 8 South, Range 6 West. Request submitted by James Ward, applicant. The county has received opposition.

Board Action: Motion to approve, table or deny

Mrs. Ham-Kelly read the Ordinance caption. She explained they must have 2 separate motions and approvals for land use and zoning. Mrs. Ham-Kelly read the caption for the Ordinance rezoning the property. She stated she has had 1 intent to impose and 1 letter of support for this project. Mrs. Ham-Kelly presented the maps of the area and described the location of the property. She stated approximately the first 200 ft. of the property is R-1 Single Family Residential and the remainder of the property is R-4 Single Family Home Industry. She explained there are areas to the east and northeast that are C-2 and properties to the west that are C-3. Attorney Shuler said there are a couple of procedural matters that need to be taken care of before the presentation of the testimony. He explained one deals with whether or not the witnesses should be sworn and the other is a stipulation so all of the documents from the party applicant, Mr. Ward and the party objector, Mr. Cortopassi, will be entered into the record. He reported Florida law does not require but does allow for testimony to be sworn in a quasi-judicial hearing which is the kind of hearing the Board is having today. Attorney Shuler reported the county's policy is not to require or allow sworn testimony and he has explained this to Mr. Sidney Bigham, Mr. Cortopassi's attorney, but he does want to make a record objection. Mr. Bigham explained they raised the objection because this decision has the potential to destroy the quality of life of Mr. Cortopassi. He stated they request the Commission allow him to present sworn testimony. Mr. Bigham said he knows of no legal authority under Florida law that prohibits a witness from providing sworn testimony. Attorney Shuler explained he just went through a similar matter regarding sworn testimony in a recent challenge with Mr. Walter Armistead's case and the circuit judge ruled the testimony is not required to be sworn. He reported Mr. Bigham's position is if it is not required then it can be allowed but in reality state law does not require you to take sworn testimony at quasi-judicial hearings. He stated they will note Mr. Bigham's objection but move forward with the testimony being unsworn. Attorney Shuler said if the Board wants to allow it in this case they can but it would be inconsistent with the other quasi-judicial hearings they have conducted in the past and he does not think it is necessary. Chairman Lockley asked if they need to vote on this matter. Attorney Shuler answered he does not think so but they have been requested by 1 of their constituents to allow sworn testimony when it is not required. Attorney Shuler said they are fine moving forward as they have in the past. He explained this is a quasi-judicial hearing and not a judicial proceeding and they are not required to conduct this hearing as if they were in a court of law. Attorney Shuler stated concerning evidence each party has documents they want to present into the record that support their position and he and Mr. Bigham have exchanged their documents prior to the hearing. He explained he has just received documents from Mr. Ward that he will present into the record and it is his understanding from Mr. Bigham that they have no objection to allowing all of the party's documents to be entered into the record by stipulation. Attorney Shuler stated he will wait

until Mr. Ward makes his presentation and then he will hand out his documents. He asked if the 2 email communications or written communications the Board has received is the 2 Mrs. Ham-Kelly mentioned on the record. Mrs. Ham-Kelly agreed that is correct and she has provided them to the Clerk. Attorney Shuler inquired about the document received in the mail. Mrs. Ham-Kelly said it was received from Ms. Cletis Faye Henderson. Attorney Shuler inquired if her letter was in support of the project. Mrs. Ham-Kelly responded it was an email in support of the project. Attorney Shuler said previously he provided this document to Mr. Cortopassi. Attorney Shuler reported the other email was from Mr. Bigham on behalf of Mr. Cortopassi objecting to the application moving forward. He stated these are the only communications they have received in support of or against this project. Attorney Shuler reported the next step is public comment for the 2 Ordinances. He explained public comment is limited to 3 minutes per person or 5 minutes for a person representing a group of people or an organization. Attorney Shuler asked for public comment.

Mr. Ted Ruffner, a resident of 246 Gramercy Planation, said he represents the owner's association. He stated most of the owners did not know about this proceeding. Mr. Ruffner said the only way he knows is a small notification in the newspaper. Mr. Ruffner stated they was a small sign on the property. He said the proceedings are not legitimate. He explained this is a dangerous intersection and this is the only road going north and south on this side of the county. Mr. Ruffner reported the school buses travel this area and earlier this year a student was killed at this corner. He stated they need to either install another stop light in the county or have extensive turn lanes or a combination of both. Mr. Ruffner said he has attended classes for years on property owners protecting the bay from pollution on bay front property. He explained they must be careful about landscaping and fertilizer. He said there is no way to keep gas, oil and fluids from leaking into the bay after storms if they are anticipating a gas station, RV park, or trailer park. Mr. Ruffner reported the oysters, fish and seagrass are dying. He stated never would they consider a bay front gas station in other areas of the county and he does not understand them considering a gas station in a rural area of Franklin County. Mr. Ruffner said he assumes there will be in-ground gas and diesel tanks with the potential for leaks. He questioned if there will be septic tanks and pump out stations. He discussed the potential noise and light pollution and the impact they will have on wildlife and people. Mr. Ruffner explained he and his wife noticed a Public Notice sign on this property and he got out of his car and went up to the post to read the sign. He reported the notice said they were clearing the land. Mr. Ruffner stated he drove home and about 30 minutes later a sheriff's deputy came to their house and they were charged with trespassing on a vacant lot in the middle of the day. He reported the person who filed the complaint said they were pulling up survey markers. He stated building a gas station or trailer park on this property would further lower residential prices on their property. He reported the property values in Gramercy Plantation have gone down dramatically in the past few years and one of the reasons is the consolidated school is next to their house. He stated the maps need to be updated to reflect this change. Mr. Ruffner asked the Board not to change this property to commercial because they can't afford their property values to go down any more.

Mrs. Lynn Martina, a resident of Eastpoint and President of the Eastpoint Civic Association, said they are in support of this change. She stated they are supporting any businesses that can come into Eastpoint. She agreed there used to be a lot of seafood houses but they have been put out of business because of the situation with the bay. She stated this will bring jobs and because the school is right up the road it is the perfect opportunity for kids leaving school to go to work. Mrs. Martina said the project would be an asset to Eastpoint and they welcome it.

Ms. Amy Price, a resident of Eastpoint, stated she is against this change. She reported she has just closed on residential property down the road from this property. She said she has spent money renovating and does not want to raise her family near a high impact commercial property. Ms. Price explained she is not against businesses coming into Eastpoint because it needs to be rejuvenated but it needs to be done carefully. She reported a high impact commercial operation in this location is not well thought out or beneficial for Eastpoint.

Ms. Roxanne Christie, a resident of Eastpoint, said she lives just off C.C.Land Road and is in favor of this and she agrees with Mrs. Martina that it will bring job opportunities. She stated the traffic already exists on Highway 98 and on Highway 65 and that is how people get in and out of Franklin County. Ms. Christie reported this will be a great asset to Eastpoint.

Attorney Shuler asked again for public comment. There was no more public comment. Attorney Shuler explained under the Agenda the first party to present is the county. He reported this is the same procedure that was used with the Serenity Seaside Development quasi-judicial hearing earlier this year. He stated each party has 20 minutes to present. He reported Mr. Bigham has let him know he may need some additional time.

Attorney Shuler said the county is calling their only witness Mr. Mark Curenton, County Planner. He reported he was going to go through the process of establishing Mr. Curenton's credentials and expertise but Mr. Bigham and Mr. Ward have agreed to stipulate that Mr. Curenton is an expert witness in the field of land use planner, the Franklin County Comprehensive Plan, the Franklin County Zoning Code and as the County Planner. Attorney Shuler asked Mr. Curenton if he analyzed Mr. Ward's application for a land use change and determined whether or not it is consistent with the Franklin County Comprehensive Plan. Mr. Curenton responded he has analyzed Mr. Ward's requested land use change and it is consistent with the Franklin County Comprehensive Plan. Attorney Shuler said the same question concerning the request to rezone the property from residential to commercial and in his analysis of the application did he make a determination if the rezoning is consistent with the Franklin County Comprehensive Plan. Mr. Curenton said it would be consistent with the Franklin County Comprehensive Plan. Attorney Shuler asked Mr. Curenton to take the Board through his process he used to determine if these requests for a land use change and rezoning were consistent with the Franklin County Comprehensive Plan. Mr. Curenton explained this site is located in the Eastpoint Urban Service Area which is a district the county established with its Comprehensive Plan where the county said this is a developed area with water and sewer and they want to try and direct development into the area. Mr. Curenton detailed the items he analyzed during this process. Attorney Shuler clarified Mr. Curenton took Mr. Ward's

application and analyzed it according to each one of the goals, objectives and policies under the Comprehensive Plan that were applicable to this particular proposed project. Mr. Curenton agreed that is correct. Attorney Shuler inquired if that is the accepted procedure in his field and industry of how he would analyze the appropriateness of an application for a land use change and a rezoning to determine consistency with the Franklin County Comprehensive Plan. Mr. Curenton replied yes. Attorney Shuler said he has no further questions for Mr. Curenton. He explained there is now an opportunity for cross examination of the county's witness. He reported the right of cross examination would fall to Mr. Ward as the applicant first and then to Mr. Bigham. Attorney Shuler said he has set 10 minutes for cross examination for each party. Attorney Shuler asked Mr. Ward if he had any questions for the county's witness Mr. Curenton. Mr. Ward responded no. Mr. Bigham asked which type of review was applicable to these two requests. Mr. Curenton answered a full review and staff review. Mr. Bigham said versus a Planning & Zoning review. Mr. Curenton explained since this is not an actual commercial site plan review those do not necessarily apply. He reported they always have Planning & Zoning review land use and zoning requests to give a broader opinion and recommendation to the County Commission. Mr. Bigham asked which provisions of the Comprehensive Plan apply to their review of these requests. Mr. Curenton responded all the provisions but some of the provisions are not applicable and he provided some examples. Mr. Bigham asked if Mr. Curenton did that for both of these two requests and analyzed all applicable provisions of the Comprehensive Plan and the Zoning Ordinance. Mr. Curenton answered yes. Mr. Bigham asked if it is his testimony that this is not a request for a new and different use of land. Mr. Curenton replied no, it is asking for a change in the land use. Mr. Bigham questioned if he considered this change in land use based on the site plan a unit of high impact. Mr. Curenton said he is not sure he would necessarily characterize it as a unit of high impact. Mr. Bigham asked if he has calculated the proposed amount of impervious surface to be added along St. George Sound for this project or calculated the habitable space proposed. Mr. Curenton responded no. Mr. Bigham inquired if Mr. Curenton has received or reviewed a legal survey prepared signed and sealed by a Florida Registered Land Surveyor indicating the legal description of the area or reviewed a final site plan. Mr. Curenton replied no. Mr. Bigham asked if he has reviewed a stormwater management plan, wastewater disposal permit, or has copies of state and federal permits. Mr. Curenton answered no. Mr. Bigham asked how many pages the application is. Mr. Curenton discussed it with Mrs. Ham-Kelly and said maybe 3-5 pages. Mr. Bigham inquired if this is considered under definitions an application for a development order. Mr. Curenton answered yes, it would probably be an application for a development order. Mr. Bigham asked if his testimony is that none of the items they went through are required in connection with this application. Mr. Curenton reported they are not required at this stage for a land use change and zoning change. Mr. Bigham questioned if he believes this land use change promotes and protects the health, safety and welfare for the citizens of Franklin County. Mr. Curenton responded it does not negatively impact health, safety and welfare. Mr. Bigham asked about the natural environment. Mr. Curenton stated based on the draft proposal it will change the natural environment. Mr. Bigham asked about water quality. Mr. Curenton said it will not have a negative impact on water quality. Mr. Bigham questioned what his basis he used on his impact on the level of service on the roads.

Mr. Curenton said he does not have a traffic study and it is based on the current level of service that is available from the DOT website and the expectation that to come up to a D level of service would need a quadrupling of the existing traffic and he does not expect it to increase that much. Mr. Bigham questioned how a stop light would affect it and if he has looked at any studies. Mr. Curenton stated he has not looked at any studies but a stop light would change the expected speed and allow more traffic before they get to a level of service D. Mr. Bigham inquired asked if stormwater contaminated with petroleum products and car wash detergents would adversely affect water quality. Mr. Curenton answered if they have water with petroleum products in it yes. Mr. Bigham asked if he has looked at stormwater studies about hardscape at a gas station or carwash. Mr. Curenton answered not recently. Mr. Bigham questioned if he has looked at the water table level and salinity. Mr. Curenton said no. Mr. Bigham inquired if they have looked at any information to determine the depth storage tanks would be installed or how many gallons would be stored in the tanks. Mr. Curenton replied no. Mr. Bigham questioned if Mr. Curenton has looked at the disclaimers provided on the National Wetland Inventory. Mr. Curenton answered yes. Mr. Bigham said he is familiar with the premise they need a site specific survey. Mr. Curenton answered yes. Mr. Bigham asked if there is a site specific survey here. Mr. Curenton reported he has not seen a site specific survey. Attorney Shuler said it is time for Mr. Ward to make his presentation. Mr. Ward introduced himself and said his wife Jessica is present with him. He thanked the Board for allowing him to speak about the request for their property at 1015 highway 98. He reported they are both happily working for other people but have dreamed of starting their own business. Mr. Ward stated they purchased this property to start a business here to benefit them and all of Eastpoint and the county and provide more jobs and more sales tax dollars for other county improvements. He explained they are asking to have their property at the corner north of Highway 98 and west of S.R. 65 and south of C.C. Land Road rezoned to C-2 commercial use. He reported this property is on the 2 main roads for business commerce in this county. He stated he applied for his application for rezoning and land use change with county staff and these changes passed county staff review and were unanimously recommended for approval by the Planning & Zoning Commission and came to this public hearing before the County Commission today. He explained the county staff made sure all items were submitted and completed for the land use and zoning change. Mr. Ward said the entire Planning & Zoning Commission determined it was part of its approval that the change is consistent with all requirements including the Comprehensive Plan. He reported he spoke with the newly formed Eastpoint Civic Association and everyone he contacted was in favor of the project. He stated another adjacent property owner emailed her support as reported by Mrs. Ham-Kelly. Mr. Ward explained many of their supports are hardworking people and business owners who could not be here today because they have jobs and obligations to their businesses. He said they have encouraged them to go forward with this zoning/land use change application. He explained they regret that 1 of the adjacent property owners to the west Mr. Cortopassi has objections today. Mr. Ward pointed out he is not here for site approval. He explained he had Mr. Thurman Roddenberry, Roddenberry Surveys, draw a vision so he could show transparency and be honest and show his vision for this property. Mr. Ward said his vision shows a couple of retail spaces along with the gas station. He stated this will

provide space for other business owners that want to start a business. Mr. Ward reported no matter what they do on this property they know they are local and have been here a long time and would not do anything to hurt the bay or Franklin County. He stated they have family here that still make their living on the bay. He reported changing from R-1 and R-4 to C-2 makes the zoning and use of this parcel consistent with the surrounding area. He said across the street on the other corner of Highway 98 and S.R. 65 is 13 acres of C-2 commercial property which is part of Gramercy Plantation. Mr. Ward explained just north of his property there is more C-2 and to the west along Highway 98 not a ¼ mile down the road is 16+ acres of C-3 which is more dense commercial. He reported since these areas are consistent with the Comprehensive Plan changing this property to C-2 makes it more consistent with the majority of the areas especially with the property on the other corner across from his property. He said this will help insure some business opportunities for local people that invest in the economy of Eastpoint and Franklin County. Mr. Ward referenced his handout and referenced the Economic Opportunity Zones and said his property is in the middle of the zone. He assured the Board what they do as a commercial business on this property will be in compliance with all the rules and regulations of Franklin County and the state. Mr. Ward explained they are not to the stage of some of the things Mr. Bigham mentioned. He stated he is here for a zoning and land use change. He said his property is surrounded by 3 roads with 2 being state highways. Mr. Ward reported this property is a prime area for a commercial economic venture. He stated they are not going against the Comprehensive Plan by asking for this change and are being consistent with the land use around them. Mr. Ward asked if anyone had any questions. Attorney Shuler stated Mr. Bigham has a right to ask questions under cross examination and they have a time limit of 10 minutes. Mr. Bigham inquired what kind of gas station he hopes to put in at this location. Mr. Ward said there are rumors of a Rocky's going around but there are two different locations and he is looking at the smaller version because of time and money. Mr. Bigham said Mr. Ward stated the change is consistent with the land use in his area but the land use immediately to the west is residential. Mr. Ward said it is same with the C-2 on the other corner on the Gramercy Plantation side. Mr. Bigham asked if a gas station right next to a residence is consistent. Mr. Ward stated they have that all through Eastpoint. Mr. Bigham questioned if he has looked at alternative sites that are already C-2 and not near the bay. Mr. Ward answered yes but they are too expensive. Mr. Bigham inquired about the storage tank capacity. Mr. Ward said he is only asking for a land use/zoning change. He explained they have not announced anything with the tanks because they are not to that point yet. Mr. Bigham questioned if they have taken any steps to make permit applications to any state and federal authorities. Mr. Ward replied no because steps cost money. Mr. Bigham inquired if he has any alternative visions for this site such as something that would have less environmental impacts and impacts on the neighbors. Mr. Ward reported if after all the studies and engineering it does not seem feasible he will look into other commercial ventures that are less of an impact. Mr. Bigham questioned if he moves forward with this project would he be willing to consider measures that would reduce the impact on his neighbors and the environment. Mr. Ward stated he has no problems working with his neighbors and the personal attack earlier was a farce and is for a later discussion. Mr. Bigham reported his client did not make that attack. Mr. Ward stated he knows he didn't and it was from a person he had problems with last year. Attorney Shuler reported the county has no

questions. He asked if Mr. Ward has anyone else that he wants to provide testimony. Mr. Ward replied no. Attorney Shuler said now is the time to Mr. Cortopassi and Mr. Bigham to make their presentation. Mr. Bigham reported his client, Mr. Cortopassi, is not against economic development and wants to be able to enjoy his property as he was entitled to rely on the existence of the land use plans and maps when he purchased his property. Mr. Bigham presented their exhibits for the Board and Mr. Ward. Mr. Bigham stated he made a request that Mr. Cortopassi be allowed to provide sworn testimony and asked if that will be allowed. Attorney Shuler said this issue was already addressed in the beginning. Mr. Bigham reported he missed the decision and asked if the answer was no. Attorney Shuler stated that is correct. Mr. Bigham asked Mr. Cortopassi where he lives and if he is familiar with the parcel. Mr. Cortopassi provided his address and said Mr. Ward's property is immediately to his left if he is looking at the bay. Mr. Bigham stated Mr. Cortopassi's property is surrounded by residential property. Mr. Cortopassi answered yes, they were in 2001 when he bought the property and still are today. Mr. Bigham asked if he relied on that zoning when he purchased the property. Mr. Cortopassi responded yes. Mr. Bigham referenced each exhibit and questioned Mr. Cortopassi about each item such as drainage, stormwater runoff, and the distance and view from his property to Mr. Ward's. Mr. Bigham asked how far away according to the site plan the dumpster pads will be from his living room. Mr. Cortopassi reported it is right next to his house. Mr. Bigham said the site plan does not have any vegetation buffering or a fence. Mr. Cortopassi stated there is no fence shown and no buffering. Mr. Bigham referenced the application for zoning change and asked for Mr. Cortopassi's concerns based on the draft of the site plan. Mr. Cortopassi stated the lights, noise, dumpster smell, runoff into the sound and impact to wildlife and sea turtles. Mr. Bigham directed Mr. Cortopassi to the Planning & Zoning minutes from the October 18, 2019 and asked if he received notice of this meeting. Mr. Cortopassi said he did not. Mr. Bigham referenced Page 20 and 21 and said there are some minutes where there are concerns from the Planning & Zoning members. Mr. Cortopassi agreed and said he agrees with the concerns about the car wash and spot zoning. Mr. Bigham inquired if a gas station or something similar would impact Mr. Cortopassi's property. Mr. Cortopassi reported his property values will plunge. Mr. Cortopassi provided information about his move to Franklin County. Mr. Bigham referenced his exhibits regarding the Comprehensive Plan, land use and zoning. He asked if Mr. Cortopassi objects to the C-2 rezoning for the reasons stated. Mr. Cortopassi answered yes. Mr. Bigham read excerpts from the required planning review process for development orders. He explained if this is properly considered a unit of high impact then a full review approval process would be required. Mr. Bigham reported the Board has before them a project that will virtually destroy Mr. Cortopassi's quality of life and raises serious concerns about the environment and the public safety, health and welfare. He said the Board has obligations to every citizens and they submit that this application is not sufficient and acceptable. Mr. Bigham urged the Board to deny the application. He explained Mr. Cortopassi would like to speak but he is not sure how much time they have remaining. Attorney Shuler suggested the Board allow them to finish their presentation. Mr. Cortopassi said the zoning laws are set out to protect the people in relation to land use and protecting the value and use of the property. He reported this application should be denied because it will have a negative impact on properties that are already built.

Mr. Cortopassi said he retired here because he thought the property would stay residential. He said this is negative and no one will be interested in his property if he decides to sell. Mr. Cortopassi reported there are already 5 gas stations and a car wash in the area so they are not bringing anything new to Eastpoint. He explained he does not think this is wise for the reasons he has provided and because it is risky for the environment. Mr. Bigham asked the Board to consider what affect their decision could have on Mr. Cortopassi's life and the reasonable expectations of the use of his property. He said Mr. Cortopassi has served this country and deserves to have his property considered in this decision. Attorney Shuler questioned if they have completed their presentation. Mr. Bigham replied yes. Mr. Cortopassi asked if there are any questions. Commissioner Jones stated it is duly noted that Mr. Cortopassi objects to the idea of the rezoning. He said in all the questions he was asked what his opinion is but does he claim to be an expert or have the ability to answer in favor or against the questions he was asked. Mr. Cortopassi stated when he was reading the regulations it was pretty clear what the standards are. Commissioner Jones said he understands they can read the regulations but he would like to know if he is in a procedural position to say he is an expert in all the questions he has answered. Mr. Cortopassi responded he is not a subject matter expert. Commissioner Massey reported until a few months ago Mr. Cortopassi could not see out across the property because it was wooded. Mr. Cortopassi agreed and said he loved that. Commissioner Massey stated Mr. Ward has not said anything about being open all night or about what kind of lighting or fence he will put up. Mr. Cortopassi stated he bought the property in 2002 as residential property and this property was purchased as residential property but if they want to start a business there is C-2 property down the road available. Commissioner Jones explained Mr. Ward is going through the legal requirements for this process. Chairman Lockley thanked Mr. Cortopassi for his service. He asked what Mr. Cortopassi would like on the property. Mr. Cortopassi responded 7 houses because that is what it is zoned for. Chairman Lockley said they have a Comprehensive Plan. Mr. Cortopassi stated the Comprehensive Plan shows it as residential. Commissioner Jones explained the Comprehensive Plan has already changed because they approved a land use change today at an earlier public hearing. He reported future land use maps are always being updated and were never intended to say that is all that will ever be allowed there. He stated the future land use map is a planning tool people can look to find things but does not hold the county responsible that's all that will ever be. Attorney Shuler said if there are no further questions then Mr. Ward has the opportunity of cross examination. Mr. Ward stated he does not have any questions but has a statement. Attorney Shuler reported he will be allowed rebuttal at the end of the hearing. Attorney Shuler explained each side is allowed 5 minutes to make a statement that responds or rebuts something that they have heard from the other side. He asked Mr. Ward to present his rebuttal at this time. Mr. Ward said he understands Mr. Cortopassi's frustrations and regrets that he has opposition to this change. He thanked Mr. Cortopassi for his service. He said there is C-2 property across the street from him and eventually someone is going to propose the same thing because these are two of the busiest intersections in the county for business and commerce. He stated there is already a lot of unfiltered drainage off of Highway 98 and Highway 65 now. Mr. Ward explained they keep referencing the site plan but that site plan is not set. He reported it was just a drawing to show his intentions for the land use change. He stated all he is

asking for today is the land use and zoning change and that is the first step. Mr. Ward said all the studies will be done that are required by the county and state. He reported there will be stormwater drainage on the property and retention ponds and they will all be drawn in on a final plan that must be submitted to the county staff and the Planning & Zoning Commission before this Board will see it again. Mr. Ward explained there are many items he does not know yet because they are not at that point in the process. He stated they can work with Mr. Cortopassi on the location of the dumpster pads. He reported the traffic has always been there and the school buses travel every road in the county. Mr. Ward stated he is asking for a C-2 zoning change next to another C-2 property. He pointed out that C-2 parcel is located right next to residential in Gramercy Plantation and is part of that development. Mr. Ward said another person spoke and mentioned RV parks and dumping and he has never mentioned RV parks. He explained they are showing consistency in the Comprehensive Plan, county staff approved this change and the Planning & Zoning Commission unanimously approved the change. He said Mr. Curenton stated his zoning and land use application is in compliance. Mr. Bigham pointed out there is a big difference in having C-2 commercial property across the street and next to your residence. He disagreed with the assessment that the requirements of the Comprehensive Plan and Zoning Ordinance have been met and believe a court would agree with them. He reported Mr. Cortopassi has no objection to the residential R-4 zoning but does object to C-2 commercial zoning going in next to him. He explained it is reasonable for Mr. Cortopassi to rely on the county's maps and his right to rely on it should be respected. He stated if a better less intense commercial use was going to be there they may not have been here today but they object to a major gas station. Mr. Bigham asked the Board to carefully consider this matter because they are talking about Mr. Cortopassi's life and retirement. He requested the Board deny the application and if they do not then they request at the least that the applicant comply with the requirements of a change in zoning as set forth in their Zoning Ordinance. Attorney Shuler said it has been suggested by Mr. Cortopassi that Mr. Ward's application for land use and rezoning from residential to commercial is incomplete and fails to include the information required by the Franklin County Comprehensive Plan and Zoning Code. He stated Mr. Curenton previously testified that the application is complete and asked if after hearing the testimony and evidence submitted by Mr. Cortopassi he maintains his opinion that it is complete to be considered today or has he changed his findings. Mr. Curenton stated he has not changed his opinion and still believes the application for the land use and zoning change was complete. He explained many of the items Mr. Cortopassi and Mr. Bigham are speaking about are items that would be addressed when they have a commercial site plan approval. He stated Mr. Ward presented a draft site plan only because they asked him to tell the Planning & Zoning Commission what he is doing on this site. Mr. Curenton stated Mr. Ward complied and provided a draft site plan. He said they are not approving the site plan as it has a long way to go before it gets approved. Mr. Curenton stated Mr. Ward presented his application for a land use and zoning change and it was complete and they have enough information to make a decision today. Attorney Shuler inquired if Mr. Curenton reviewed the exhibits provided by Mr. Cortopassi. Mr. Curenton answered yes. Attorney Shuler asked if they were reviewed prior to today's hearing. Mr. Curenton replied yes. Attorney Shuler said after hearing the testimony of Mr. Cortopassi does Mr. Curenton remain of the opinion that the

application for a land use and zoning change from residential to commercial is or is not consistent with the Franklin County Comprehensive Plan and the Zoning Code. Mr. Curenton responded his opinion is the application is consistent with the Comprehensive Plan and the Zoning Code. Attorney Shuler said the Board is in a position procedurally in the proceeding to discuss this request for a land use and zoning change and table, deny or approve the request. He advised if they decide to approve or deny the sequence will be to approve or deny the land use first and then act to approve or deny the zoning ordinance. Commissioner Boldt asked if the Board makes a decision today can it be contingent upon a certain time frame that require goals be met and site plans be developed. He explained whatever is intended for this property will be shown in a timely manner or their decision expires. Attorney Shuler stated that is not recommended but they do have in their code of ordinances the authority to impose some conditions and restrictions on an approval. He explained he does not recommend putting an artificial deadline on some completion of the procedure because there are so many factors at the state level that are outside of anyone’s control. Commissioner Boldt stated they have heard information about contaminants and questioned if this Board can offer suggestions of things they want to see the land use or site plan include such as a berm and ways of containing pollutants. Attorney Shuler suggested they wait until a site plan is submitted and it will go through the normal review process by staff and then be submitted to the Planning & Zoning Commission. He went on to say that site plan will appear before this Board for a decision and they could place some reasonable conditions upon the approval process. He explained they would not be able to take any action locally on state requirements. Chairman Lockley said it is the same amount of traffic they have all the time. He reported in relation to pollution this one will not be any more because there are 2 gas stations already in Eastpoint. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve the land use change. On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve the rezoning of the property.**

The meeting recessed at 3:23 p.m.

The meeting reconvened at 3:36 p.m.

County Coordinator – Michael Morón – Report

Mr. Moron said he will present his action items and the Board can call him if they have any questions about his information items. He read his report, as follows:

Action Item(s)

- 35. Living Shoreline/Franklin-98: I received a request from Mr. Josh Adams of ARPC for a letter of support for the Living Shoreline project, now known as Franklin-98, for the next phase of the project. The deadline for the letter of support was Monday, November 11th. Since the Board has stated its support for this project and has participated in the first inter-agency and public meetings, I created the letter and got the Chairman’s signature.

Staff Recommendation: Board action to ratify the Chairman’s signature on the letter of support for the next phase of the Franklin-98 Living Shoreline project.

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to ratify the Chairman’s signature on the letter of support for the next phase of the Franklin-98 Living Shoreline Project.

36. CR 67 Sidewalk Project: At you last meeting the Board authorized staff to start negotiations with Dewberry Engineers, the number one ranked firm, for Construction Engineering and Inspections (CEI) services for County Road 67 (Tallahassee Street) FDOT LAP funded sidewalk project. Staff has received the signed contract and Notice to Proceed from FDOT; therefore, the next step would be to advertise for a contractor to build the sidewalk.

Staff Recommendation: Board action to authorize staff to advertise for a contractor to build the sidewalk.

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize staff to advertise for a contractor to build the sidewalk.

37. SHIP HHRP Funds: The application submission period for the Hurricane Housing Recovery Program has ended. Mrs. Lori Switzer your SHIP administrator reported that she received 7 home repair applications and 35 replacement/repair mobile home applications. The 7 home repair applications are below the percentage, based on \$50,000 maximum per house, stated on the delivery goals chart that we submitted to the state for approval. Mrs. Switzer has contacted the state and received a waiver to spend the remaining program funds, after repairing the 7 homes on the list, on mobile homes. She also requested additional funds since there were so many mobile home applications but was told that the county would not receive any additional HHRP funds. Mrs. Switzer is asking if there should be a hazard insurance requirement for homeowners that receive replacement mobile homes. The Board ultimately didn’t include this requirement for those receiving homes as part of the Eastpoint Fire victims CDBG grant.

Staff Recommendation: Board discussion and direction, by motion, on hazard insurance requirement for HHRP replacement mobile homes

Commissioner Jones asked if all of these are being done under the HHRP. Mr. Moron answered yes, and not part of the regular SHIP Program. Commissioner Massey asked if he has finished the contract for Ms. Switzer. Attorney Shuler stated he received some information from the Clerk’s Office and should have the contract done by the end of the week. Commissioner Massey stated one of the applicants has been on the list for 6 years and they need to get the letter so this can get started. Attorney Shuler explained it is not just the contract but also some bid requirements too. Chairman Lockley stated the county cannot require insurance because people cannot afford it. Mr. Moron agreed and said the Board did the same thing for the CDBG program. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by**

unanimous vote of the Board present, it was agreed not to require hazard insurance for the HHRP replacement mobile homes.

Information Item(s)

- 37. FDOT 5-year Work-plan: At your October 15th meeting I stated that FDOT published their tentative 2021-2025 work plan that included Franklin County projects. Since the work plan’s public hearing, there have been changes that affect Franklin County projects. I have informed AVCON, the Airport Engineer firm, and Mr. Puckett your Airport Manager. I have attached a copy of the FDOT notice to my report.
- 38. Jail & Medical Report: The Sheriff has submitted the 2019 Jail and Medical report. I have attached the Summary Page that indicates it was a good inspection. Let me know if you would prefer an electronic or paper copy of the entire report for your review, I will submit the original copy of the report to the Clerk.
- 39. Armory Website: On June 18th the Board, based on my request, authorized the County’s website vendor to create a website that would promote the Fort Coombs Armory as a wedding, event, and convention center destination for the county, that would be paid by the Tourist Development Council. At that time, it was my anticipation that the installation of the sprinkler system would have been halfway if not totally completed. Since the county is still in the process of securing funds for this project, I have put this project on hold. As soon as funding is secured, and the installation has started, I will revisit this project.
- 40. Bay City Workcamp: Inform the Board that the Sheriff may be using the value of the Bay City Workcamp for matching funds as part of two legislative appropriations applications that were sent to the house and the senate last week. I forwarded the Sheriff’s request for a valuation to Attorney Shuler for an amount; however, the county doesn’t have a valuation amount of the property and buildings that are being transferred to the Sheriff.

Mr. Moron said he was anxious about the new Agenda software but the Board seemed to handle it fine.

Commissioner Jones made a motion to have the next Commission meeting in Carrabelle. Mr. Moron said he will have to work out the logistics and there is a public hearing on December 3, 2019. Mr. Moron suggested they set a schedule by the end of December for when they will hold meetings in Carrabelle in the next year. **Commissioner Jones rescinded his motion.**

County Attorney – Michael Shuler – Report

Attorney Shuler said he did not file a report.

Attorney Shuler stated a public records review was conducted of Miller Street and the record confirmed when the Board accepted roads in Lighthouse Ridge Estates or Lighthouse Point they agreed to take over and maintain the existing roads. He said they cannot take over and maintain a non-existent road which is what they are asking for with Miller Street. He explained

there is a section that has never been built so therefore it can never be maintained. Attorney Shuler reported his recommendation is that the portion of Miller Street that has never been opened was not adopted by the County Commission and they cannot put public equipment on private property. Attorney Shuler said there are other things going on with that lot such as wetland issues. Commissioner Massey stated he was wanting to come from the other direction. Attorney Shuler agreed to review the site with Commissioner Massey. He advised the Board there are many other requests of this time and the last time they looked at this issue they stopped counting at \$8 million.

Attorney Shuler stated the Board directed him to draft a policy regulating the Executive Director of the Library but the policy will apply to all department heads. He reported he does not expect the Board to adopt the policy today. He read the policy for the Board. He explained he thinks this addresses the issue as the offer was extended and accepted and never brought back to the Board for ratification and that is what this policy is intended to address.

Commissioners' Comments

Commissioner Jones said he is going to Panama City tonight to join Mr. John Solomon, TDC Director, because the TDC is going to win an award today but they are not sure which place yet. He explained they did not get to have the awards before because hurricane issues stopped the meeting. Commissioner Jones reported TDC is continuing to work hard on their behalf.

The Board wished everyone a Happy Thanksgiving.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 3:49 p.m.

Noah Lockley - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts

FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX-COMMISSION MEETING ROOM
DECEMBER 3, 2019
9:00 AM
MINUTES

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

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

Call to Order

Chairman Lockley called the meeting to Order.

Prayer and Pledge

There was a prayer followed by the Pledge of Allegiance.

Approval of Minutes

- 1. Minutes-October 15, 2019 (Healthcare Workshop)
- 2. Minutes-October 29, 2019 (Healthcare Workshop)
- 3. Minutes-November 5, 2019

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

Payment of County Bills

- 4. Bill List for Payment

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

Public Comments

Mrs. Anne Birchwell, a resident of Eastpoint, provided her history with library work and her work as one of the previous Library Directors. She provided the degrees she obtained while working for the library ending with her Master’s Degree in Library Science. Mrs. Birchwell

explained there was no compensation or assistance from Franklin County for her education and she amassed \$140,000 in student loans. She reported when she became Library Director her salary was \$35,000 a year and this salary is the lowest salary for a Library Director in the state. She said she is glad to hear the Board has raised the salary for this position. She referenced the minutes from the October 1, 2019 meeting where the Board was discussing with the labor attorney suspending volunteers from the Carrabelle Branch and addressed her experience as Library Director. She encouraged the Board not to interfere with the work of the new Library Director.

Ms. Barbara McInturff, a resident of Apalachicola, reported she called to reserve a meeting room at the Eastpoint Library and was told all the meeting rooms are already scheduled because of voting. She explained they did not ask her for the date and time and she would like the Board to look into this matter.

Ms. McInturff said the city and county put up Christmas decorations but should check the lights because some of the bulbs are out and have been out. She questioned if there is a group that looks at the lights before they are put up to see if the bulbs can be replaced.

Mr. Lloyd Childree, Governmental Affairs Director with Waste-Pro, stated most of them deal with Mr. Greg James when there is a local situation. He said with Christmas coming up he will leave his business card in case they need something expedited. Chairman Lockley asked him to leave his contact information with Mr. Moron and he will forward it to the Commissioners.

Department Directors Report

Superintendent of Public Works – Howard Nabors

5. Report

Mr. Nabors said he does not have a report. Commissioner Boldt stated he appreciates the work being done in his district.

Solid Waste Director – Fonda Davis

Mr. Moron said Mr. Davis had a family medical issue and is out today but did not have a report for the Board.

Emergency Management Director – Pam Brownell

Mrs. Brownell read the following item for the Board’s consideration:

Action Items

- 6. I would like to discuss the options regarding cost of Repairs vs Cost of Mitigation and Repair. County is responsible for 12.5% of total cost. 12.5% of

Repair (\$419,653.50) cost \$52,456.69 vs 12.5% of Mitigation (\$1,381,067.00) cost \$172,633.37.

Board direction on C30 West Repair vs Mitigation FEMA project.

Mrs. Brownell reported she talked with Mrs. Griffith and the funds are available. Mrs. Griffith explained there is \$1.66 million in the current budget year available in the Road Paving Fund for future paving projects. She stated the Board will have to decide if they want to go into mitigation. She explained they can bear the cost of the repair but the mitigation was the higher amount. Mr. Pierce said the county needs to do the mitigation because this is a high bluff and the area will wash out again if there is another storm. He explained if the county has a small storm and there is no federal money and this area washes out then the county must pay for all the repairs. Mr. Pierce stated now is the time to fix the road properly even if it costs 12.5%. He reported the county has \$750,000 from the Department of Economic Opportunity (DEO) and Alligator Point will not use the entire amount unless something goes wrong with the project. He said once they sign the contract for the work at Alligator Point they will know how much is left over for this project. Mr. Pierce reported the second funding source is Commissioner Parrish's share of the gas tax money for his district. He explained they did the same thing with Commissioner Boldt using some of his money to put the surface down at Alligator Point. He explained Florida may meet the threshold and qualify for a 90-10 match for the disaster and then the county's share would only be 5%. He said this may take a long time so they could use the Road Paving Money and the extra DEO money once the Alligator Point project is resolved. Commissioner Boldt asked if the Commissioners mix their money and offer money to other districts. Mr. Pierce said road paving is expensive so they allocate an equal amount of money to each district and generally they do not share the money. Mrs. Griffith stated right now there is about \$332,000 per district. Commissioner Boldt said this project would reduce the whole pot of money. Mr. Pierce explained the money is traditionally spent by district. Commissioner Parrish said they need to do mitigation on this project and the main reason is to prevent further erosion. He agreed if there is a tropical storm and this area is washed out the cost will be borne strictly by the county. Commissioner Parrish said right now they have FEMA help to get this road fixed. Commissioner Parrish explained he met with Mr. Pierce and Mrs. Brownell and he is fine with paying this out of his road paving funds but it will severely deplete the road paving fund for District 4. He suggested half of the money for the match should come out of the DEO money and the other half out of his district's road paving share. He stated if they are short on the Alligator Point Project then the shortage can come out of Commissioner Boldt's share of the road paving funds. Commissioner Parrish reported it will still take \$90,000 out of his road paving money and \$90,000 out of the DEO money which will still allow \$660,000 to go towards Alligator Point Road. Mr. Pierce explained the contract is \$4.7 million and that would cover the match. Commissioner Parrish reported both of these roads are county roads and both were severely damaged by the storm. Commissioner Parrish explained he is concerned because if someone runs off the C.R. 30 road in that area they will fall 20 feet. He stated it will still be a while before it is done but he wants to move forward. He said they will know about the money when they get the bids. **On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to move forward with this project and go out for bids.**

Mrs. Brownell reported they received the official letter from the state approving the County’s Comprehensive Emergency Management Plan (CEMP). **On motion by Commissioner Jones, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to adopt the CEMP.**

Mrs. Brownell stated she will be in Tallahassee Wednesday-Friday for current issues for emergency management. She reported she will be talking with mitigation about pushing their budget forward especially these projects so they know how soon FEMA can obligate the money to move these projects forward.

7. Report-Information Items

Mr. Pierce read the following items from his report:

16.

- b. Provide the Board with an amendment I sent to FDEM regarding the loss of revenue at Weems Hospital because of Hurricane Michael. At the last Board meeting, I provided the Board with a loss of revenue statement from Mr. David Walker which I sent on to the state. On Monday, November 25, Mr. Walker provided me with an evaluation of additional revenue losses at Weems and that same day I sent the revised loss figures to FDEM. The total revised loss for Weems is some \$1.1M.

FDEM staff informed when I sent it up that it might be too late for consideration, but they said they would try. The FDEM allocation of funds is \$25M and by my calculation there is more than \$25M loss of revenue in the counties impacted by Hurricane Michael. I asked FDEM staff how the funds were going to allocated and she said that decision has not been made yet.

Mr. Pierce stated Mrs. Brownell may hear about this request while she is in Tallahassee.

- c. Alligator Drive Update- Additional information to be provided on Monday, Dec. 2.

Rep. Shoaf had tried to schedule a meeting for Dec. 2 with FDOT, the Federal Highway Safety Administration staff, and FEMA representatives to discuss Alligator Point but some of the people requested by Rep. Shoaf could not make that date, so Rep. Shoaf is re-scheduling it.

I have been in consultation with Clay Kennedy, Dewberry Engineers, and Joe Morrow, MRD Associates, regarding the timeline for rebuilding Alligator Drive. The Governor has extended the Emergency Final Order for work associated with Hurricane Michael so the county is going to inform FDEP that we expect re-construction to start on Alligator Drive by March 1, 2020. We are still holding the contractor to a 150 day construction time.

Mr. Pierce said this morning FEMA asked for a copy of the contract and he talked with Mr. Kennedy and they are waiting to see what FEMA wants. He stated they claim they are moving on the project.

d. HMGP fund update- Hazard Mitigation Grant Program funds have been announced by the state. Pam Brownell might have already provided the Board with the number, but Franklin County is eligible to receive some \$5.9M in HMGP funds for qualified projects. Pam will be working on some possible projects but the Board needs to be aware that there is a 25% match for any HMGP project, so there is a local cost to any project the county submits. The School Board and the cities are entitled to ask for some of this money, and if they do they will have to provide the local match.

Because of the high priority of Alligator Point, FCMC has already submitted a grant to purchase some 21 parcels on Alligator Point, and for that first project the state will provide the match so the first phase of acquisition on Alligator Point will not have a cost the county has to cover. At this time offers have not be made to any property owner on the Point so we still do not know whether anyone will accept the valuations FEMA is using.

Mr. Pierce said it works out to about \$200,000 a parcel and he does not think anyone will sell for this amount if that is the average value. He reported some may be old homes and they are interested in selling but some homes are going to be worth more than \$200,000.

While FCMC has written the grant request to purchase the property, FCMC will not be managing the acquisition phase. At this time Pam and I, and her consultant, have discussed her consultant handling the acquisition phase. We had a conference call last week with FCMC, and FCMC is providing Pam's consultant with all the files on the 21 parcels. The HMGP program includes an administrative fee that Pam's consultant would be able to charge for the effort of handling the acquisitions. Pam and her consultant will provide more information on that if it looks like any property owner will actually take the FEMA valuation.

Mr. Pierce stated once the grant application is approved and they get the numbers then they will see if anyone accepts and moves forward. Chairman Lockley asked if they look at appraisals. Mr. Pierce commented FEMA has done internal appraisals based on their factors and that is the number they will offer. He explained there is some variation but they are not coming up with extra money. He stated there are some negotiations but there will not be a big change. Chairman Lockley reported someone appraised them wrong. Mr. Pierce explained some of these may be vacant lots with very low values. He said there is considerable variation in the values. Chairman Lockley asked if the county can help with this. Mr. Pierce stated the county does not have any funding source available for this. He reported they will have to wait and see what the valuations come in as. Chairman Lockley asked how many lots there are. Mr. Pierce answered 21 in this application. Mr. Pierce stated there are approximately 300 houses west of the campground and if they do not solve the road problem these people are not going to be happy and want to leave. Chairman Lockley inquired what they are going to do to solve the road problem. Mr. Pierce reported a Municipal Service Benefit Unit (MSBU) needs to be applied out there to provide a funding source so the road can be maintained. He said there are other alternatives and they are looking at them. He reported there may be other ways to stop

the erosion. Mr. Pierce stated beach renourishment with an MSBU is a known way of doing this but it may not be the only way. Chairman Lockley explained they must do something because it will happen again. Mr. Pierce agreed and said it could happen at the ends that were already fixed because those areas are vulnerable. Chairman Lockley said they must start somewhere. Mr. Pierce agreed and stated they need the FEMA money to put the road in. He reported if the county does not get FEMA money to put in the road then they are going to have to discuss alternatives. Chairman Lockley said the road is no good without protection. Commissioner Parrish stated as it relates to hazard mitigation grant funds any project that Mrs. Brownell submits will require a 25% match. He explained they need to come back to the Board before any project is submitted so they can determine where the match is coming from. He stated if they do not have the 25% match then they cannot do the project. Commissioner Parrish reported the school board and cities can apply for these funds but must provide their own local match. He stated some of these projects are within the cities. He said he wants to make sure this comes back to the Board so they know where the 25% match is coming from before they apply for a particular project. Mr. Pierce explained there are ways to mitigate the local match on small projects. He explained he knows the school board is looking at an access road project but the problem is you cannot put in the kind of road you want but must put in the kind of road the federal money requires you to put in. He stated sometimes it becomes a very expensive project. Commissioner Parrish asked if the school board has applied. Mr. Pierce commented it is a discussion that needs to be finished so they know if it will be a mitigation project or not. Chairman Lockley stated they need to put the project in right or the road will wash out. Commissioner Boldt reported it seems to be a conflict because FEMA said to build the road back where it was at Alligator Point and now they are talking about buying 21 parcels landward of the existing road. Mr. Pierce replied no, because when the county proposed buying the lots to try and move the road then FEMA said there was a clause and they could not use the money. He said if they can ever acquire all the property he thinks they can overcome the intermediate level and relocate the road but until they own all the lots they cannot do it. Commissioner Boldt stated they will have the road rebuilt at \$4.7 million and in the future they potentially tear up the road and go backwards. Mr. Pierce expressed his opinion that they will not tear up the road but a hurricane will push it back. He explained if they are realistic the road is at risk for another Hurricane Michael. Mr. Pierce said the way to solve this problem is to put something out there to minimize the wave action on the structure. He explained the problem is the lots are only 100' deep so the most they could move the road is 100'. Chairman Lockley stated if they want to live there they are going to have to help pay for it. Mr. Pierce reported the road at Alligator Point is an extraordinary cost that the county Road Department budget is not prepared to handle. He reported the county spent \$35,000 on repairs after Tropical Storm Nestor and that came out of the Road Department budget. Commissioner Boldt stated in relation to the meeting they are having with Representative Jason Shoaf and DOT one option is to ask DOT to consider taking back the road and what their criteria is to consider it. He said maybe they could offer to exchange a road and take one of their state roads in the area. Chairman Lockley stated the county does not want to take anything the state has. Mr. Pierce pointed out there are very few state highways in the county. Commissioner Jones asked if it is possible to ask the state to consider giving the county a permit to have someone go offshore

and dredge a channel so the water has somewhere to break before it gets to the road. Mr. Pierce explained they had a beach renourishment project planned with a sand source off Alligator Point and they got a lot of grief from the recreational fishing industry because there were tarpon out there and they did not want them messing with the sand shoal. Commissioner Jones stated having a road for their residents should outweigh tarpon fishing.

Extension Office Director – Erik Lovestrاند

Mr. Lovestrاند said he does not have any additional items. He offered to answer any questions about his report. Chairman Lockley asked if they have moved in. Mr. Lovestrاند reported they are waiting for the final items to be taken care of by the contractor. He said they are planning to move in December and open to the public after the first of the year. Mr. Moron stated there is a letter from the state asking to extend the funds and he asked Mr. Lovestrاند to check on this matter. Mr. Lovestrاند said he thinks the contracted funds go through the end of December but the contractor should be finished by then. Chairman Lockley asked Mr. Lovestrاند to check on this. Mr. Lovestrاند agreed he will check into it.

Information Items

8. Report

County Extension Activities November 20 – December 3, 2019

General Extension Activities:

- Extension office assisted clientele with issues related to native plants, tree health, and local gardening.
- Work underway on annual report of accomplishments/plan of work, as required by UF/IFAS each year.
- Extension Office renovation project “walk-through” completed and contractor working on 15-day “punch list” items prior to beginning move-in.

Sea Grant Extension:

- Extension Director presented to a review panel in Gainesville regarding the sea turtle/beach lighting work done over the past 4 years. This was part of the Florida Sea Grant 5-year review process.

4-H Youth Development:

- 4-H Tropicana speech competition completed at the classroom and school levels. Our County competition will be held in February.
- Franklin County youth won many blue ribbons for their photography exhibits entered in the North Florida Fair competition.

Family Consumer Sciences:

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

Agriculture/Horticulture:

- Several new Master Gardener students finishing up course being taught by Wakulla CED in Franklin County.

SunTrail Program -- Debra Preble & John Curtis -- Request (15 minutes)

Action Items

Ms. Debbie Preble, Kimley-Horne, said she is here to talk about the Franklin County segment of the Capital City to Sea Loop Trail. She explained DOT has a grant program open and they are working with FSU and the St. Joe Company who are supportive of this segment of the trail being constructed because they both have property along the trail footage. Ms. Preble explained the county would need to be the applicant and they have met with staff and are working on the grant application. She reported the paved trail is expected to connect the sidewalks within the City of Carrabelle near Kendrick Park and go along Highway 98 over the Ochlocknee Bridge. She stated the trail will connect to a trail system on the other side of the Ochlocknee Bridge that is not built yet but is under design/construction and should be built before this section is. Ms. Preble said the grant cycle is open and applications are due December 20th. She explained they are working to get letters of support and they are asking for a Resolution in support of the grant application and an acknowledgment that the county will be responsible for the minor maintenance. She reported she has done some research on the maintenance and liability issues with respect to the county and the county would be responsible for minor maintenance which includes debris removal, mowing the grass, weed control, litter pickup and graffiti removal if it becomes a problem. She stated DOT will assume the major responsibilities such as resealing, repaving and things that need to be done in 10, 15 or 25 years. Ms. Preble said liability for the portions of the trail that lie within the DOT right-of-way would be assumed by DOT. She went on to say if some portions of the trail are outside of the DOT right-of-way then the Office of Greenways and Trails (OGT) at DEP have a program that the county could access to take care of the liability for those portions of the trail. She said the county’s liability and maintenance costs will be minimal. Ms. Preble said the grant application does not require a local match and they are not submitting it with a local match. She stated the trail is 20.7 miles. Chairman Lockley asked if the trail goes to Alligator Point. Ms. Preble answered no but said there are future plans to include a broader trail network that would eventually go to St. George Island and Apalachicola. Mr. Pierce stated the county is developing a bike trail on Alligator Point through the LAP program but at this point it does not connect. He explained it will start at the marina and work its way towards Highway 98. Ms. Preble said eventually it will connect. Ms. Preble explained the Sea Loop Trail will eventually connect thru Tallahassee to Georgia. She reported the number of miles that will be put together will attract people internationally that want to ride bikes for long distances. She explained it will promote safety as FSU has their campus in Franklin County and it is split by a canal so they have students walking from their

lodging on the shoulder of the road to their classrooms. Ms. Preble stated FSU is expanding and will have more students and instructors at their facility. She reported it will also promote ecotourism and improve transportation choices along the Highway 98 corridor. Chairman Lockley said if the bike path goes through Alligator Point maybe they could put some sand on the beach. Mr. Pierce said the bike path is already designed and he explained the proposed plan. Commissioner Massey asked if there is money in the grant to help the county with the maintenance costs. Ms. Preble replied no. Commissioner Boldt questioned if they should set up money that they will need to maintain this trail. Mrs. Griffith explained this will most likely be handled with the Road Department and Parks & Recreation budgets and when the Board reviews the budgets they will need to consider the added responsibilities. Mr. Pierce reported they are in the design phase and construction of this trail is years away. Ms. Preble agreed construction is a minimum of 5 years away. Commissioner Boldt said this sounds like a group effort and excellent opportunity. Commissioner Jones clarified the SUN Program is Shared Use Non-Motorized. Ms. Preble agreed that is correct. Commissioner Jones stated he wants the public to be aware of what kind of trail they are discussing. He reported this trail will look similar to what is already above Highway 98 in Wakulla County. Ms. Preble answered yes, it will be a 12' wide paved trail. Mr. Moron asked if there is another county they could use as a model to judge what the amount of maintenance costs are per mile. Ms. Preble stated their best judge would be the existing trails they are already maintaining in the county. Attorney Shuler said the county would add this to the insurance policy for liability. Attorney Shuler inquired once the trail is paved does maintenance include repair to the asphalt and resurfacing. Ms. Preble answered no, DOT will assume that responsibility for the portions of the trail that are in the DOT right-of-way. Attorney Shuler inquired about the portions outside the DOT right-of-way. Ms. Preble stated they do not know if there will be sections outside of the DOT right-of-way. She reported there has been some talk about the trail meandering away from Highway 98 in some areas but the county could choose not to do that because of maintenance and liability. She explained there is also the program at OGT where they can get a designation of the trail as part of their trail system and they will help with those areas. Attorney Shuler asked the length of the trail in Franklin County. Ms. Preble responded 20.7 miles in Franklin County including the portion that goes over the bridge so approximately ¼ mile is outside of Franklin County. Attorney Shuler inquired if they know how much of the trail is outside of the DOT right-of-way. Ms. Preble said the majority if not all of it is in the DOT right-of-way. Attorney Shuler questioned if this matter would come back to the Board before they have to assume repair, maintenance or construction costs. Ms. Preble explained the way she is writing the grant application if the grant funds are awarded the money would come to the county and the county would administer the grant and have control over how the funds are spent. She reported the county would choose the engineer to do the design work and they would have input. Ms. Preble reported if the grant is awarded it will be under the county's control. Commissioner Jones said he wants to make the Board aware that Mr. Chris Rietow, Executive Director for the Apalachee Regional Planning Council (ARPC), serves on the OGT Executive Board. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve this request.** Ms. Preble thanked the Board. She said they are working to get letters of support and are even getting them from Commissioners in

nearby counties. Ms. Preble stated she has some generic letters of support and will wait outside for a few minutes if anyone in the audience would like to sign one.

The meeting recessed at 9:56 a.m.

The meeting reconvened at 10:06 a.m.

Public Hearing(s)(10:00 a.m.)

- 9. The Franklin County Board of County Commissioners will hold a public hearing, to consider adopting an updated 5-Year Capital Improvements Schedule as part of the Franklin County Comprehensive Plan.

Mr. Pierce reported every year the Board adopts the Capital Improvement Schedule which is a wish list for items they would like to see funded for the next 5 years. He explained they add items that they will apply for grants for because they get points on the grant application. Mr. Pierce said Mr. Curenton came up with this list based on conversations he had with the Board but they can add items if needed. Commissioner Jones said on 2021 under Parks & Recreation there is \$150,000 for the St. George Island Lighthouse Park Restroom Renovation and TDC has agreed to pursue a loan to rebuild and reconstruct the restrooms so he would like to remove this item but leave the \$150,000 there for additional parking on St. George Island. Mr. Pierce stated they will rename the project the St. George Island Lighthouse Parking Lot Improvements. Commissioner Jones clarified Parking Lot Improvements in the Business District. Commissioner Boldt reported this is a good guide for 5 years. He said Mr. Curenton probably uses this as a tool to monitor timely grant funding. Mr. Pierce reported that is the value of it. He stated the schedule can be modified at any time but must be done once a year. Chairman Lockley asked for public comment. Commissioner Massey asked if Ryan Drive is included because the culvert pipe needs to be redone. Mr. Pierce questioned if Ryan Drive is in the city or county. Commissioner Massey replied they are still debating who owns the road. Mr. Pierce stated they normally do not list items that are in the cities. He explained the document can be amended when Attorney Shuler makes a determination on ownership of the road. Attorney Shuler reported Ryan Drive belongs to the City of Carrabelle just like 12th Street inside the municipal boundaries belongs to the City of Apalachicola. He explained the cities own the roads inside the municipal boundaries unless the county decides to adopt and accept them as a county road and the city agrees. Chairman Lockley asked for public comment again. There was no public comment. Commissioner Boldt asked if the Island View Park should be considered on this list. Mr. Pierce stated that is a FEMA project and no FEMA projects are included on this list because they have separate funding. He explained if they run into a problem with the project then they could add it later. **On motion by Commissioner Boldt, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to adopt the Capital Improvement Schedule.** Attorney Shuler stated in relation to Ryan Drive and 12th Street just because the municipalities own the roads does not mean the county cannot help them through grant applications. He said the county's assistance does not mean the county owns the roads

or has accepted ownership of the roads. Commissioner Jones explained the county does this because no one in the municipalities is LAP certified. Attorney Shuler agreed the county has the only LAP certified person needed to apply for the grants. Commissioner Massey stated the county needs to help write the grant to do Ryan Drive. Attorney Shuler said that is a policy decision the Board has to make in conjunction with their administrative staff. Mr. Moron explained if the project meets DOT requirements to be a LAP project then the county will assist in getting this done. Commissioner Massey stated it will not be long before the area caves in. He explained the area has been addressed several times.

Weems Memorial Hospital

CEO – David Walker – Report

Mr. Walker presented his report, as follows:

10. CEO Report

Weems Annual Hospital Audit – We are during our Annual Audit and after the Audit is completed, we will ask Carr, Riggs & Ingram to give a presentation to the Board of County Commission with the findings.

Mr. Walker stated this will tell them where they are on the finances and they are looking forward to the report.

October 2019 Request for Funds Update – In October 2019, we had anticipated needing additional funding from the County to assist us with our payroll for last month because we had 3 payroll dates. We made our payroll without needing the additional money. Therefore, we did not request it.

Mr. Walker said they are monitoring their expenses to live within their means. He stated he is working on increasing their revenues and minimizing their expenses.

Managed Care Contracting Update – We are still in the process of reviewing and renegotiating our Managed Care Contracts. Our current contract rates are low, and we are re-negotiating for higher rates. Blue Cross/Blue Shield has been re-negotiated for better rates.

Mr. Walker reported they are looking at their third party contracts as well.

Florida Department of Health Office of Rural Health – The Office of Rural Health assisted us with applying for a grant with the Center for Optimizing Rural Health at Texas A & M University. Texas A & M has a Vulnerable Rural Hospital Assistance Program which offers Technical Assistance to vulnerable hospitals. Notifications of grant awards will be release at the end of December 2019.

Partnership with Franklin County Health Department – Will have partnered with the local health department to provide Hepatitis and Rabies Vaccinations.

Mr. Walker said this will allow people to be vaccinated here and not have to go to neighboring counties.

IT Update – We need to update our IT equipment and systems. Our IT equipment is very outdated. A more pressing need is to update our email software for protection against phishing and outside threats. We have a quote for \$9,516 to update our email and web protections.

Mr. Walker stated this cost will be taken care of out of the hospital budget.

FSU School of Medicine – We had a great phone call with Dr. Bryant Howren at FSU College of Medicine’s Rural Health Policy & Research Center. He is interested in partnering with us to jointly apply for federal grants which targets Population Based Health Initiatives in Rural communities.

Mr. Walker said they are looking to expand their outpatient radiology, respiratory, and lab services in Apalachicola. He explained they currently close for business at 4:30 p.m. and are looking to expand until 8:00 p.m. because the technicians are on campus at the hospital. Mr. Walker reported they are looking for additional revenue. He explained one of the things they need to do at the hospital is diversify their funding sources. He reported a portion of the money they receive from the county should be placed in reserves. Mr. Walker stated he will continue to look beyond Franklin County for help for the hospital. Mr. Walker thanked the Board for the opportunity to serve them and the Hospital Board. Commissioner Boldt praised Mr. Walker for pursuing the managed care contracts because that is another way of access to the hospital. He said that will increase revenue because many of the contracts have been stale for years. Commissioner Boldt stated he is pleased that the FSU School of Medicine is actively involved in the county because they add a huge amount of life blood and medical talent that has never been seen in the county. Chairman Lockley reported they can have a session at the hospital. Mr. Walker agreed they want to open up the hospital on whatever they want to partner with them on.

Chairman Lockley asked if he knows when he and Mr. Doug Creamer, Hospital Board Chairman, will have a decision about the hospital. Mr. Walker stated Mr. Creamer wants to make a decision by December or no later than the first of the year.

Plant Operations – Nikol Tschaepe – Report

11. Plant Operations Report

Ms. Tschaepe presented her report, as follows:

New Construction – AHCA Stage II review was completed on November 18, 2019. We are waiting the ACHA letter to be issued.

Recommended Action: None/Information item

Ms. Tschaepe stated they do not have the official letter yet but anticipate receiving it soon.

SynergyNDS -- Keith Bassett -- Report

12. Weems Roof Replacement Project Update

Re-roofing project - Keith Bassett with SynergyNDS will provide a MS PowerPoint presentation.

Recommended Action: None/Information item

Mr. Bassett said he will review not just Weems Memorial Hospital items but everything Florida Municipal Insurance Trust (FMIT) has done for the county since the hurricane. He discussed the emergency stabilization they did and their accomplishments to date. He explained the FMIT Turnkey Recovery Program has teams that come before the storm, ride the storm out at the Emergency Operations Center (EOC), and then start evaluations as soon as it is safe to help identify what the county would need to get critical infrastructure up and running. Mr. Bassett read the statistics on Hurricane Michael and the damages that occurred. He explained evaluations was being done in real time and Mrs. Griffith was receiving the emails as they were being done. He reported contractors were pre-staged outside of the target zone and as soon as they could get them in they set up a large staging area in Panama City. He said within 48 hours they had generators out to get critical items up and running. Mr. Bassett stated they completed the Franklin County Recycling Center work and replaced one trailer at the Franklin County Sheriff's Office. He reported they also performed all the interior repairs on the classroom trailer. Mr. Bassett explained the emergency stabilization at Weems Memorial Hospital cost \$350,000. He reported they secured the roof temporarily, dried it out, got it cleaned up from all the damage and brought in the temporary facilities. He stated that allowed them to keep the hospital open while they did the roof project which kept employees working and kept the medical services here. Mr. Bassett stated by the 13th the project will be 100% complete and everyone will move back into the hospital. He said some of the temporary facilities will still be there as there are different lead times for the companies to pick up the structures. Mr. Bassett reported as soon as everyone is back in the hospital then they will start removing these facilities and the county will have a new roof on the hospital. He stated work to date is at \$2.8 million and none of that is a cost incurred to the county. He said the only cost to the county will be the named storm deductibles and that will be reimbursable by FEMA. Mr. Bassett stated the total reimbursable is \$174,953. He explained under the county's policy they have an extra expense endorsement which does not go to the limit of the actual location so Weems Memorial Hospital was insured for up to \$3 million which meant they had up to \$3 million to do repairs. Mr. Bassett stated the extra expense endorsement covered getting all the temporary facilities to keep the hospital open. He reported \$600,000 was spent out of the extra expense endorsement. Mr. Bassett offered to answer any questions. Commissioner Parrish said he received public comments from several different people as to the amount of

work they were doing. He stated the individuals said they were working 7 days a week and late in the evening. Commissioner Parrish reported the public keeps an eye on things and said they put in a lot of hard hours and extra time trying to expedite the project. He stated they have done a good job and they appreciate it. He explained he wanted them to know the public brought this to his attention. Mr. Bassett introduced Mr. Nick Harper who was the day to day field PN on site. He stated Mr. Harper stayed on the contractors to make sure they had a smooth transition from one phase to another and did an excellent job. Mrs. Griffith said they are extremely impressed and grateful to have Synergy on their team because the county could not have done this. She explained they did damage assessments of every damaged location and they were able to use that with the FEMA Project Worksheets (PW's). She said they did the damage assessment, provided an estimate of the value and what repairs were needed and described the damage in every location. Mrs. Griffith pointed out within 2 weeks after the storm someone had visited every location. She reported the county does not have the staff so they do not know how they would have done this work without them. Mr. Moron said he was worried their plan would not work and a month and a half later everyone was pleased with the progress. Chairman Lockley reported he could hear the noise at his house and they were steadily working. Commissioner Boldt said he was impressed to read they stayed with the hospital during the storm. He asked them to hang in as they decide what they will do with a new health care facility and their expertise would be welcome.

Information Items

13. EMS Update

Emergency Medical Services (EMS)

Update on the status of the ambulance fleet.

Recommended Action: None/Information item

EMS Director -- Richard Lewis - Report

Mr. Lewis stated there are 3 primary trucks and 1 is a 2015 model and 1 is a 2016 model and both have surpassed 150,000 miles. He reported they got a new truck so the primary is now 1 of the backup trucks and they are a 2000 model and a 2008 model and both have surpassed 200,000 miles. He stated they are averaging 5,000 miles per month per primary truck and 2,000-3,000 per month per backup truck. Mr. Lewis reported as of November 18th, their 2019 Ford F-350 was put into service and stationed in Apalachicola. He explained they have a lead time of 9-12 months from the time they order a truck and they must keep this in mind pending the outcome of the USDA grant. Mr. Lewis asked if the Board has any questions or concerns. Chairman Lockley said the truck has a lift. Mr. Lewis stated the lift provides good safety for the crew and the patient. Commissioner Jones asked if Mr. Lewis could find out for a future meeting if it is possible and what it would take to add the same lift system to all the primary

trucks if they do not currently have it. Mr. Lewis agreed to look into this matter and provide an update on the feasibility.

Community Action Agency -- Angela Webster -- Report (15 minutes)

Action Items

Ms. Webster said their agency has assisted with Limerock fire survivors. She reported they originally provided temporary housing for 22 survivors and of those 22 they only have 7 still in camper trailers. Ms. Webster reported they have helped 5 families secure permanent housing and have 12 pending cases. She said of the 12 pending cases there are 4 that are Community Development Block Grant (CDBG) eligible contingent upon modifications to mortgages and securing land in compliance with the grant. She explained 5 families are interested in keeping the trailers but they are waiting on appraisals before that can happen. Ms. Webster offered to answer any questions. Chairman Lockley questioned the families keeping the trailers. Ms. Webster explained they will transfer the title to receive a camper as a replacement for the loss of residence. She said campers are what they originally had prior to the fire. Commissioner Parrish stated he does not understand because they cannot live in a camper on a 1 acre lot in Franklin County. He said some have accepted the campers and moved to RV parks and asked if that is what these 5 are planning to do. Ms. Webster replied yes, the requirement is they must show they have space that is legally permitted for campers. Mr. Moron asked Ms. Webster to stay at the meeting while Mrs. Belcher gives her report in case there is some further discussion. Commissioner Jones thanked Commissioner Parrish for asking his question because he had the same question about the legal use of the campers. He stated he knows they are getting closer to helping everyone which was the intent of the Board and he thanked her for part in this work. He explained they want to know where they are with her organization and the amount of donated funds that is left over and that is not on the report. Chairman Lockley stated they are doing a good job.

CDBG Administrator – Deborah Belcher -- Report (15 minutes)

Mrs. Belcher presented the following report:

Action Items

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

We received bids from 3 dealers for mobile home replacement, deadline 11/14/2019. The bid package contains the project for Annie R. and William Banks, 638 Ridge Road, which involves replacing a donated mobile home (going

to Jason Millender) with a new CDBG mobile home. This project has been approved by the Board and has DEO environmental clearance. The bid package also contains 4 other mobile home replacements which have not yet been approved by the Board or environmentally cleared by DEO. These bids will not be awarded until/unless the Board and DEO approve, but are being obtained to expedite progress when approved. In addition, the bidders are asked for generic proposals for 2 bedroom and 3 bedroom models with standard set-up situations, and for pricing for additional items, which can be used for upcoming projects.

Bid approval: The 3 dealers who submitted bids for new mobile homes came in fairly close together in pricing. The first contract to be awarded is for Annie Rebecca and William Banks, 638 Ridge Road. Bids ranged from a low of \$73,514.64 to \$91,419.09 for an upscale alternate model. I reviewed the specifications and floorplans to compare the proposals to the bid specifications. The lowest priced model appeared to have poor cabinets and the interior doors are not wide enough for a disabled person (Mr. Banks), which I pointed to the owner. There were 4 proposals in the \$76,028 - \$76,849 range, 1 from Ironwood Homes of Perry, and 3 from Clayton Homes of Panama City. The price differences were so negligible, I presented each proposal to the Banks, with a table showing the various features of each model. Their selection was the Ironwood Homes of Perry proposal, at \$76,335.56, which is the same model that 2 homeowners recently received (Boatwright & Gilbert).

Requested Action: Approve CDBG funding for Annie and William Banks in the amount of \$76,335.56, to purchase a new home from Ironwood Homes of Perry. Funding approval shall also include up to \$500 if necessary for changes (to be approved by the County Coordinator or Planner), and funds for the CDBG mortgage recording and tax.

Chairman Lockley asked if this is one of the replacements for the fire. Mrs. Belcher answered yes, this is one the Board approved. She explained they have a home that was donated by a church and that home will go to Mr. Jason Millender whose home burned. She reported Mr. Millender will take care of the set up costs. She said he owns the property and all the arrangements have been made. Chairman Lockley asked if they are in the right zoning. Mrs. Belcher answered yes, the utilities are there and the owners will pay all the costs. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve this request.**

15. Homeowner application approvals: Two more homeowner applications are ready for Board approval. The environmental reviews have been submitted to DEO, and their properties were included in the recent bid package for potential awards. When DEO issues environmental clearances, I will present requests to the Board for approval of CDBG funding for their mobile home purchases.

Kathy Hill, 773 Buck Street, has applied for CDBG home replacement. She is living in her fire-damaged mobile home. She recently received the quit-claim deed from her husband, following their divorce. She is apparently eligible for

CDBG mobile home replacement.

Requested Action: Approve the application for a new mobile home for Kathy Hill, 773 Buck Street, subject to final verifications and DEO environmental clearance.

Mrs. Belcher explained this environmental review has been submitted but she does not have it yet. She reported her home was included in the bid package. She stated when they get the environmental clearance she will bring this back for approval of the funding. **Commissioner Massey made a motion to approve the application. Commissioner Jones seconded the motion.** Chairman Lockley asked since this was a divorce he wants to know what they need to do so they are not liable for buying 2 trailers. Attorney Shuler verified the facts with Mrs. Belcher. He asked if she has discussed this with the applicant. Mrs. Belcher responded yes and said the husband has not resided there for some time and she does not think he was residing there at the time of the fire so he was not displaced. She explained they had other property and split the property so she is the owner of this property and he is the owner of the other property. Attorney Shuler asked if the property she received in the divorce is the property inside the fire zone. Mrs. Belcher replied yes and the property that had their mobile home on it and the other property did not. Attorney Shuler reported he has a lack of information but it sounds like they resolved this matter between them as to who gets the property and receives the free trailer. He said they will deal with this when it comes up if he requests a second trailer. **Motion carried; 5-0.**

- 16. Mary Louise Thomas, 633/645 Ridge Road, has applied for CDBG home replacement. She is living in a camper with her husband and baby grandson. She is eligible for CDBG mobile home replacement, although her ex-husband (Kelley A. Shiver) still owns the land with her. I recommend a modified CDBG mortgage between Thomas and the County, which Shiver would not be party to, and the mobile home provided for Thomas only. If the County wants more enforceable security, the new mobile home could be titled to the County until the CDBG mortgage expires or is paid off, which is normal for financed mobile home purchases.

Requested Action: 1. Approve the application for a new mobile home for Mary Louise Thomas, 663/645 Ridge Road, subject to final verifications and DEO environmental clearance. 2. Provide direction on type of security arrangement to obtain.

Mrs. Belcher stated mortgages are not normally done with one party and not the other and she is not sure if they can record a mortgage that is securing her interest in the property and not encumbering him. She explained the county could decide when they buy the mobile homes to show the county as the mortgage holder and then the county could transfer the title to the owner when the mortgage is completed. She reported they would then hold title on the mobile home and not the actual property. Attorney Shuler stated if they did not resolve the property then her husband has an undivided 1/2 interest as a tenant in common and she has a 1/2 interest as a tenant in common. He said he does not recommend the county take back a chattel

mortgage on the trailer and not the real property because the owner on the title is responsible for what happens on the inside. He explained many times in real estate transactions both parties sign the mortgage but only one person signs the promissory note. Attorney Shuler stated then the ex-husband does not have an obligation to pay the note. Attorney Shuler asked how long the CDBG mortgage is for. Mrs. Belcher answered 10 years. Attorney Shuler questioned if they each have housing now. Mrs. Belcher said Ms. Thomas is in a camper with her husband and grandchild. Attorney Shuler asked what they have done to try to resolve the ownership with the ex-husband. Mrs. Belcher said she has not been able to communicate with him. Attorney Shuler reported they do not want a chattel mortgage and they should go back and make another attempt to get a proper mortgage. He said if they cannot resolve this issue then they could have her mortgage her ½ interest. Attorney Shuler explained if they ever foreclosed the county would be a half owner with the other party and there are remedies to take care of that. He suggested they go forward with a standard mortgage. Commissioner Parrish asked if there is a requirement in this program that they maintain ownership of the property. He said there are rules and they cannot hold people to different standards or make exceptions for everyone. Commissioner Parrish stated he does not want the county to own the trailer and be liable for what happens. Commissioner Parrish explained he thought some people were turned down because they did not own the property. Mrs. Belcher agreed some of them did not own the property at all but Ms. Thomas is one of the owners. Commissioner Parrish said they drafted the rules before they started the program and people must comply to enter the program. He stated if they do not meet the rules then they do not qualify. He expressed concern that every time this comes up they are wanting to change the rules and that is not fair. Mrs. Belcher said she will ask Ms. Thomas to make another attempt to get a quit claim deed from her ex-husband or his agreement to sign the mortgage. She explained using a non-occupant owner mortgage. Chairman Lockley said it is best to go by the rules. Commissioner Parrish stated the owners of the property need to work out these issues. Commissioner Massey asked if the ex-husband lives in Eastpoint. Mrs. Belcher answered no, he does not live in the county anymore. Commissioner Massey stated Ms. Thomas needs to try and contact him and get the property in her name. Mrs. Belcher agreed to work on this matter. She explained she is working on another one that is also an ownership situation.

Clerk of Courts – Marcia M. Johnson – Report

Clerk Johnson did not have a report.

Mr. Moron asked if they can allow Ms. Dorris Evans, Small Business Administration (SBA), Office of Disaster Assistance, to provide an update. He explained she was going to be here this morning to speak during Public Comments but they closed the road between here and Panama City this morning. The Board agreed to let Ms. Evans speak. Ms. Evans reported she has been assigned to do outreach in Franklin County and contiguous counties as a result of Hurricane Dorian that came through the area from August 28th-September 9th. She said the Governor of Florida requested disaster assistance in regard to damages. Ms. Evans reported the declaration covered 26 counties and 19 contiguous counties for economic assistance (working capital) only. She explained Franklin County is one of the primary counties and that is why she is here

reaching out to the businesses and non-profits that may have been affected. She reported they are eligible to borrow from the SBA federal disaster low interest loan program working capital and the deadline is August 13. Ms. Evans stated she has visited their offices and left information for them. She said they have also reached out to the chambers and cities. Ms. Evans explained businesses that were affected can borrow up to \$2 million. She emphasized it is only for working capital and not physical damages. She stated the other counties she is reaching out to are Gulf, Liberty and Wakulla. Commissioner Boldt asked what the average interest rate is on an SBA loan. Ms. Evans responded the average interest rate on this type of loan which is an economic injury loan is 4% and they get up to 30 years to pay it back. Chairman Lockley said they appreciate the information.

County Coordinator – Michael Morón – Report

Mr. Moron offered his report, as follows:

17. Action Items

- A. Workforce Agreement: Attached to the agenda packet is CareerSource Modification To Worksite Agreement. The original agreement, that allows the placement of CareerSource funded workers within different County departments to assist with Hurricane Michael recovery, has expired. The modification will extend the end date of the agreement to September 30, 2020 or until funds are no longer available.
Request: Board action to authorize the Chairman's signature on the CareerSource Modification To Worksite Agreement.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize the Chairman’s signature on the CareerSource Modification to the Worksite Agreement.

- B. Ward Park Security Cameras: At a recent meeting the Board authorized the installation of a security access system control system at the Olan “Buddy” Ward Seafood Landing Park and requested that I get additional quotes for security and camera CCTV systems for any of our parks, boat ramps, or other locations that have been burglarized or are open to vandalism and burglary. This action was based on an attempt to enter and burglarize the museum building at the Seafood Landing Park. I have received two CCTV security system proposals for the park that I am currently reviewing, and if the Board is willing, I would ask for approval to spend up to \$5700 to purchase the equipment and have the CCTV security system installed at the park. I should complete my review by week’s end and would like to have the vendor order the equipment prior to the Board’s next meeting. The project cost will be paid from the Parks and Recreation budget.
Request: Board action to authorize up to \$5700 for the purchase and installation of a CCTV security system at the Olan “Buddy” Ward Seafood Landing Park.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to authorize up to \$5,700 for the purchase and

installation of a CCTV security system at the Olan “Buddy” Ward Seafood Landing Park.

Commissioner Parrish asked about a system for Abercrombie Boat Ramp. Mr. Moron said he is doing these one at a time. Commissioner Parrish stated they have been waiting over a year and the Board has already voted to spend the funds so he is ready to get moving. Mr. Moron agreed to get this done.

- C. Animal Control Meeting: The City of Carrabelle has requested a meeting to discuss the Board’s request to have each City contribute \$3500 this budget year and \$7000 next budget year along with redirecting all animal control calls to their local police department. Once their police officer responds to the call he will determine if the County’s Animal Control officer is needed. This request is based on the County’s Animal Control Officer spending so much time in both cities, that the Board was forced to add a part-time officer to its department. In addition, the Animal Control Officers are responding to calls that are actually human conflict issues that result in threats to the Animal Control Officer. Are there any specific items the Board would like me to discuss at this meeting? The meeting is scheduled for Friday, December 6 at 10am here in my office and the City of Apalachicola is invited to attend.

Request: Board discussion and direction.

Chairman Lockley said they either need to get on board or get their own officer. Mr. Moron said this Board wants a Memorandum of Understanding (MOU) to continue with the current coverage and they contribute this amount of money and their police departments will respond first and then contact the animal control officers. He asked if that is still the same. Chairman Lockley answered yes. He stated the Board wrote a letter saying what they were offering and if they do not want this then they can get their own officer. Commissioner Parrish explained the original discussion was the county is hiring another officer because they are getting so many calls from within the municipalities. He said if each city contributes \$3,500 that is only \$7,000 and that is not enough to hire a part-time animal control officer. Commissioner Parrish reported a county employee starts at \$25,000. Mr. Moron agreed and said the part-time officer salary was \$14,000. Commissioner Parrish said he does not see how the cities can provide their own officer and this service for the amount of money the county requested. He stated he has been on calls with the animal control officers in Apalachicola and seen how they are berated and that is the reason they want the officers to respond. He went on to say the police officers do not respond and the animal control officers cannot arrest anyone and are in harm’s way. Commissioner Parrish stated the officers of the two municipalities should respond and help diffuse the situations. He explained if they do not believe him then they should ride with the animal control officers and see the abuse they receive. Commissioner Parrish reported if the cities do not respond and the county goes back to the original ordinance and only responds outside the municipalities he does not think the cities can pay the for the officer, truck, and a place to take the animals. He pointed out the county is still paying more than half of the salaries for the animal control officers. Commissioner Parrish said it is a very nominal fee to have the county provide this service. **Commissioner Parrish made a motion if the cities do not accept this proposal then direct Attorney Shuler to draft an ordinance and go back to**

responding only outside of the cities. He explained he does not want this ordinance adopted until they conduct this meeting but he wants to be prepared and not push this out 2-3 months. He stated the police officers must respond but they do not want to because of human conflict.

Commissioner Jones seconded the motion. Chairman Lockley asked Commissioner Parrish to include that both cities get a copy so they know what is going on. Commissioner Parrish said they are supposed to be at this meeting and there must be a public hearing to adopt the ordinance. Commissioner Boldt asked if the Humane Society would have any interest in amending the animal control officer’s activities. Mr. Moron responded no, there are two different agencies and one is government and one is private. He stated the animal control officer is bound by the ordinance. Commissioner Jones reported when they have this meeting with the City of Carrabelle make sure they know if the Board is agreeable that when they speak of animal control they are talking about domestic animals and no other animals. He stated there are some situations they do not need to put any of their officers in. Commissioner Jones said they are asking the city police officers to respond within the cities but are they having the Sheriff’s Department respond outside the cities. Mr. Moron agreed they should respond.

Motion carried; 5-0.

D. Census Committee Meeting: The first Census Complete Count Committee meeting was held on Friday, November 10th at 1:30 pm. Representatives from the City of Apalachicola, Franklin County Schools, and different committee members were part Ms. Evelyn Ramirez of the U.S. Census Bureau training presentation. There was a lot of valuable information along with an eye-opening question and answer segment that showed how important the census count is to county and school district funding. What is needed on the committee is members from different unincorporated areas of the county that could assist with focusing on areas where residents did not complete the online census survey. You were probably contacted by the Committee Chair, Mrs. Pat O’Connell, about suggesting a member from your district to serve. If you have someone to suggest today let me know at the end of today’s meeting or you may contact Mrs. O’Connell late this week.

Request: Board recommendations for the Census Complete Count Committee.

Mr. Moron explained they are going to get a card in the mail with a pin to go on the computer and fill out the survey. He reported if they do not fill out the survey online then someone will visit their home. He stated they need people in each area to tell them how to focus on the group of people that will not go online to complete the survey. He said they could hold days at the library to have people come in and complete they surveys because the census equals money for the county. Mr. Moron reported the Commissioners were contacted by the Chair Mrs. O’Connell to suggest a member from their districts. He stated if the Commissioners have a member to suggest today they can let him know or contact Mrs. O’Connell. Commissioner Parrish asked if they can run this in the newspaper so the citizens know how important it is to fill out this information. He said there should be public service announcements on the radio. Mr. Moron reported there are advertisements that Ms. Ramirez will send them that can be sent to the newspaper and radio station. Commissioner Parrish asked why she is not sending these advertisements. Mr. Moron stated that is what the Census Complete Count Committee does.

Commissioner Parrish inquired what Ms. Ramirez does. Mr. Moron said she goes to 12 counties and trains the committees. Mr. Moron explained at some point the Committee will approach the Board for a small budget and most of it will go to advertising. He estimated the budget will be approximately \$5,000. Commissioner Parrish questioned who is paying the people going to the houses. Mr. Moron responded the federal government. Mr. David Adlerstein, a member of the Apalachicola Census Committee, stated the Chair of their committee is Ms. Pam Richardson and they have met a couple of times. He explained they are trying to coordinate in the middle of March or April at Holy Family to set up computers and have a Census Count Day Program to get people to come out and they will assist them. He reported they hope to work with the county committee to get a joint statement out. He reported he will be covering this for the newspaper. Chairman Lockley asked about the City of Carrabelle. Mr. Moron said they have their own committee. He stated they are all hoping to work together which will also help with the budget. Commissioner Jones said he talked with Mr. Billy Fuentes, Eastpoint Water & Sewer District, and they can add some wording about the census to their water bills for Eastpoint and St. George Island. He stated if they are going to have something at the libraries then this would be a cheap way to advertise. Mr. Moron reported Mrs. O’Connell has people in different areas to help and this is a good idea. Commissioner Boldt explained it is worth \$14,000 per person that they count so it is important to find everyone. He reported the \$5,000 they spend will be outweighed by the benefit they get long term.

Information Items

- E. Duke Energy Light Fixtures Changes: Inform the Board that I received an email from Ms. Kathleen Gardner of Duke Energy that provided an update on lighting changes for several types of light fixtures and one type of light pole. Ms. Gardner email states "The Florida Public Service Commission recently approved an adjustment to the current LS-1 lighting tariff. The adjustment has restricted use of Metal Halide (MH), High Pressure Sodium (HPS) and Sodium Vapor (SV) for existing installations only. Moving forward, only LED fixtures will be installed for new light fixture installations. This transition away from MH/HPS/SV lighting is due to industry changes and customer demand towards more efficient and reliable LED lighting technologies." Her email goes on to explain under what conditions the HPS/MH/SV light fixtures will be replaced instead of repaired and when fiberglass poles will be replaced by aluminum or concrete poles. There will be changes to customer billing once the equipment has been changed. A copy of the email is included in the agenda packet.

Non-Agenda Information Item(s)

- 19. Mediacom Rate Increase Letter

Commissioner Parrish said if they increase the rates more people will cancel their service. Mr. Moron agreed their justification for the rate increase is the loss of customers.

F. Library Part-time Position Advertisement: The Franklin County Library is advertising for a permanent part-time position. A copy of the ad is included in the agenda packet.

Mr. Moron said this position is in Carrabelle. He reported the new Library Director had a lot to accomplish with the recommendations from the labor attorney and learning the day to day management but he will be at one of the upcoming meetings along with Mrs. Kate Aguiar, Library Advisory Board, who will officially introduce him to the Board. Mr. Moron stated he has a meeting with him on Wednesday to see how things are going. Commissioner Parrish asked if anyone has met him. Commissioner Massey answered no, but they want to meet him. Commissioner Massey stated the lady that spoke today was not mentioned during the conversation about the library.

RESTORE Coordinator – Alan Pierce – Report

Mr. Pierce read the following item from his report:

a- At the last meeting I made a long report regarding a study to be done on Alligator Point. The study would focus on alternatives to erosion and flood protection besides the standard beach renourishment approach. The Board voted to allow the ARPC to do the study. In the final hours of putting together the documents, FDEP announced that their share of the funds could not go directly to the ARPC but would have to come to the county. The total project is \$59K, and FDEP is paying \$36,323.

All parties still want to see the project move forward, and ARPC still wants to do the study, so I now recommend the Board make an application to FDEP consistent with the scope of work ARPC has already submitted for \$36,323, and that upon award of the grant the Board allow the ARPC to do the work. The county would receive the FDEP funds, and then reimburse ARPC when the work is done. As the Board may recall, the FDEP work has to be done by April of next year so this is a short term project.

The rest of the study will be funded directly to the ARPC by the Cooperative of Alabama and Mississippi Sea Grant programs.

Board action to submit a grant application to FDEP for \$36,363 to fund the study the ARPC has agreed to do.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to submit a grant application to FDEP for \$36,363 to fund the study the ARPC has agreed to do.

Mr. Pierce reported he and Mr. Clay Kennedy, Dewberry, were on the telephone with FEMA regarding Alligator Point. He stated they are trying to get something done and they may be on Alligator Point tomorrow trying to look at the scope of work one more time. He said the man coming down may be the person who signs off on the scope of work. Mr. Pierce stated when they were here before they had 3 different scopes of work depending on the different storms and he hopes that has been resolved.

Mr. Pierce reported in relation to the water wars The Wall Street Journal has an online edition and Mr. Ricky Banks, a resident of Eastpoint, is quoted on his opinion on the water wars. He

stated the article also confirms the State of Florida is now approaching the water wars as a battle against agricultural water and the southern farmers in Georgia.

County Attorney – Michael Shuler – Report

Action Items

Attorney Shuler brought into discussion the contract to administer the Hurricane Housing Recovery Program (HHRP) Grant for \$1.2 million. He stated there is a 15% administrative portion to the grant that will be used to pay both for the administration of the grant and certain costs associated with the grant. He explained it became apparent that there needed to be a new contract with Ms. Lori Switzer, SHIP Administrator, for her to administer the new grant. He reported he has prepared this contract and discussed it with Ms. Switzer and emailed a copy to the Board. Attorney Shuler presented the contract for consideration and recommended approval. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve this contract.**

Commissioners’ Comments

Commissioner Jones invited the Commissioners to the first annual Lighting of the Palms on St. George Island this Thursday. He reported the parade will line up at 4:30 p.m. and everything will start after that. He stated the next day the Eastpoint Christmas Parade will line up behind Seller’s Plaza at 4:00 p.m. Commissioner Jones said Apalachicola had some events after Thanksgiving and Carrabelle will be celebrating in the middle of the month. Commissioner Boldt stated the celebration last Friday in Apalachicola was wonderful and was standing room only.

Commissioner Boldt said he is beginning to think about Alligator Harbor and the oyster leases in his district. He reported the state sold leases and made money but the infrastructure has never been considered to support the leases. He questioned where the boat ramps are and the opportunity to facilitate seeding of the oysters. Commissioner Boldt said he is thinking about how the state can help them with improving infrastructure. Commissioner Boldt explained at Sun and Sand there are a lot of commercial fishermen going to their oyster leases and the traffic is overflowing onto the highway and some of them have received tickets. He suggested a tag technique where they have a window sticker that designates them as a commercial oysterman different than a recreational person. Chairman Lockley said they always come in and do a study and make money but if they had studied the situation they would have had room for parking and facilities. He reported the state knew this would happen. He referenced the presentation about the trail this morning and said the county will have to maintain the walkway. Chairman Lockley questioned why the state cannot maintain the trail if they have a prison system with inmates. He said the county will have to hire someone to maintain this area because it is not in their budget. Chairman Lockley reported these things should be in the studies just like with the leases they knew people would need somewhere to park. Mr. Pierce stated the county offered the state two different options and they have not responded to either. He explained the first one is the old FSU Marine Lab at Alligator Point that is closed and could be opened to the public. He reported the second option is to come back on Highway 98

and request some land from St. Joe Company and build a boat ramp. Commissioner Boldt said they could also get some land from the Mormons. Commissioner Boldt stated maybe they did not get the letter and the county should send another one. Mr. Moron said they acknowledged the letter but there were people that did not want it there and they contacted their legislative representatives. He reported a representative from DACS said the people there do not want it there so they are not pushing it. Commissioner Boldt agreed he is hearing this in his district. Commissioner Parrish stated the people on Alligator Point do not want oyster boats down there. He explained they really do not want anyone there because there is no parking or facilities for them. He went on to say they do not want a park built either because that will attract people there. Commissioner Parrish reported the state issued the leases after the county opposed it. He explained one of the reasons the county opposed it was because there is no infrastructure there. Commissioner Parrish reported the state created the problem and they need to build a boat ramp and parking to solve it. He said the county needs to send a demand letter and tell them to correct their own problem and let them maintain the boat ramp. He stated it is not the county's responsibility to straighten this out. Commissioner Parrish said they do not need to write a letter asking for the FSU Marine Lab but if the state wants to open the FSU Marine Lab that is between the state and the citizens of Alligator Point not the county. He stated in relation to the proposed zoning change at Alligator Point, he received a lot of emails and none of them want the hatchery. Commissioner Boldt said the state needs to look at these issues and what happens when they do not provide the infrastructure. He asked if there is any other area in the county where the state has done something like this and not provided the infrastructure to support it. Chairman Lockley stated they sold licenses for wild caught oysters and did not provide enough shells to put back. Mr. Moron said in relation to the other leases on this end of the county they assumed they could use county parks. Mr. Moron stated DACS said they just issue the license and are not responsible for infrastructure. Chairman Lockley asked what the charge is for the license. Commissioner Massey replied \$10,000 per acre. Chairman Lockley asked how many leases there are. Commissioner Parrish said 48 right now. Chairman Lockley questioned what they are doing with the money. Mr. Pierce estimated the cost of the lease is about \$500 but the cost of the equipment is more. Commissioner Massey reported someone bought the leases from the state and then sold them for \$10,000 apiece.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 11:39 a.m.

Noah Lockley - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts

December 17, 2019
 Franklin County Road Department
 Detail of Work Performed and Material Hauled by District
 Detail from 11/27/2019 - 12/11/2019

District 1

Work Performed:

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Box drag	11/27/2019	W Bay Shore Drive
Litter Pickup	11/27/2019	Otterslide Road
Litter Pickup	11/27/2019	Twin Lakes Road
Sign Maintenance	11/27/2019	County Roads Eastpoint, Ricky Jones
Box drag	11/27/2019	Howell Street
Box drag	11/27/2019	Cook Street
Box drag	11/27/2019	Porter Street
Cut grass along shoulders of road on county right of way	11/27/2019	S Franklin Street
Cut grass along shoulders of road on county right of way	11/27/2019	Avenue D
Cut grass along shoulders of road on county right of way	11/27/2019	Hatfield Street
Litter Pickup	12/3/2019	Avenue A
Litter Pickup	12/3/2019	Shuler Avenue
Checked county roads for safety of traveling for public	12/5/2019	County Roads Eastpoint, Ricky Jones
Pot hole Repair (Fill)	12/9/2019	W 1st Street
Pot hole Repair (Fill)	12/9/2019	W 6th Street
Culvert installation	12/9/2019	Creamer Street
Culvert installation	12/9/2019	Sago Drive
Culvert installation	12/9/2019	Begonia Street
Culvert installation	12/9/2019	Begonia Street
Culvert installation	12/9/2019	Creamer Street
Sign Maintenance	12/9/2019	School Road
Sign Maintenance	12/9/2019	Avenue A
Sign Maintenance	12/9/2019	Old Ferry Dock Road
Sign Maintenance	12/9/2019	Hickory Dip
Pot hole Repair (Fill)	12/9/2019	W Gulf Beach Drive
Pot hole Repair (Fill)	12/9/2019	W Pine Avenue
Pot hole Repair (Fill)	12/9/2019	W 11th Street
Pot hole Repair (Fill)	12/9/2019	W 10th Street
Pot hole Repair (Fill)	12/9/2019	W 9th Street
Pot hole Repair (Fill)	12/9/2019	W 7th Street
Culvert installation	12/9/2019	Sago Drive
Box drag	12/10/2019	W 12th Street
Box drag	12/10/2019	W 5th Street
Box drag	12/10/2019	W 6th Street
Box drag	12/10/2019	W 9th Street
Box drag	12/10/2019	W 10th Street
Box drag	12/10/2019	Brown Street
Box drag	12/10/2019	Bradford Street
Box drag	12/10/2019	W 4th Street
Box drag	12/10/2019	Gibson Street
Cut grass in ditches, Litter Pickup	12/10/2019	Avenue A
Box drag	12/10/2019	Nedley Street
Box drag	12/10/2019	W 3rd Street
Graded Road(s)	12/10/2019	W 8th Street

District 1

Work Performed:

	<u>Date</u>	<u>Road</u>
Graded 4.	12/10/2019	Marks Street
Graded Road(s)	12/10/2019	Bruce Street
Graded Road(s)	12/10/2019	Patton Drive
Graded Road(s)	12/10/2019	Buck Street, St. George Island
Graded Road(s)	12/10/2019	Land Street
Graded Road(s)	12/10/2019	W Pine Avenue
Graded Road(s)	12/10/2019	E Sawyer Street
Box drag	12/10/2019	Palmer Street
Graded Road(s)	12/10/2019	W Bay Shore Drive
Graded Road(s)	12/10/2019	W Sawyer Street
Box drag	12/10/2019	E 6th Street
Box drag	12/10/2019	Randolph Street
Box drag	12/10/2019	Bell Street
Box drag	12/10/2019	E Bay Shore Drive
Box drag	12/10/2019	Baine Street
Box drag	12/10/2019	E 10th Street
Box drag	12/10/2019	E 9th Street
Box drag	12/10/2019	E 7th Street
Box drag	12/10/2019	Carroll Street
Box drag	12/10/2019	E 4th Street
Box drag	12/10/2019	Gunn Street
Box drag	12/10/2019	E 2nd Street
Box drag	12/10/2019	E 1st Street
Box drag	12/10/2019	Bledsoe Street
Box drag	12/10/2019	Quinn Street
Box drag	12/10/2019	McCloud Street
Box drag	12/10/2019	Wing Street
Box drag	12/10/2019	Porter Street
Box drag	12/10/2019	E 8th Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	12/11/2019	School Road
Culvert Misc, Culvert repair	12/11/2019	School Road
Graded Road(s)	12/11/2019	E Pine Avenue

0

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Ditch Dirt	12/9/2019	Begonia Street	36	0
Ditch Dirt	12/9/2019	Begonia Street	18	0

Ditch Dirt	TOTAL	54	0
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Litter	12/10/2019	Avenue A	1	0
Litter	12/11/2019	School Road	0.100000001	0

Litter	TOTAL	1.100000001	0
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Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Dirty 89 Lime Rock	12/9/2019	Sago Drive	18	0
Dirty 89 Lime Rock	12/9/2019	Begonia Street	18	0
Dirty 89 Lime Rock	12/10/2019	W Pine Avenue	9	0
Dirty 89 Lime Rock	12/10/2019	W Sawyer Street	9	0

Dirty 89 Lime Rock	TOTAL	54	0
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District 1**Material HAUL To:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Litter	12/3/2019	Shuler Avenue	1	0
Litter		TOTAL	1	0
Milled Asphalt	12/9/2019	W 1st Street	0.100000001	0
Milled Asphalt	12/9/2019	W 6th Street	0.100000001	0
Milled Asphalt	12/9/2019	W 7th Street	0.100000001	0
Milled Asphalt	12/9/2019	W 10th Street	0.100000001	0
Milled Asphalt	12/9/2019	W 11th Street	0.100000001	0
Milled Asphalt	12/9/2019	W Pine Avenue	0.100000001	0
Milled Asphalt	12/9/2019	W Gulf Beach Drive	0.100000001	0
Milled Asphalt	12/9/2019	W 9th Street	0.100000001	0
Milled Asphalt		TOTAL	0.800000012	0
Rip Rap	12/11/2019	School Road	9	0
Rip Rap		TOTAL	9	0

District 2**Work Performed:**

	<u>Date</u>	<u>Road</u>		
Trim Trees	11/27/2019	Elm Street		
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Cleaned ditches	11/27/2019	Indiana Street		
Box drag	12/3/2019	Avenue J NE		
Box drag	12/3/2019	David Patton park		
Box drag	12/3/2019	3rd Street E		
Travel	12/3/2019	Jeff Sanders Road		
Litter Pickup	12/3/2019	CR67		
Litter Pickup	12/3/2019	Lake Morality Road		
Box drag	12/3/2019	Jeff Sanders Road		
Box drag	12/3/2019	Ken Cope		
Box drag	12/3/2019	4th Street NE		
Litter Pickup	12/4/2019	CR67		
Box drag	12/4/2019	McIntyre Road		
Travel	12/4/2019	McIntyre Road		
Litter Pickup	12/4/2019	Lake Morality Road		
Litter Pickup	12/5/2019	CR67		
Pot hole Repair (Fill)	12/9/2019	Baywood Drive		
Litter Pickup	12/11/2019	CR67		
			0	

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Litter	12/5/2019	CR67	3	0
Litter	12/11/2019	CR67	0.100000001	0
Litter		TOTAL	3.100000001	0
Trees	11/27/2019	Elm Street	8	0
Trees		TOTAL	8	0

Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Milled Asphalt	12/9/2019	Baywood Drive	0.100000001	0
Milled Asphalt		TOTAL	0.100000001	0

District 3**Work Performed:**

	<u>Date</u>	<u>Road</u>		

District 3

Work Performed:

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Culvert 4. tion	11/27/2019	Timberwood Court
Pot hole Repair (Fill)	12/4/2019	25th Avenue
Litter Pickup	12/9/2019	20th Avenue
Litter Pickup	12/9/2019	Weems Memorial Hospital
Litter Pickup	12/9/2019	Earl King Street
Litter Pickup	12/9/2019	Coach Wagner Blvd (14th Street)
Litter Pickup	12/11/2019	Earl King Street
Litter Pickup	12/11/2019	Weems Memorial Hospital
Litter Pickup	12/11/2019	Avenue H
Litter Pickup	12/11/2019	Avenue K
Litter Pickup	12/11/2019	21st Avenue
Litter Pickup	12/11/2019	22nd Avenue

0

Material HAUL From:

<u>Material HAUL From:</u>	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Litter	12/11/2019	22nd Avenue	0.100000001	0
Litter	12/11/2019	Earl King Street	0.100000001	0
Litter	12/11/2019	Avenue K	0.100000001	0
Litter	12/11/2019	Avenue H	0.100000001	0
Litter	12/11/2019	Weems Memorial Hospital	0.100000001	0
Litter	12/11/2019	21st Avenue	0.100000001	0

Litter TOTAL 0.600000009 0

Material HAUL To:

<u>Material HAUL To:</u>	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Cold Mix, Asphalt	12/4/2019	25th Avenue	3	0

Cold Mix, Asphalt TOTAL 3 0

Dirty 89 Lime Rock	11/27/2019	Timberwood Court	18	0
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Dirty 89 Lime Rock TOTAL 18 0

District 4

Work Performed:

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Litter Pickup	11/27/2019	US HWY 98 (Apalachicola, Smokey)
Litter Pickup	11/27/2019	Lombardi Project
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	11/27/2019	US HWY 98 (Apalachicola, Smokey)
Cut grass along shoulders of road on county right of way	12/3/2019	10 Mile
Cut grass along shoulders of road on county right of way	12/3/2019	8 Mile
Cut grass along shoulders of road on county right of way	12/3/2019	CR30A
Culvert repair	12/3/2019	Bayview Drive
Culvert repair	12/3/2019	Bayview Drive
Cut grass along shoulders of road on county right of way	12/4/2019	13 Mile
Litter Pickup	12/4/2019	Brownsville Road
Litter Pickup	12/4/2019	Oyster Road
Litter Pickup	12/4/2019	Jakie Whitehurst Street
Cut grass along shoulders of road on county right of way	12/4/2019	Highland Park Road
Culvert installation, Cleaned out culverts, Dig out ditches	12/4/2019	Linden Road
Culvert installation, Cleaned out culverts, Dig out ditches	12/4/2019	Bayview Drive
Cut grass along shoulders of road on county right of way	12/4/2019	Gibson Road
Cut grass along shoulders of road on county right of way	12/4/2019	Pinewood Street
Cut grass along shoulders of road on county right of way	12/4/2019	Rosemont Street

District 4

Work Performed:

	<u>Date</u>	<u>Road</u>
Cut grass 4. shoulders of road on county right of way	12/4/2019	Gibson Road
Culvert installation, Cleaned ditches	12/4/2019	Linden Road
Road Repair, Culvert repair	12/4/2019	Bayview Drive
Litter Pickup	12/4/2019	Rosemont Street
Cleaned ditches, Cut grass in ditches	12/4/2019	Jakie Whitehurst Street
Cut grass along shoulders of road on county right of way	12/4/2019	Cypress Street
Litter Pickup	12/4/2019	Highland Park Road
Litter Pickup	12/4/2019	Connector Road
Litter Pickup	12/4/2019	Cypress Street
Cut grass along shoulders of road on county right of way	12/4/2019	Connector Road
Litter Pickup	12/4/2019	26th Avenue
Litter Pickup	12/4/2019	Pinewood Street
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	12/5/2019	US HWY 98 (Apalachicola, Smokey)
Weed Eat & Cut Grass around signs & Culverts	12/5/2019	CR30A
Litter Pickup	12/9/2019	Brownsville Road
Litter Pickup	12/9/2019	Health Department (Apalachicola)
Litter Pickup	12/9/2019	Bluff Road
Cut grass along shoulders of road on county right of way	12/9/2019	Bay City Work Camp
Weed Eat & Cut Grass around signs & Culverts	12/9/2019	Teat Road
Weed Eat & Cut Grass around signs & Culverts	12/9/2019	Moses Road
Litter Pickup	12/9/2019	Paradise Lane
Weed Eat & Cut Grass around signs & Culverts	12/9/2019	Tilton Road
Cut grass along shoulders of road on county right of way	12/10/2019	Bay City Road
Litter Pickup	12/10/2019	Peachtree Road
Cut grass in ditches	12/10/2019	Peachtree Road
Cut grass along shoulders of road on county right of way	12/10/2019	Smith Road
Cut grass in ditches	12/10/2019	Hathcock Road
Litter Pickup	12/11/2019	Health Department (Apalachicola)

0

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Ditch Dirt	12/4/2019	Linden Road	9	0

Ditch Dirt TOTAL 9 0

Litter	11/27/2019	US HWY 98 (Apalachicola, Smokey)	3	0
Litter	12/4/2019	Oyster Road	3	0
Litter	12/4/2019	Jakie Whitehurst Street	3	0
Litter	12/4/2019	26th Avenue	2	0
Litter	12/4/2019	Brownsville Road	2	0
Litter	12/9/2019	Bluff Road	0.200000003	0
Litter	12/9/2019	Paradise Lane	0.200000003	0
Litter	12/9/2019	Brownsville Road	0.200000003	0
Litter	12/11/2019	Health Department (Apalachicola)	0.100000001	0

Litter TOTAL 13.70000001 0

Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Black Dirt	12/3/2019	Hathcock Road	18	0
Black Dirt	12/4/2019	Bayview Drive	9	
Black Dirt	12/4/2019	Linden Road	18	
Black Dirt	12/4/2019	Bayview Drive	18	0

District 4**Material HAUL To:**

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Black 4.			TOTAL	63 0
Concrete, Ready Mix	12/3/2019	Bayview Drive	15	0
Concrete, Ready Mix			TOTAL	15 0
Dirty 89 Lime Rock	12/4/2019	Linden Road	18	0
Dirty 89 Lime Rock			TOTAL	18 0

District 5**Work Performed:**

	<u>Date</u>	<u>Road</u>
Sign Maintenance	11/27/2019	County Roads, Eastpoint William Massey
Beaver Dam - Take Out	11/27/2019	Lighthouse Road
Culvert Misc	11/27/2019	Lighthouse Road
Box drag	12/3/2019	5th Street E
Box drag	12/3/2019	Mill Road
Litter Pickup	12/3/2019	State Street
Checked county roads for safety of traveling for public	12/5/2019	County Roads, Eastpoint William Massey
Sign Maintenance	12/9/2019	Cora Mae Road
Litter Pickup	12/9/2019	Waddell Road
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup, Cut grass in ditches	12/10/2019	Wilderness Road
Culvert repair	12/10/2019	Longwood Court
Culvert repair, Culvert Misc	12/10/2019	CC Land
Box drag	12/10/2019	5th Street
Culvert Misc	12/10/2019	CC Land
Driveway repair	12/10/2019	Longwood Court
Box drag	12/10/2019	Pruett Road
Cut grass in ditches, Litter Pickup	12/10/2019	Wilderness Road
Graded Road(s)	12/10/2019	Cook Street
Driveway repair	12/11/2019	Ridge Road
Box drag	12/11/2019	Jeffie Tucker Road
Graded Road(s)	12/11/2019	Owl Creek Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	12/11/2019	8th Street
Box drag	12/11/2019	North Road
Sign Maintenance	12/11/2019	Lighthouse Road
Box drag	12/11/2019	Gardners Landing Road
Box drag	12/11/2019	Bloody Bluff Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	12/11/2019	Tip Tucker Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	12/11/2019	10th Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches, Litter Pickup	12/11/2019	Wilderness Road
Sign Maintenance	12/11/2019	Lagoon Street
Litter Pickup	12/11/2019	Cape Street
Litter Pickup	12/11/2019	Lighthouse Road
Litter Pickup	12/11/2019	Frank McKamey Way
Culvert Misc, Culvert repair	12/11/2019	Quail Run Drive
Graded Road(s)	12/11/2019	Power Line Drive
Litter Pickup	12/11/2019	Beacon Street

District 5

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Litter	12/3/2019	State Street	1	0
Litter	12/3/2019	State Street	1	0
Litter	12/9/2019	Waddell Road	0.200000003	0
Litter	12/10/2019	Wilderness Road	1	0
Litter	12/11/2019	Beacon Street	0.100000001	0
Litter	12/11/2019	Tip Tucker Road	0.100000001	0
Litter	12/11/2019	8th Street	0.100000001	0
Litter	12/11/2019	10th Street	0.100000001	0
Litter	12/11/2019	Wilderness Road	0.100000001	0
Litter	12/11/2019	Cape Street	0.100000001	0
Litter	12/11/2019	Lighthouse Road	0.100000001	0
Litter	12/11/2019	Frank McKamey Way	0.100000001	0

Litter		TOTAL	4.000000015	0
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Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Black Dirt	11/27/2019	River Road	9	0
Black Dirt	12/11/2019	Power Line Drive	18	0
Black Dirt	12/11/2019	Owl Creek Road	18	0
Black Dirt	12/11/2019	Owl Creek Road	18	0
Black Dirt	12/11/2019	Power Line Drive	18	0

Black Dirt		TOTAL	81	0
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Dirty 89 Lime Rock	12/10/2019	Longwood Court	18	0
Dirty 89 Lime Rock	12/11/2019	Wilderness Road	18	0

Dirty 89 Lime Rock		TOTAL	36	0
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Rip Rap	11/27/2019	Lighthouse Road	18	0
Rip Rap	12/10/2019	CC Land	9	0
Rip Rap	12/11/2019	Quail Run Drive	9	0

Rip Rap		TOTAL	36	0
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MEETING DATE: 12/17/19
NAME/DEPARTMENT/AGENCY: Howard Nabors/Road Superintendent
TOTAL ATTACHMENTS: 1

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Report

Action Items

No Action Items

Information Items

A. Work Performed/Material Hauled Report (Agenda Packet)



MEETING DATE: 12/17/19
NAME/DEPARTMENT/AGENCY: Fonda Davis/Solid Waste
TOTAL ATTACHMENTS: 0

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Report

Action Items

No Action Items

Information Items

Debris Pickup/Recycle Material Hauled Report (Agenda Packet)

5.



FRANKLIN COUNTY DEPARTMENT OF

Solid Waste & Recycling ❖ Animal Control ❖ Parks & Recreation
 210 State Road 65
 Eastpoint, Florida 32328
 Tel.: 850-670-8167
 Fax: 850-670-5716
 Email: fcswd@fairpoint.net

DIRECTOR'S REPORT

DATE December 17, 2019

TIME: 9:00 A.M.

SUBJECT(S):
FOR BOARD INFORMATION:

**Right-of-Way Debris Pickup/Recycle Material Hauled November 21, 2019-
 December 10, 2019**

November 21st -December 10th
RIGHT-OF-WAY DEBRIS PICKUP

Apalachicola	Eastpoint	St George Island	Carrabelle	Lanark	Alligator Point
56.52 TONS	35.98 TONS	10.86 TONS	16.09 TONS	8.68 TONS	28.58 TONS

RECYCLE MATERIAL HAULED

	Apalachicola	Eastpoint	St George Island	Carrabelle	Lanark	Alligator Point	St James
Cardboard	4.98 TONS	8.29 TONS	8.63 TONS	.97 TONS	-0- TONS	-0- TONS	0.42 TONS
Plastic,Paper, Glass, Aluminum	4.49 TONS	0.62 TONS	5.82 TONS	4.93 TONS	-0- TONS	-0- TONS	2.08 TONS



MEETING DATE: 12/17/19
NAME/DEPARTMENT/AGENCY: Fonda Davis/Solid Waste
TOTAL ATTACHMENTS: 1

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Report

Action Items

No Action Items

Information Items

- Franklin County Emergency Management attended the Region 2 Quarterly meeting.
- Franklin County Emergency Management is diligently working on completing all paperwork for FEMA reimbursement.
- Franklin County Emergency Management Staff is organizing and compiling care boxes for St James Rehab Center.
- Franklin County CEMP has been approved and the resolution signed.
- Franklin County Emergency Management is accepting applications for Hurricane Loss Mitigation Program. Criteria and Applications are available at Franklin Emergency Management’s website.
- FCEM is completing the annual NIMS survey for the state. It is a requirement to ensure the county is eligible for FEMA reimbursement.
- FCEM is reviewing and rewriting the Local Mitigation Strategy Plan for the county.



MEETING DATE: 12/17/19
NAME/DEPARTMENT/AGENCY: Erik Lovestrand
TOTAL ATTACHMENTS: 0

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Report

Action Items

None

Information Items

General Extension Activities:

- Extension office assisted clientele with issues related to citrus greening in Franklin County, soil samples, and local gardening.
- Work continues on end of year reporting, as required by UF/IFAS and Florida Sea Grant each year.
- Extension Director participated in ACF Stakeholders (Apalachicola Caucus) conference planning call to discuss hosing the next in-person ACFS Governing Board meeting in Apalachicola during January possibly.
- Staff has begun moving a few things to the new office location. Non-carpeted floor work still being completed.

Sea Grant Extension:

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

4-H Youth Development:

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

Family Consumer Sciences:

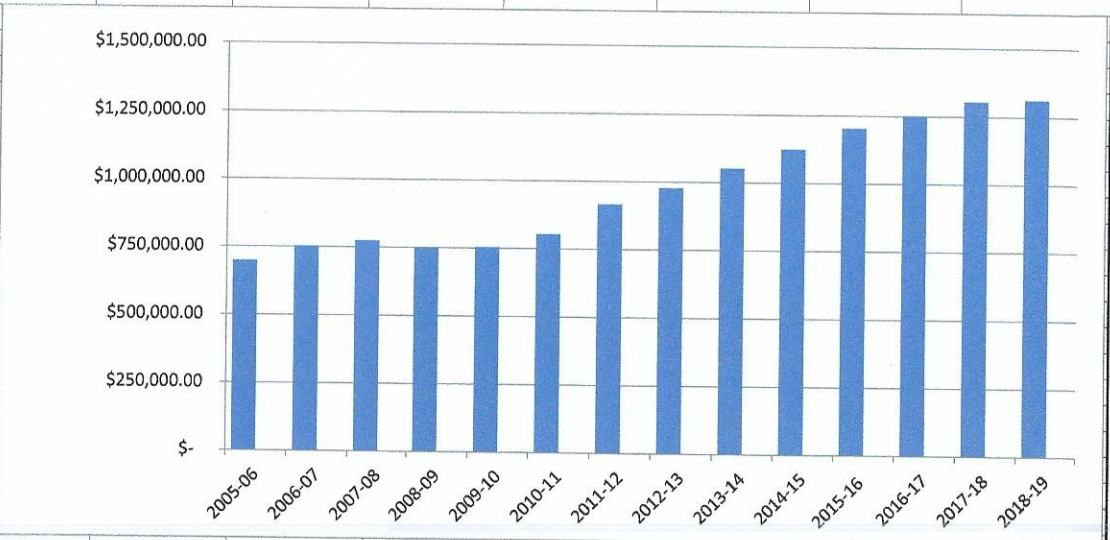
- Family Nutrition Program (FNP) Assistant teaching hands-on cooking skills with pre-K youth to 8th grade with "Kids in the Kitchen curriculum. Includes kitchen safety, cooking skills, how to follow recipes and, always the favorite part, taste testing.
- FNP Program Assistant has begun teaching with adult senior group at First Baptist.

**FCTDC Collections Report for
2018-2019 Year End Report
(Through 09/30/19)**

Month	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
October	\$ 35,408.91	\$ 32,809.57	\$ 39,697.19	\$ 38,597.69	\$ 39,568.32	\$ 36,996.34	\$ 48,383.10	\$ 53,543.22	\$ 57,651.88	\$ 58,875.87	\$ 75,084.59	\$ 95,107.96
November	\$ 24,824.38	\$ 24,717.35	\$ 27,182.76	\$ 25,888.92	\$ 25,863.47	\$ 26,438.49	\$ 34,441.98	\$ 40,334.08	\$ 34,740.65	\$ 40,065.78	\$ 44,449.24	\$ 46,043.65
December	\$ 20,421.74	\$ 16,055.89	\$ 22,986.95	\$ 23,167.33	\$ 16,530.96	\$ 19,936.19	\$ 21,597.00	\$ 21,510.93	\$ 29,747.90	\$ 30,978.80	\$ 24,692.82	\$ 41,580.49
January	\$ 19,681.48	\$ 26,489.68	\$ 22,911.37	\$ 22,960.20	\$ 26,170.57	\$ 23,359.12	\$ 30,392.62	\$ 33,657.09	\$ 34,707.03	\$ 38,805.36	\$ 47,001.63	\$ 41,668.57
February	\$ 29,294.47	\$ 44,900.59	\$ 40,835.29	\$ 39,452.32	\$ 33,678.97	\$ 34,980.88	\$ 52,045.79	\$ 49,365.87	\$ 52,883.10	\$ 42,754.53	\$ 64,493.95	\$ 60,422.61
March	\$ 51,243.40	\$ 45,643.22	\$ 61,090.70	\$ 49,778.57	\$ 53,116.79	\$ 61,989.52	\$ 66,597.90	\$ 80,880.36	\$ 78,180.12	\$ 83,626.43	\$ 80,017.67	\$ 84,583.19
April	\$ 69,608.73	\$ 70,430.06	\$ 66,135.24	\$ 73,880.65	\$ 53,934.68	\$ 70,610.82	\$ 81,641.55	\$ 90,242.68	\$ 81,115.14	\$ 101,310.37	\$ 103,120.37	\$ 89,949.68
May	\$ 100,486.16	\$ 114,100.71	\$ 123,221.80	\$ 104,769.28	\$ 120,470.95	\$ 90,634.75	\$ 140,203.97	\$ 115,589.54	\$ 135,897.45	\$ 143,700.44	\$ 131,348.44	\$ 110,484.59
June	\$ 107,484.39	\$ 166,403.90	\$ 138,839.79	\$ 143,507.76	\$ 151,640.61	\$ 172,029.99	\$ 143,805.29	\$ 195,838.11	\$ 210,505.76	\$ 195,093.30	\$ 213,948.96	\$ 226,795.48
July	\$ 149,857.23	\$ 95,128.02	\$ 128,027.35	\$ 131,276.62	\$ 114,121.18	\$ 147,874.24	\$ 140,000.40	\$ 153,197.77	\$ 164,199.99	\$ 182,235.52	\$ 253,603.30	\$ 242,036.51
August	\$ 51,353.14	\$ 69,863.99	\$ 57,497.82	\$ 56,312.21	\$ 71,377.70	\$ 60,698.01	\$ 93,912.12	\$ 86,742.96	\$ 107,783.56	\$ 129,879.50	\$ 82,664.07	\$ 121,808.90
September	\$ 38,597.72	\$ 46,282.27	\$ 45,739.57	\$ 41,298.87	\$ 47,760.09	\$ 57,592.93	\$ 63,037.18	\$ 57,170.58	\$ 64,199.48	\$ 75,778.00	\$ 81,869.35	\$ 90,214.19
Totals	\$ 698,261.75	\$ 752,825.25	\$ 774,165.83	\$ 750,890.42	\$ 754,234.29	\$ 803,141.28	\$ 916,058.90	\$ 978,073.19	\$ 1,051,612.06	\$ 1,123,103.90	\$ 1,202,294.39	\$ 1,250,695.82

YOY %		\$ 54,563.50	\$ 21,340.58	\$ (23,275.41)	\$ 3,343.87	\$ 48,906.99	\$ 112,917.62	\$ 62,014.29	\$ 73,538.87	\$ 71,491.84	\$ 79,190.49	\$ 48,401.43
		7.8%	2.8%	-3.0%	0.4%	6.5%	14.1%	6.8%	7.5%	6.8%	7.1%	4.0%

Month	2017-18	2018-19	Increase/Decrease	% of Change
October	\$ 85,823.35	\$ 38,416.89	\$ (47,406.46)	-55.24
November	\$ 49,440.74	\$ 87,784.31	\$ 38,343.57	77.55
December	\$ 37,182.43	\$ 46,715.00	\$ 9,532.57	25.64
January	\$ 51,388.51	\$ 52,063.46	\$ 674.95	1.31
February	\$ 58,337.94	\$ 66,632.44	\$ 8,294.50	14.22
March	\$ 111,947.32	\$ 127,975.20	\$ 16,027.88	14.32
April	\$ 103,422.44	\$ 82,258.08	\$ (21,164.36)	-20.46
May	\$ 140,130.14	\$ 166,129.65	\$ 25,999.51	18.55
June	\$ 269,049.32	\$ 300,092.38	\$ 31,043.06	11.54
July	\$ 215,933.34	\$ 209,374.07	\$ (6,559.27)	-3.04
August	\$ 111,322.92	\$ 134,238.67	\$ 22,915.75	20.58
September	\$ 70,419.47	\$ 90,051.57	\$ 19,632.10	27.88
Totals	\$ 1,304,397.92	\$ 1,401,731.72	\$ 97,333.80	7.46
YOY %	\$ 53,702.10	\$ 97,333.80		
	4.3%	7.5%		





MEETING DATE: 12/17/19
NAME/DEPARTMENT/AGENCY: John Solomon/TDC Director
TOTAL ATTACHMENTS: 1

=====

Report

Action Items

A. No action items

Request: None

Information Items

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

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

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

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

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



- Legend**
- Parcels
 - Roads
 - City Labels

Parcel ID	29-065-02W-2100-0000-0061	Alternate ID	02W06529210000000061	Owner Address	MCDANIEL LENORA P. & JERRY L
Sec/Twp/Rng	29-6S-2W	Class	SINGLE FAM		TRUSTEE OF REVOCABLE TRUST
Property Address	4402 ST. TERESA AVE	Acreage	0.229		P.O. BOX 1046
					PANACEA, FL 32346



MS Daniel

4402 St. Teresa Avenue

STREET (NOT OPEN)

S. 86° 49' 12" W.
41.25' (M)

SET 5/8"
RE-RUD 06475

41.25' (M)

R/W

FND. 4/4
C.L. 0295



MS Daniel Property

Lang Property
4404 St. Teresa Ave.

Gruber (Lewis) Property
4400 St. Teresa Ave.

COURT DRIVE

249.03' (M)

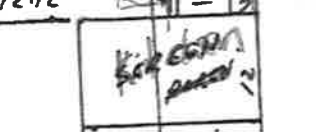
STREET (ABANDONED)

248.89

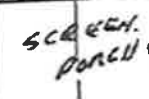
52.12

78.75

0.24 AC. ±



TWO STORY
FRAME RES.
40.5'



41.25' (M)
N. 87° 01' 02" E.

N. 03° 13' 51" W.

New 16x26
Bedroom + Bath
Ground Floor

5' setback
from property line

FRAME
RES.

FND. 5/8"
RE-RUD 06475

FND. 4/4
C.L. 02919

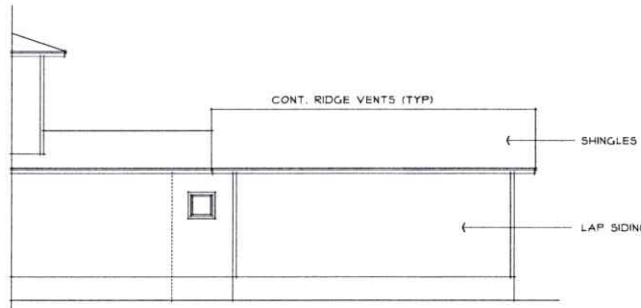
FND. 5/8"
RE-RUD 06475

470.10' (M)

41.25' (M)

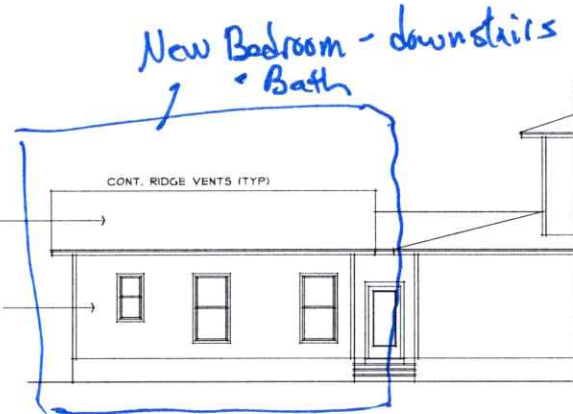
IT OF
INNING

Gulf of Mexico



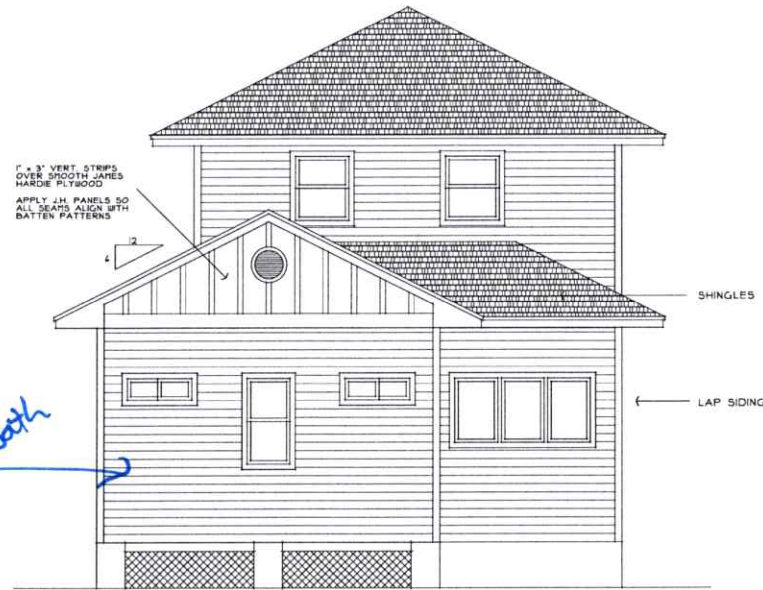
Proposed Left Elevation

Scale : 1/8"=1'-0"



Proposed Right Elevation

Scale : 1/8"=1'-0"



Proposed Front Elevation

Scale : 1/4"=1'-0"

New Bedroom + Bath

Design House home plans were designed and drafted to meet average conditions and codes in the State of Florida at the time they were drawn. All plans were designed to meet the specifications of "some, none" jurisdiction every state, county and municipality has its own regulations, codes, ordinances and requirements. The purchaser of these plans shall be responsible for verifying or having a third party or parties to verify the scale and all dimensions on the drawings, the loading capacity of structural elements and general structural integrity and the availability of certain desired products relative to the dimensions on the plans. The purchaser and/or builder of the plan releases Design House, Inc. its shareholder, officers, directors and employees from any claims or lawsuits that may arise during the construction of the home or anytime thereafter. Design House outlines the scale and use of these plans expressly upon the purchaser's obligation to determine the suitability of these plans for your specific site and application. Certain states require the seal of an architect and/or an engineer. This service is not included in our plan prices. These plans can be modified to meet your local codes and all requirements. It is the responsibility of the purchaser and/or builder to insure that the home is built in strict compliance with all applicable codes (city, county, state and federal). All plans published and sold by Design House, Inc. are protected under the Federal Copyright Act, Title 17 of the United States Code and Chapter 37 of the Code of Federal Regulation. The purchaser is granted a limited use of these plans for construction purposes only. Further distribution of these plans is strictly prohibited. Plans and conditions of plans subject to change without notice.

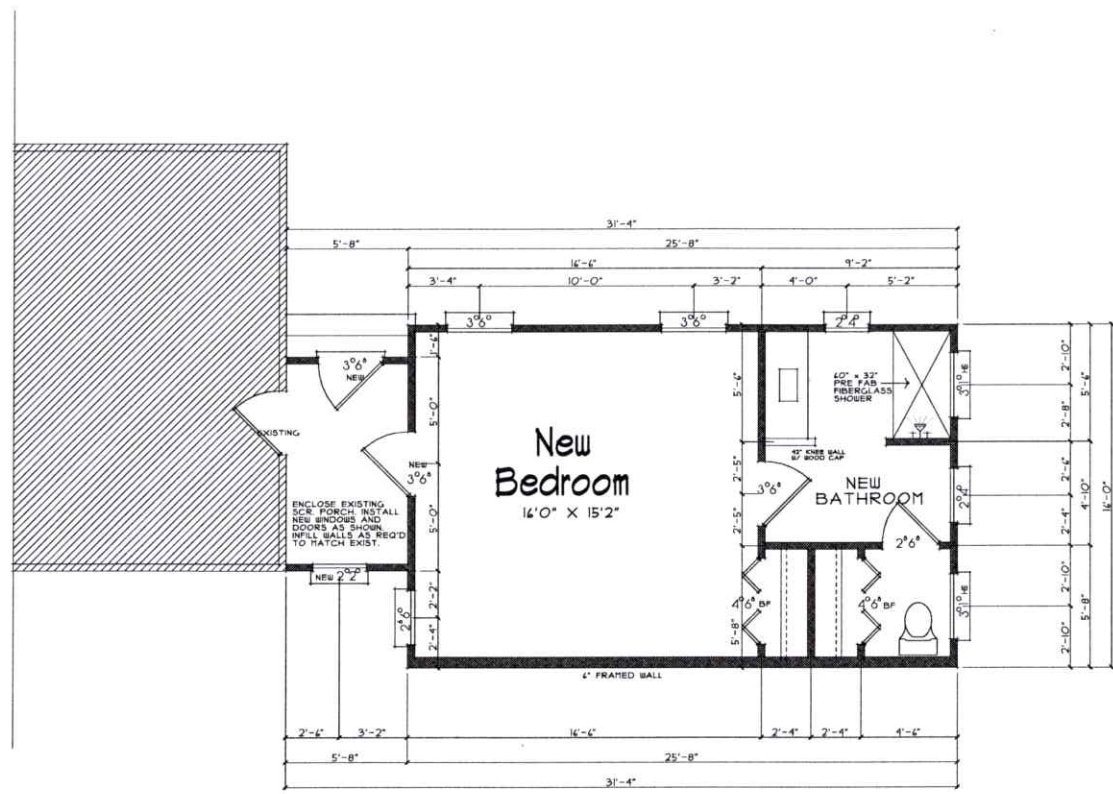
Design House
 residential design services
 1400 Village Square Boulevard | Unit 3-714 | Tallahassee, Florida 32312
 850.508.0322 | www.designhouse.com | 8 a.m. - 5 p.m. Mon-Fri

DRAWN TOMH	
CHECKED	
DATE DRAWN	
PRINT DATE	10/31/2019
JOB NO.	2019031
4402 ST TERESA AVENUE	
SHEET	of 5

Design House home plans were designed and drafted to meet coverage conditions and codes in the State of Florida at the time they were drawn. All plans were designed to meet the specific location of seismic zone 1. Because every state, county and municipality has its own regulations, codes, ordinances and requirements, the purchaser of these plans shall be responsible for verifying or causing a third party or parties to verify the scope and all dimensions on the drawings, the loading capacity of structure elements and general structural integrity and the availability of certain desired products relative to the dimensions on the plans. The purchaser and/or builder of the plan releases Design House, Inc., its shareholders, officers, directors and employees from any claims or lawsuits that may arise during the construction of the home or anytime thereafter. Design House authorizes the use and use of these plans expressly upon the purchaser's obligation to determine the suitability of these plans for your specific site and application. Certain states require the seal of an architect and/or an engineer. This service is not included in our plan prices.

These plans can be modified to meet your local codes and all requirements. It is the responsibility of the purchaser and/or builder to ensure that the home is built in strict compliance with all applicable codes (city, county, state and federal).

All plans published and sold by Design House, Inc. are protected under the Federal Copyright Act, Title 17 of the United States Code and Chapter 37 of the Code of Federal Regulation. The purchaser is granted a limited use of these plans for construction purposes only. Further distribution of these plans is strictly prohibited. Plans and conditions of plans subject to change without notice.



Proposed Floor Plan

Scale : 1/4"=1'-0"



Design House
residential design services
1400 Village Square Boulevard | Unit 3-114 | Tallahassee, Florida 32312
850.509.0332 | www.designhouse.com | info@designhouse.com

DRAWN	TOMH
CHECKED	
DATE DRAWN	
PRINT DATE	10/31/2019
JOB NO.	2019031
4402 ST TERESA AVENUE	
SHEET	2 OF 5

November 5, 2019

The Advisory Board of Adjustment
Franklin County Building Department
34 Forbes Street, Suite 1
Apalachicola, FL 32320

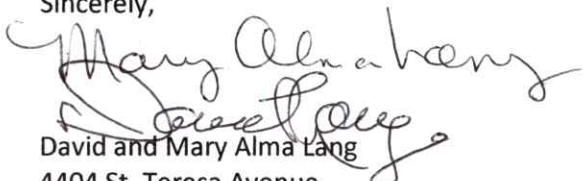
RE: Support Letter for McDaniel Variance Request Application
4402 St. Teresa Avenue, Bedroom & Bath Addition

Dear Board of Adjustment:

We support our neighbor's (McDaniel) Variance Request to construct a Bedroom and Bath addition behind their existing house approximately 5' from their eastern property line. We are aware that the standard setback is 10', but the 5' setback requested will provide a much better utilization of the McDaniel property, and it will not incumber our property in any way.

Please let us know if you need anything further from us in support of the McDaniel's setback variance request.

Sincerely,



David and Mary Alma Lang
4404 St. Teresa Avenue
St. Teresa, FL 32358

November 5, 2019

The Advisory Board of Adjustment
Franklin County Building Department
34 Forbes Street, Suite 1
Apalachicola, FL 32320

RE: Support Letter for McDaniel Variance Request Application
4402 St. Teresa Ave, Bedroom & Bath Addition

Dear Board of Adjustment:

Our neighbors at St. Teresa Beach, the McDaniel's, have shared with us their plans to add a bedroom and bath on the first floor of their existing home. We understand they are requesting a variance of 5' or less on the east property line. We do understand their need for a bedroom and bath on the first floor of their home in that the couple will be 80 years old next year.

We support their request and hope you will rule in favor of the variance for the addition.

Please let us know if you need anything further from us in support of the McDaniel's setback variance request.

Sincerely,



Betsy Gruber - Trustee
4400 St. Teresa Avenue
St. Teresa, FL 32358



- Legend**
- Parcels
 - Roads
 - City Labels

Parcel ID	06-075-01W-0000-0280-0010	Alternate ID	01W07506000002800010	Owner Address	PARKER PAUL & ET AL
Sec/Twp/Rng	--	Class	OFFICE BUI		632 MARINER CIRCLE
Property Address	127 HARBOR CIRCLE	Acreage	2.188		ALLIGATOR POINT, FL 32346
District	7				
Brief Tax Description	A PARCEL IN SECTION 06 075 01W (Note: Not to be used on legal documents)				

Date created: 10/23/2019
 Last Data Uploaded: 10/23/2019 7:04:54 AM

Developed by  **Schneider**
 GEOSPATIAL

10.

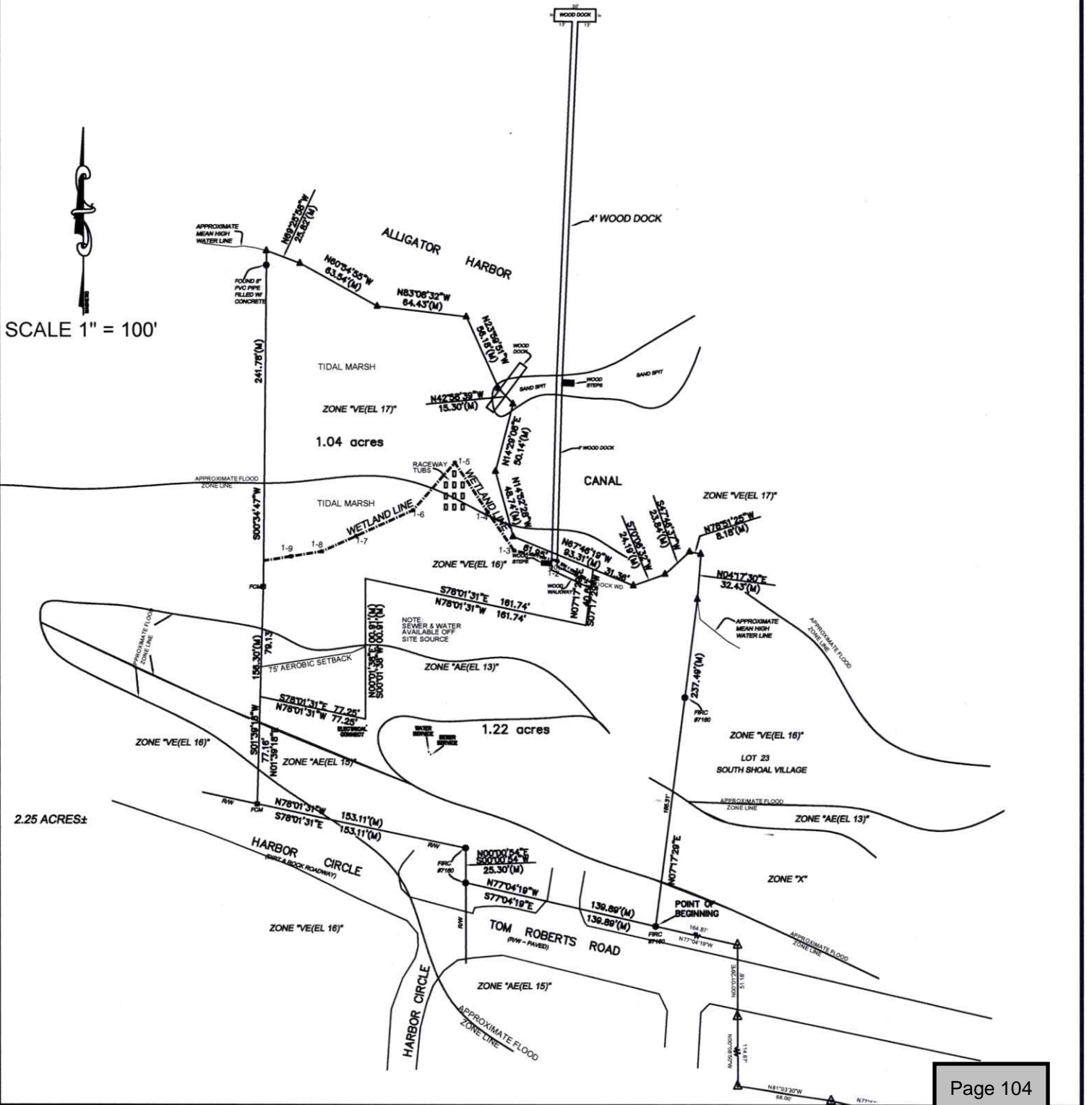
PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Paul Parker
WATERBODY/CLASS: Alligator Point / Class II / OFW / AP
PURPOSE: Land Use Planning
PROJECT LOCATION / USGS: Alligator Point / Franklin County
LATITUDE:
LONGITUDE:
SECTION: 6 TWSHP: 7 South RNG: 1 West

JOB: 19-109
DEP:
COE:
OTHER:
DATE: October 22, 2019
SHEET: 2A/3

SCALE 1" = 100'

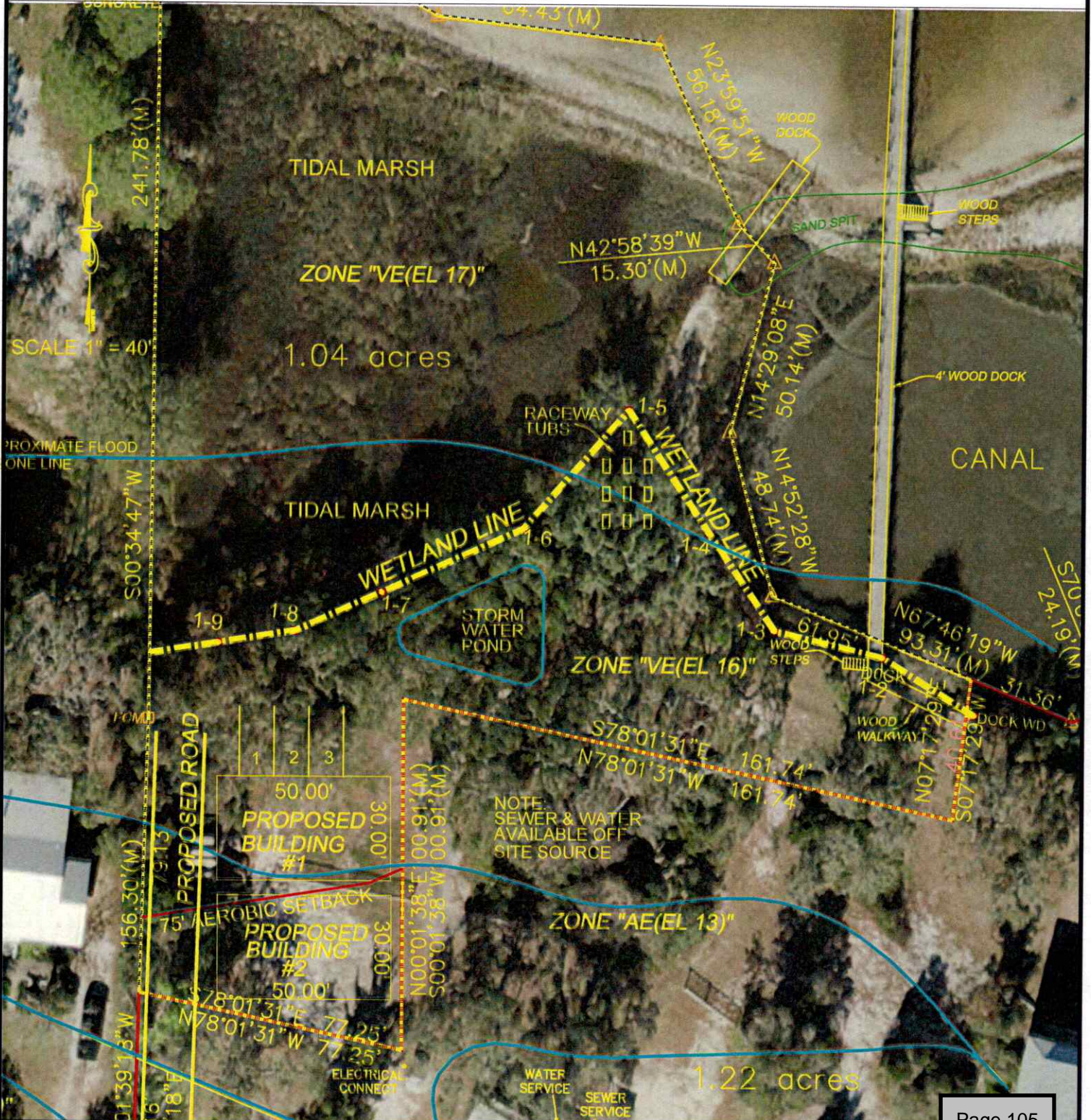


10. PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Paul Parker
 WATERBODY/CLASS: Alligator Point / Class II / OFW / AP
 PURPOSE: Land Use Planning
 PROJECT LOCATION / USGS: Alligator Point / Franklin County
 LATITUDE:
 LONGITUDE:
 SECTION: 6 TOWNSHIP: 7 South RANG: 1 West

JOB: 19-109
 DEP:
 COE:
 OTHER:
 DATE: October 22, 2019
 SHEET: 3/3

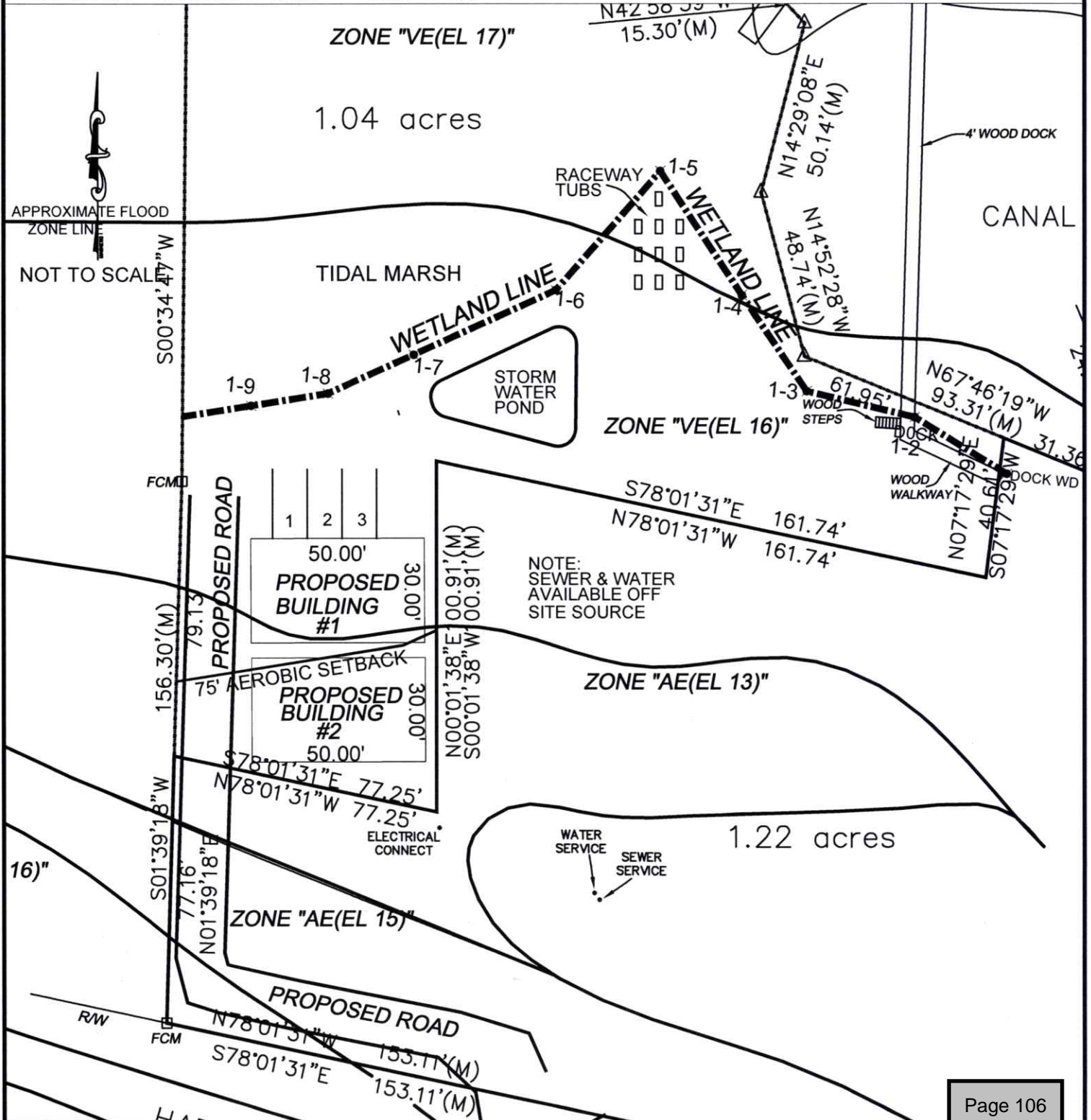


PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.



APPLICANT/CLIENT: Paul Parker
 WATERBODY/CLASS: Alligator Point / Class II / OFW / AP
 PURPOSE: Land Use Planning
 PROJECT LOCATION / USGS: Alligator Point / Franklin County
 LATITUDE:
 LONGITUDE:
 SECTION: 6 TOWNSHIP: 7 South RNG: 1 West

JOB: 19-109
 DEP:
 COE:
 OTHER:
 DATE: October 22, 2019
 SHEET: 3A/3



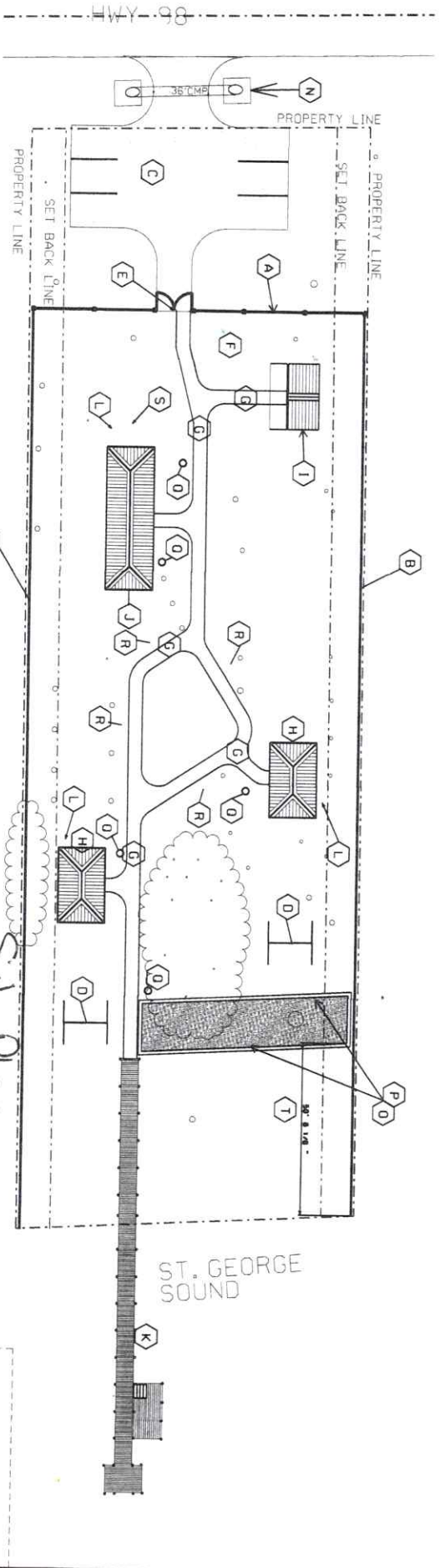


- Legend**
- Parcels
 - Roads
 - City Labels
 - Sec-Twn-Rng

Parcel ID	04-07S-03W-3151-000C-0060	Alternate ID	03W07S043151000C0060	Owner Address	ST JAMES BAY PROPERTY OWNER!!
Sec/Twp/Rng	4-7S-3W	Class	COMMON ARE	Mailing →	160 LAUGHING GULL LANE
Property Address		Acreage	n/a		CARRABELLE, FL 32322
District	1			Physical Address:	
Brief Tax Description	UNIT 1 BLC LOT 6				2832 Hwy 98 East
	(Note: Not to be used on legal documents)				Carrabelle, FL

Date created: 10/23/2019
 Last Data Uploaded: 10/23/2019 7:04:54 AM





Side Plan
NEW WORK PLAN
Not to Scale

- KEYED NOTES**
- A LIGHT ON CHU BLOCK FENCE POST (TYPICAL)
 - B 6" HIGH PRIVACY FENCING-PRESSURE TREATED WOOD
 - C 6" DEEP GRAVEL PARKING LOT OVER 12" COMPACTED ROAD BASE
 - D SWING SET
 - E 9" WIDE PRIVACY FENCE ACCESS GATE WITH LOCK - 5' WIDE LEAF + 3' WIDE LEAF LESS Dual Access Latch
 - F NOT USED
 - G 4" WIDE X 4" THICK CONCRETE WALKWAY OVER 6" COMPACTED ROAD BASE
 - H TYPE A COVERED PICNIC BUILDING REFER TO SHEET A-XXXX
 - I ELEVATED ADA PREFABRICATED TOILET (MEN AND WOMEN) BUILDING. REFER TO SHEET A-XXXX

- J NOT USED
- K DOCK - REFER TO SHEET A-XXXX
- L BBQ PIT - PARK TABLE KP5716
- M 100 AMP ELECTRICAL BOX IN BUILDING. REFER TO SHEET E-XXX
- N RELOCATED PIPE AND NEW CONCRETE FOUNDATIONS
- O SANDBOX
- P SAND PIT REFER TO SHEET A-XXXX
- Q 1 GALLOON EXPANDED METAL TRUCK MOUNTED
- R PARK BENCH-50" STEEL FRAME WOOD SEAT
- S FIRE PLACE - FOND BRAY Color-2G Modular Outdoor Fireplace Kit Sand 6" THICK REINFORCED CONCRETE
- T 50' SETBACK FROM MEAN HIGH TIDE LEVEL/ PROPERTY LINE

ST. JAMES BAY PROPERTY OWNER ASSOCIATION
 MODIFICATIONS TO 04-07S-03W-3151-000C-0060
 PARKFRANKLIN COUNTY, FL 32323
 NEW PARK

MARVIN HEYMANN ARCHITECT
 1393 ALLIGATOR DRIVE
 ALLIGATOR POINT, FL 32346

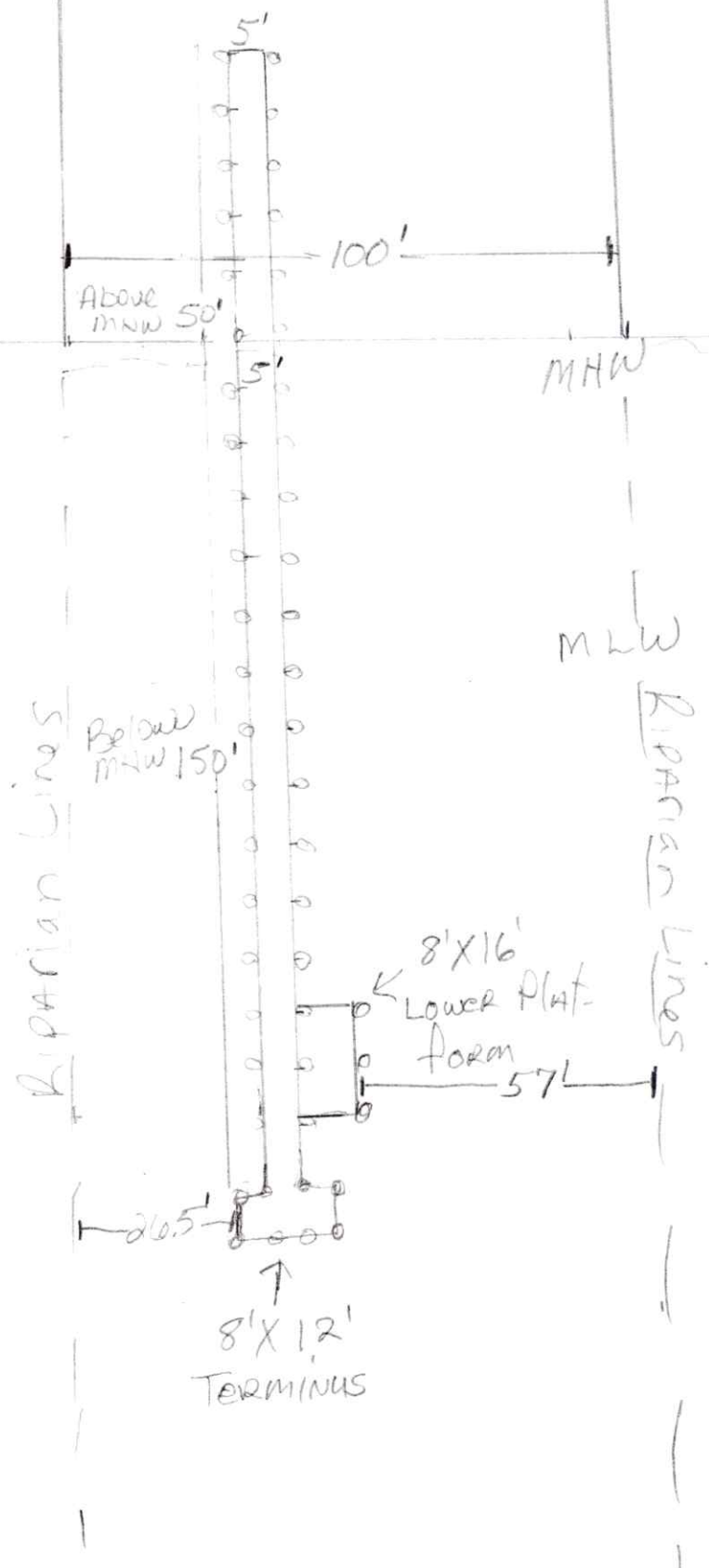
DESIGNED BY: WWT	DATE: 1-4-18
DRAWN BY: WWT	
REVIEWED BY: WWT	
PLT SCALE: 1"=10'	FILE NUMBER:
DATE: 11 X 17	

NO.	DATE	BY

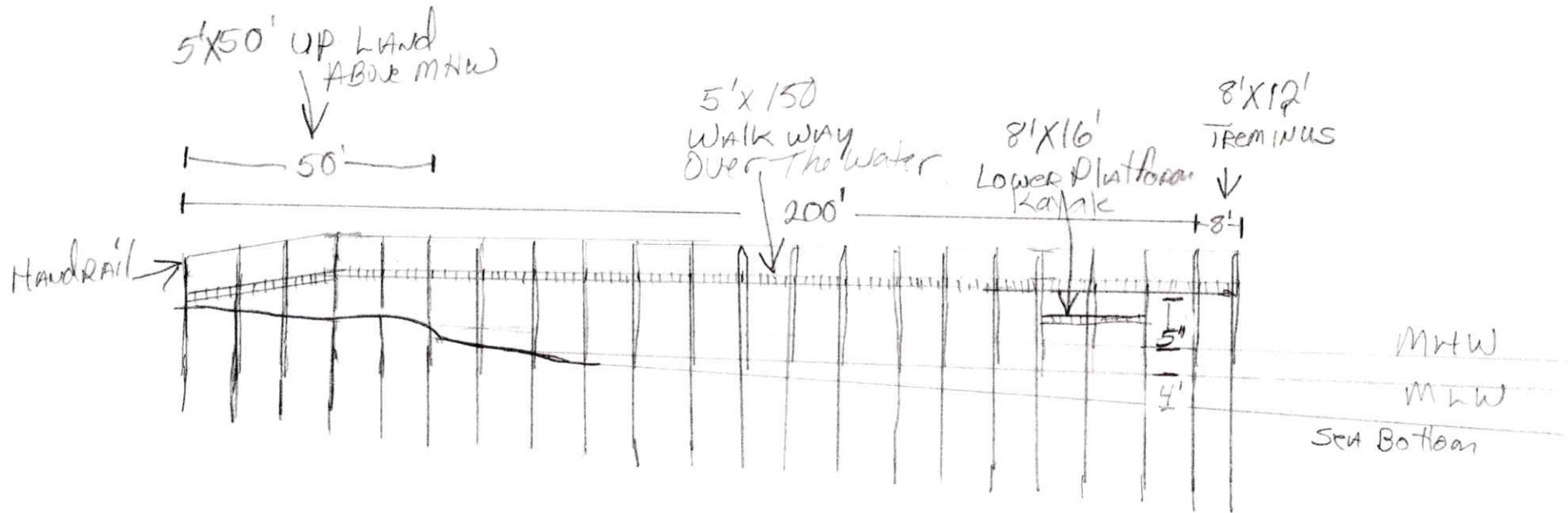
11.

Cont: Armand Evans
James P.D

2832 Hwy 98 East
Carrabelle, Fl.

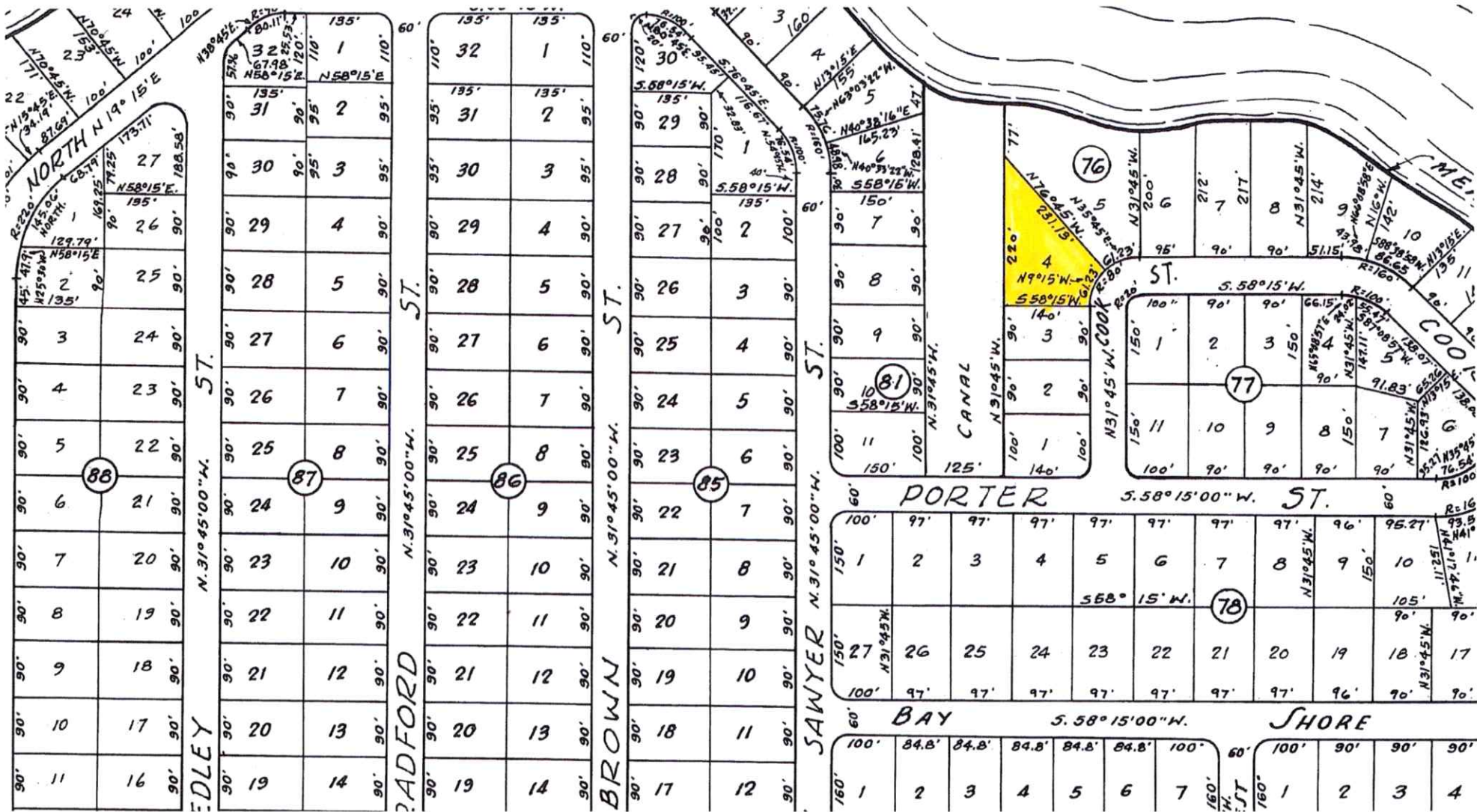


Applicant: Armand Evans
St James P.O.
2832 Hwy 98 East Corralbllo, FL.



Scale $\frac{3}{8}'' = 10'$
Pole span every 10' Apart
Deck 5' Above MHW

Plat Book 3, Page 16-17





- Legend**
- Parcels
 - Roads
 - City Labels

Parcel ID	29-095-06W-7315-0076-0040	Alternate ID	06W09S29731500760040	Owner Address	SLACK JAMES DAVID & GROGAN ANDREE M 272 VICKERS DRIVE DECATUR, GA 30030
Sec/Twp/Rng	29-95-6W	Class	SINGLE FAM		
Property Address	363 COOK ST ST	Acreage	n/a		

District 1
Brief Tax Description UNIT 5 BL 76 LOT 4
 (Note: Not to be used on legal documents)

Date created: 11/14/2019
 Last Data Uploaded: 11/14/2019 7:40:57 AM

Developed by  Schneider
 GEOSPATIAL

PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899

FAX (850) 653-9656

garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: James Slack

WATERBODY/CLASS: Manmade Canal

PURPOSE: Environmental Permitting

PROJECT LOCATION / USGS: St George Island / Franklin County

LATITUDE: 29° 39' 19.90"

LONGITUDE: 84° 53' 29.27"

SECTION: 29 TOWNSHIP: 9 South

RNG: 6 West

JOB: 19-116

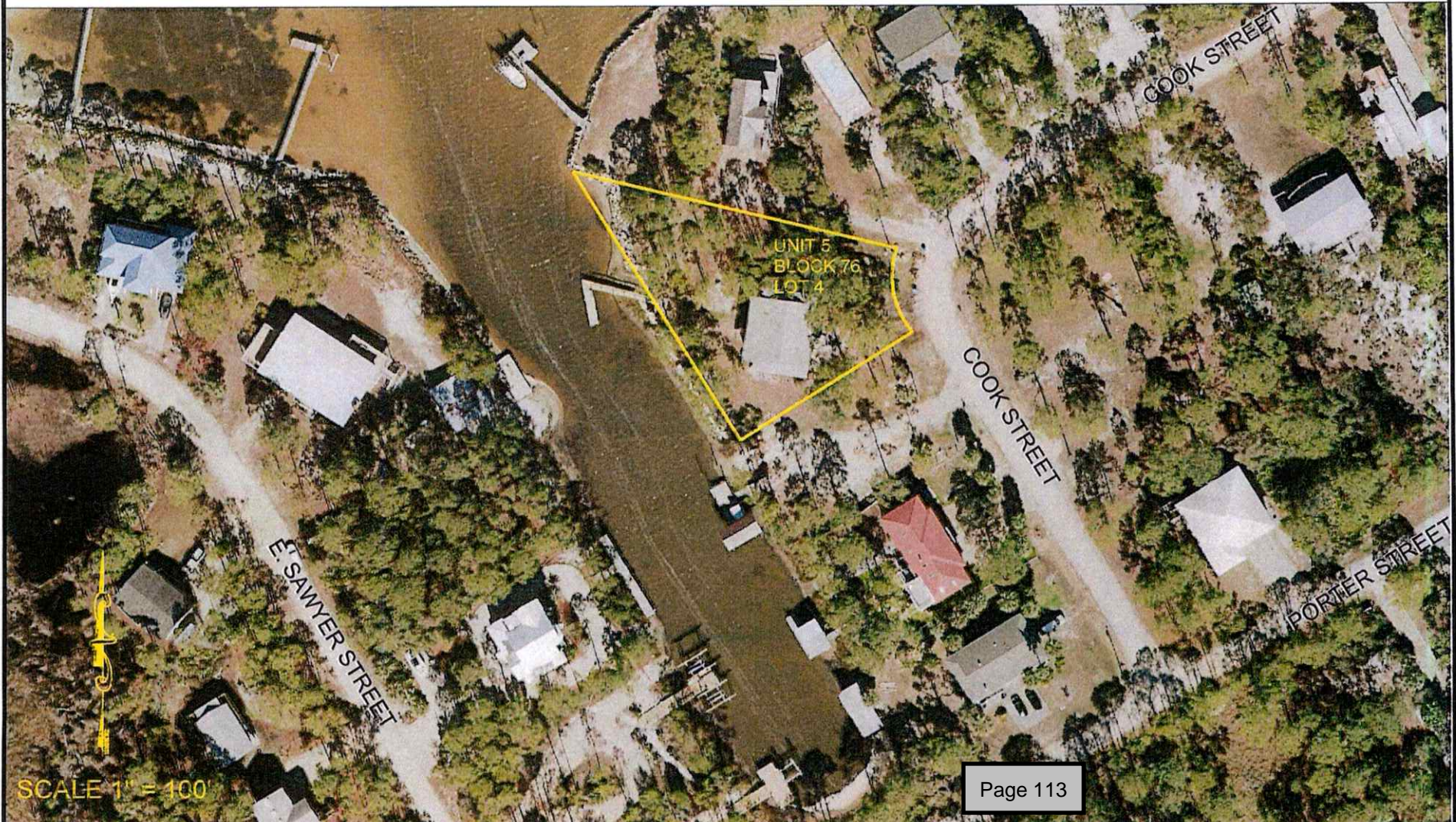
DEP:

COE:

OTHER:

DATE: November 13, 2019

SHEET: 1/4



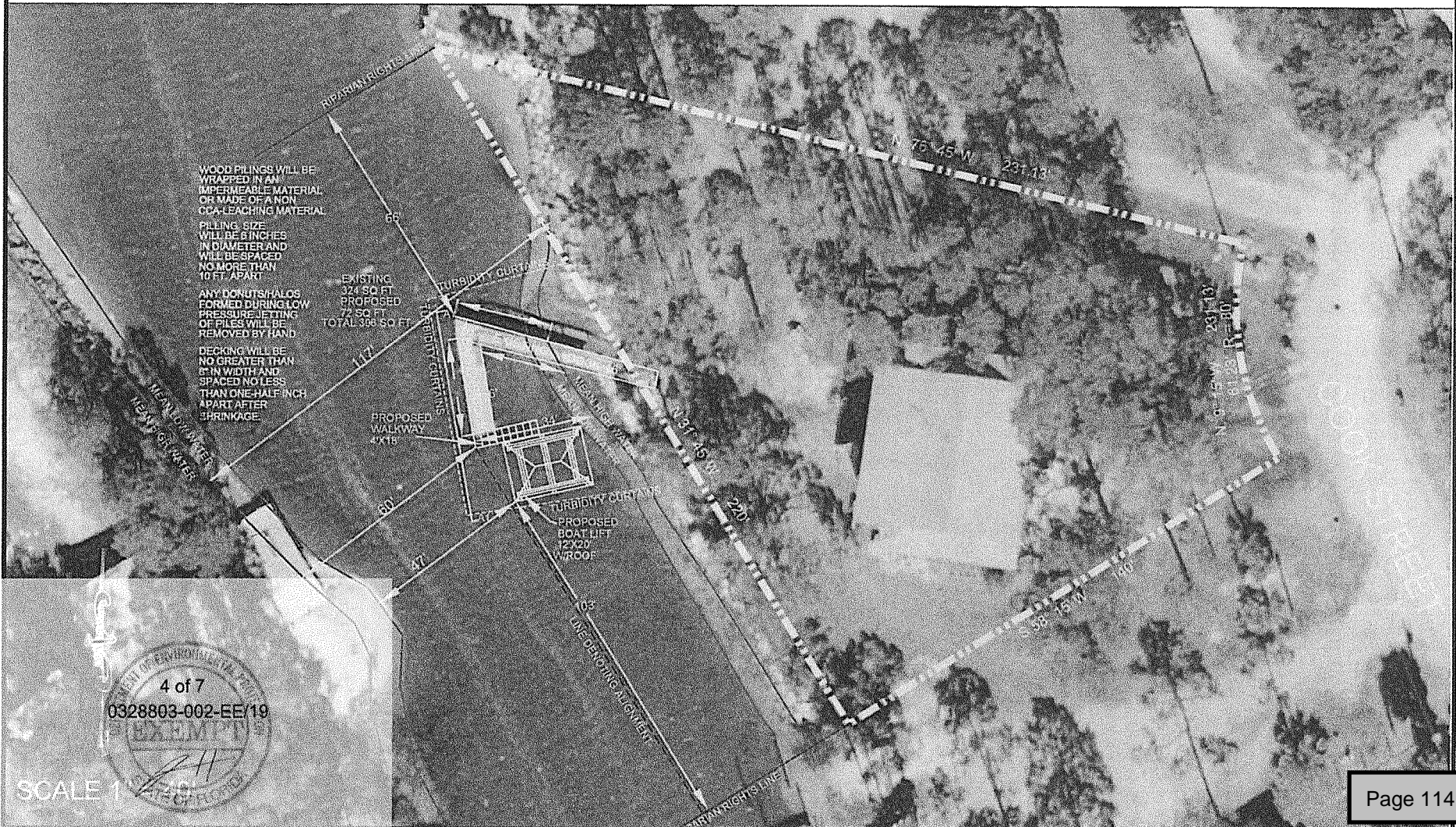
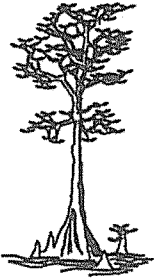
PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com
LB No. 7415

APPLICANT/CLIENT: James Slack
WATERBODY/CLASS: Manmade Canal
PURPOSE: Environmental Permitting

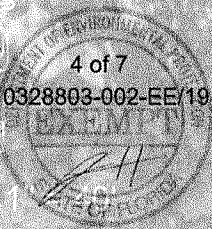
JOB: 19-116
DEP:
COE:
OTHER: Rev. 11-18-19
DATE: November 13, 2019
SHEET: 2/4

PROJECT LOCATION / USGS: St George Island / Franklin County
LATITUDE: 29° 39' 19.90"
LONGITUDE: 84° 53' 29.27"
SECTION: 29 TWSHP: 9 South RNG: 6 West



WOOD PILINGS WILL BE WRAPPED IN AN IMPERMEABLE MATERIAL OR MADE OF A NON COA-LEACHING MATERIAL
PILING SIZE WILL BE 6 INCHES IN DIAMETER AND WILL BE SPACED NO MORE THAN 10 FT. APART
ANY DONUTS/HALOS FORMED DURING LOW PRESSURE SPURTING OF PILINGS WILL BE REMOVED BY HAND
DECKING WILL BE NO GREATER THAN 8 IN WIDTH AND SPACED NO LESS THAN ONE-HALF INCH APART AFTER SHRINKAGE

EXISTING 324 SQ. FT.
PROPOSED 74 SQ. FT.
TOTAL 398 SQ. FT.



SCALE 1" = 40'

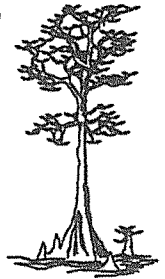
PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com
LB No. 7415

APPLICANT/CLIENT: James Slack
WATERBODY/CLASS: Manmade Canal
PURPOSE: Environmental Permitting

JOB: 19-116
DEP:
COE:
OTHER: Rev. 11-18-19
DATE: November 13, 2019
SHEET: 3a/4

PROJECT LOCATION / USGS: St George Island / Franklin County
LATITUDE: 29° 39' 19.90"
LONGITUDE: 84° 53' 29.27"
SECTION: 29 TNSHP: 9 South RNG: 6 West

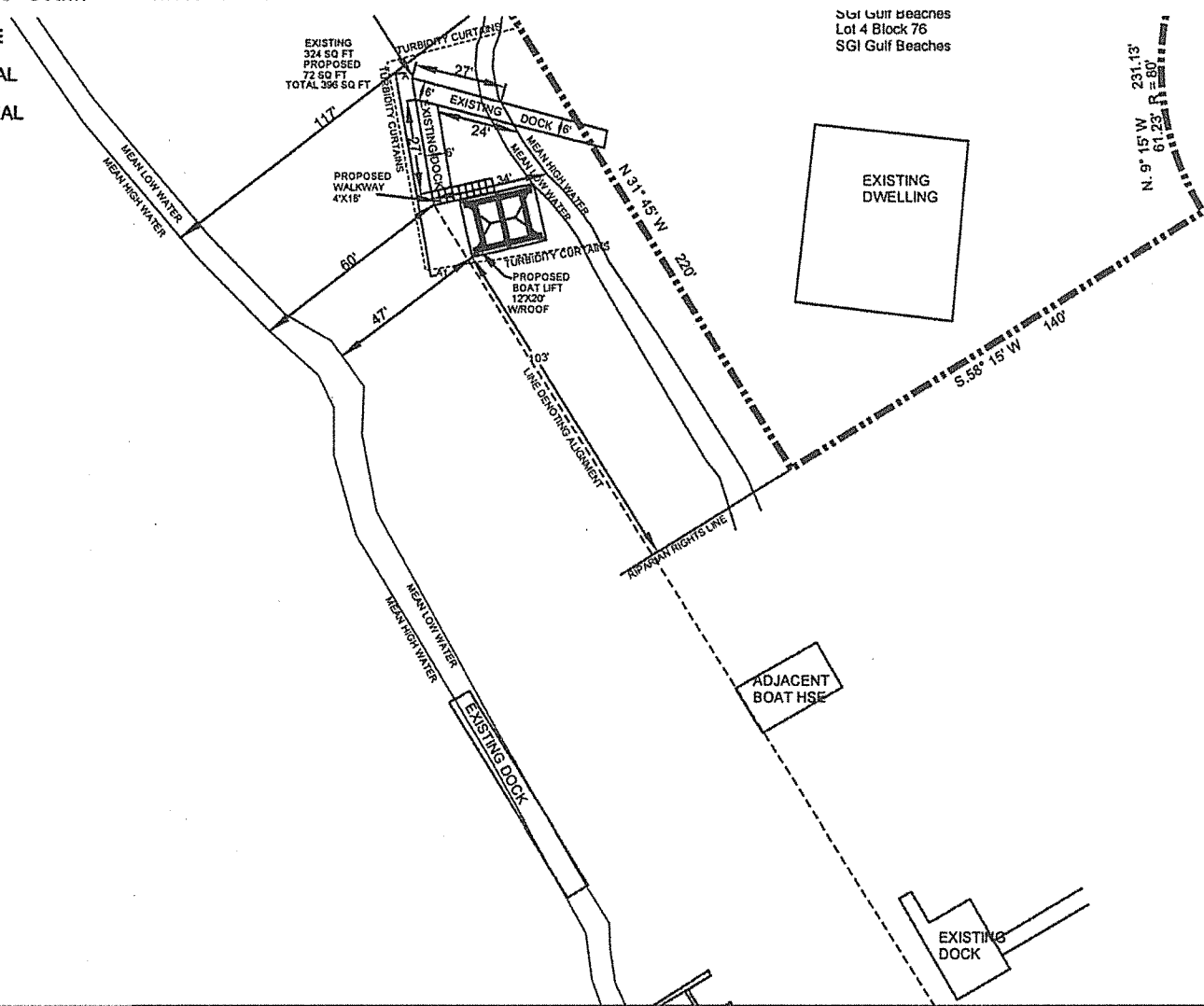


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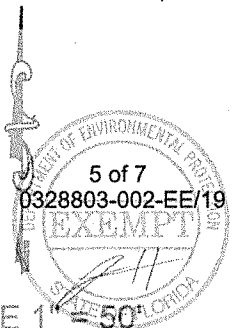


SGL Gulf Beaches
Lot 4 Block 76
SGL Gulf Beaches

EXISTING DWELLING

ADJACENT BOAT HSE

EXISTING DOCK



SCALE 1" = 50'

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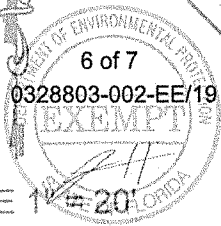
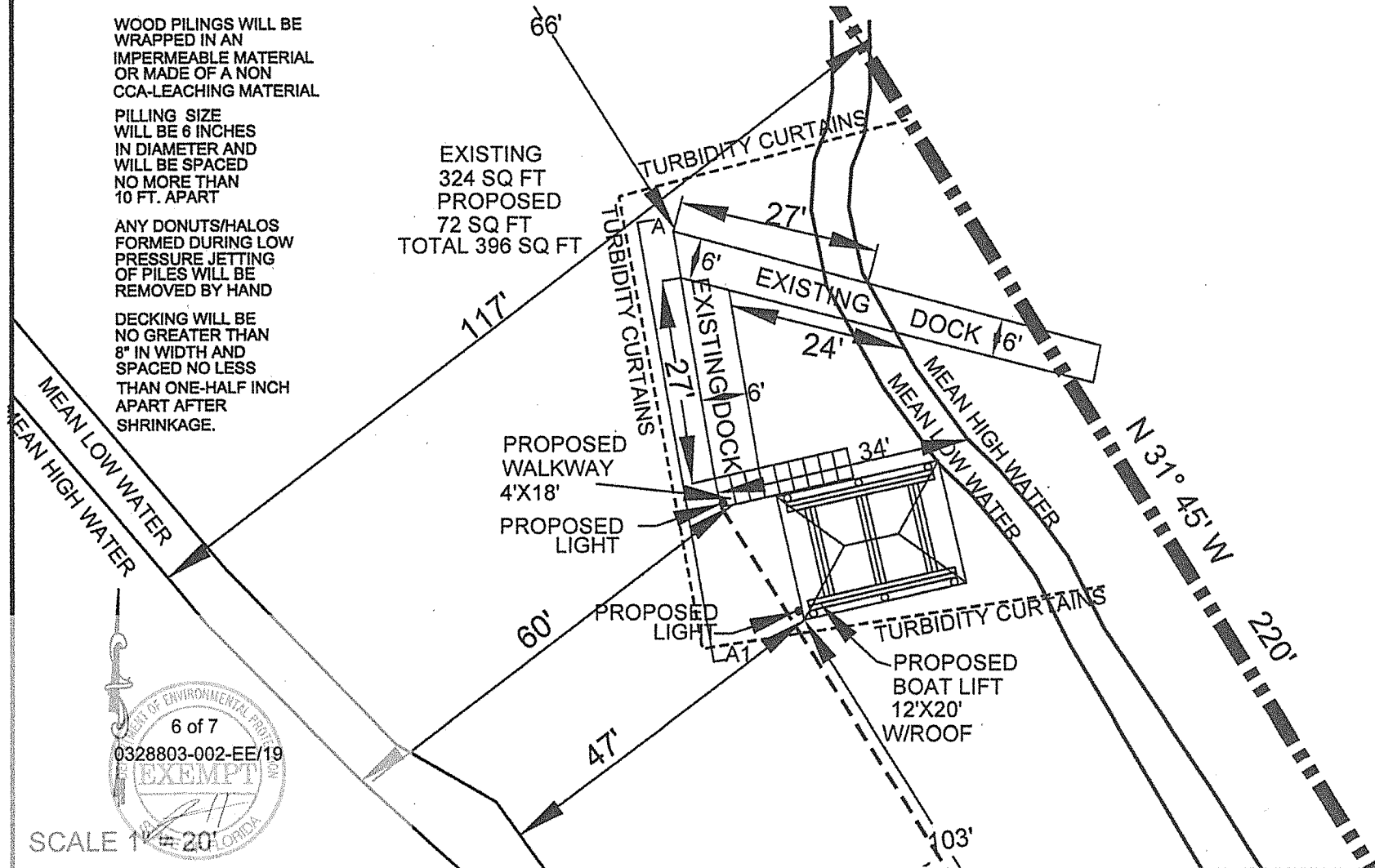
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EXISTING 324 SQ FT
PROPOSED 72 SQ FT
TOTAL 396 SQ FT



SCALE 1" = 20'



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LB No. 7415

APPLICANT/CLIENT: James Slack

JOB: 19-116

WATERBODY/CLASS: Manmade Canal

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PURPOSE: Environmental Permitting

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PROJECT LOCATION / USGS: St George Island / Franklin County

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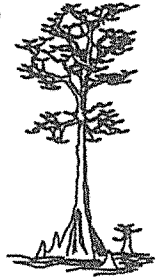
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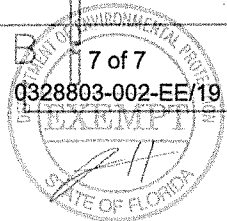
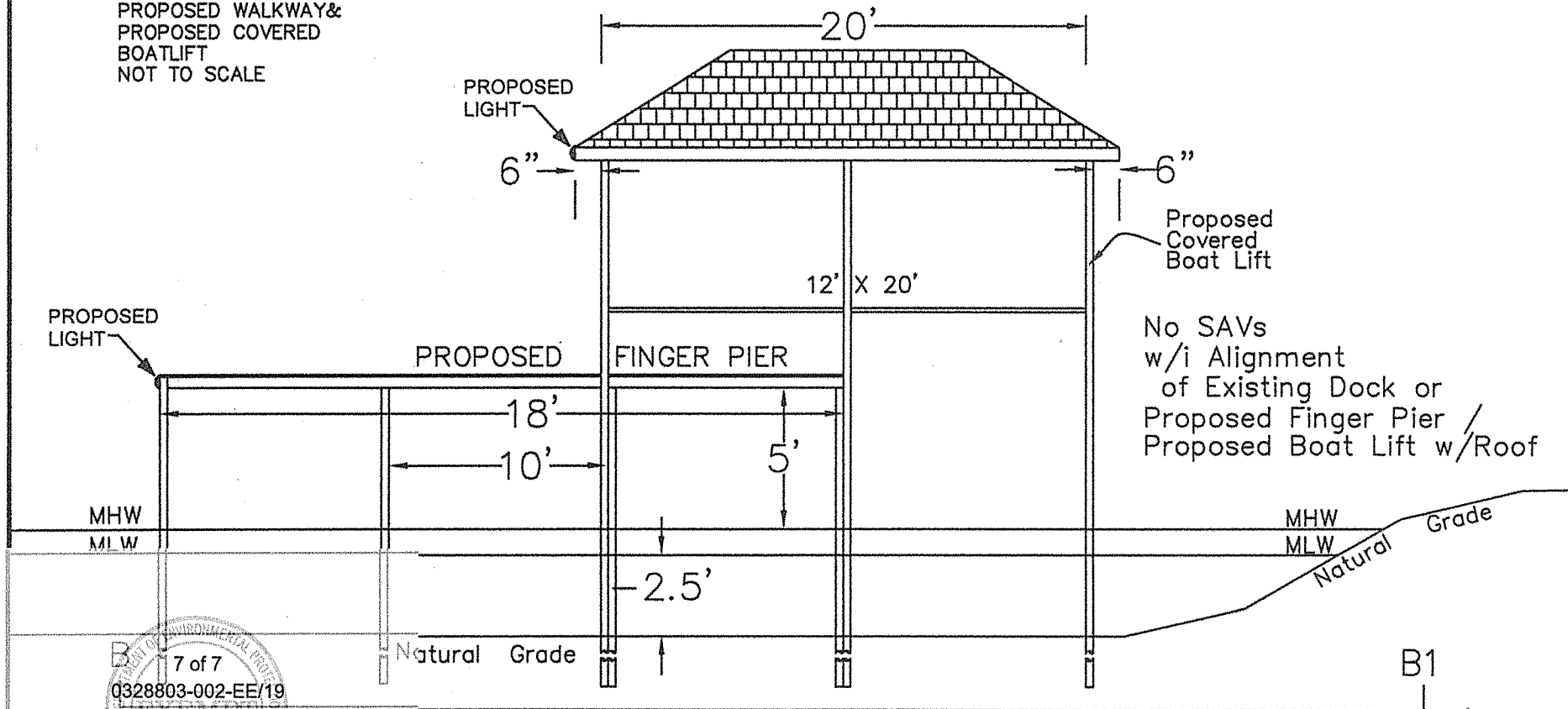
SHEET: 4A/4

SECTION: 29 TWSHP: 9 South

RNG: 6 West



CROSS SECTION B-B
PROPOSED WALKWAY &
PROPOSED COVERED
BOATLIFT
NOT TO SCALE





FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, FL 32502

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

November 21, 2019

James Slack
272 Vickers Dr.
Decatur, GA 30030
jdavidslack@gmail.com

File No.: 0328803-002-EE/19, Franklin County

Dear Mr. Slack:

On November 15, 2019, we received your request for verification of exemption to perform the following activities:

To construct a finger pier and a covered boatlift onto an existing dock totaling 396 sq. ft. after construction within a man-made canal adjacent to Apalachicola Bay, Class II Florida Waters, Approved Shellfish Harvesting Area. The project is located at 363 Cook St., Eastpoint, Florida 32328, Parcel No. 2909S06731500760040, in Section 29, Township 09 South, Range 06 West in Franklin County; 29°39'19" North Latitude, 84°53'27" West Longitude.

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project did not qualify for the federal review portion of this verification request. **Additional authorization must be obtained prior to commencement of the proposed activity.** This letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity. Please refer to the specific section(s) dealing with that portion of the review below for advice on how to proceed.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

1. Regulatory Review – Verified

Based on the information submitted, the Department has verified that the activities as proposed are exempt, under Rule 62-330.051(5)(c), Florida Administrative Code (F.A.C.) from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. Proprietary Review –Not Required

The activity does not appear to be located on sovereign submerged lands, and does not require further authorization under Chapters 253 or 258, F.S. or Chapters 18-20 or 18-21, F.A.C.

3. Federal Review – SPGP Not Approved

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **shall be required** from the Corps. You must apply separately to the Corps using their APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT, ENG FORM 4345, or alternative as allowed by their regulations. More information on Corps permitting may be found online in the Jacksonville District Regulatory Division Source Book at: <https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book>.

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S. and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules

28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received a clear point of entry.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department’s action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

If you have any questions regarding this matter, please contact Jacob Hullett at the letterhead address, at (850)595-0638, or at Jacob.Hullett@FloridaDEP.gov

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Jacob Hullett
Environmental Specialist
Submerged Lands and Environmental Resources Program

Attachments:

- 1. Rule 62-330.051(5)(c), F.A.C. and 403.813(1)(i), F.S., 1 page
- 2. Project Drawings, 7 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Mary Ann Wasmund, Agent, Garlick Environmental Associates, maryann@garlickenv.com
 Dan Garlick, Agent, Garlick Environmental Associates, dan@garlickenv.com
 Franklin County, rnalley@cityofapalachicola.com, administrator@mycarrabelle.com,
cityclerk@mycarrabelle.com, amyh@fairpoint.net, michael@franklincountyflorida.com

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



 Clerk

November 21, 2019
 Date

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(c) Construction of private docks or piers of 1,000 square feet or less of over-water surface area in artificial waters in accordance with section 403.813(1)(i), F.S., and within residential canal systems legally in existence under chapter 403 or part IV of chapter 373, F.S. This includes associated structures such as roofs and boat lifts, provided the cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed 1,000 square feet.

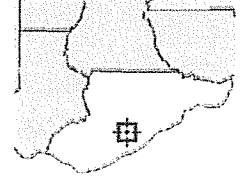
403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(i) The construction of private docks of 1,000 square feet or less of over-water surface area and seawalls in artificially created waterways where such construction will not violate existing water quality standards, impede navigation, or affect flood control. This exemption does not apply to the construction of vertical seawalls in estuaries or lagoons unless the proposed construction is within an existing manmade canal where the shoreline is currently occupied in whole or part by vertical seawalls.



Overview



Legend

- Parcels
- Roads
- City Labels

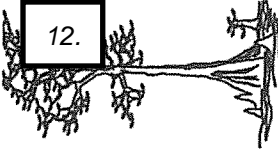
Parcel ID	29-095-06W-7315-0076-0040	Alternate ID	06W09529731500760040	Owner Address	SLACK JAMES DAVID &
Sec/Twp/Rng	29-9S-6W	Class	SINGLE FAM		GROGAN ANDREE M
Property Address	363 COOK ST ST	Acreage	n/a		272 VICKERS DRIVE
					DECATUR, GA 30030

District 1
Brief Tax Description UNIT 5 BL 76 LOT 4
 (Note: Not to be used on legal documents)

Date created: 11/14/2019
 Last Data Uploaded: 11/14/2019 7:40:57 AM

Developed by  Schneider
 GEOSPATIAL





PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

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LB No. 7415

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WATERBODY/CLASS: Manmade Canal

PURPOSE: Environmental Permitting

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SECTION: 29 TOWNSHIP: 9 South

RNG: 6 West

JOB: 19-116

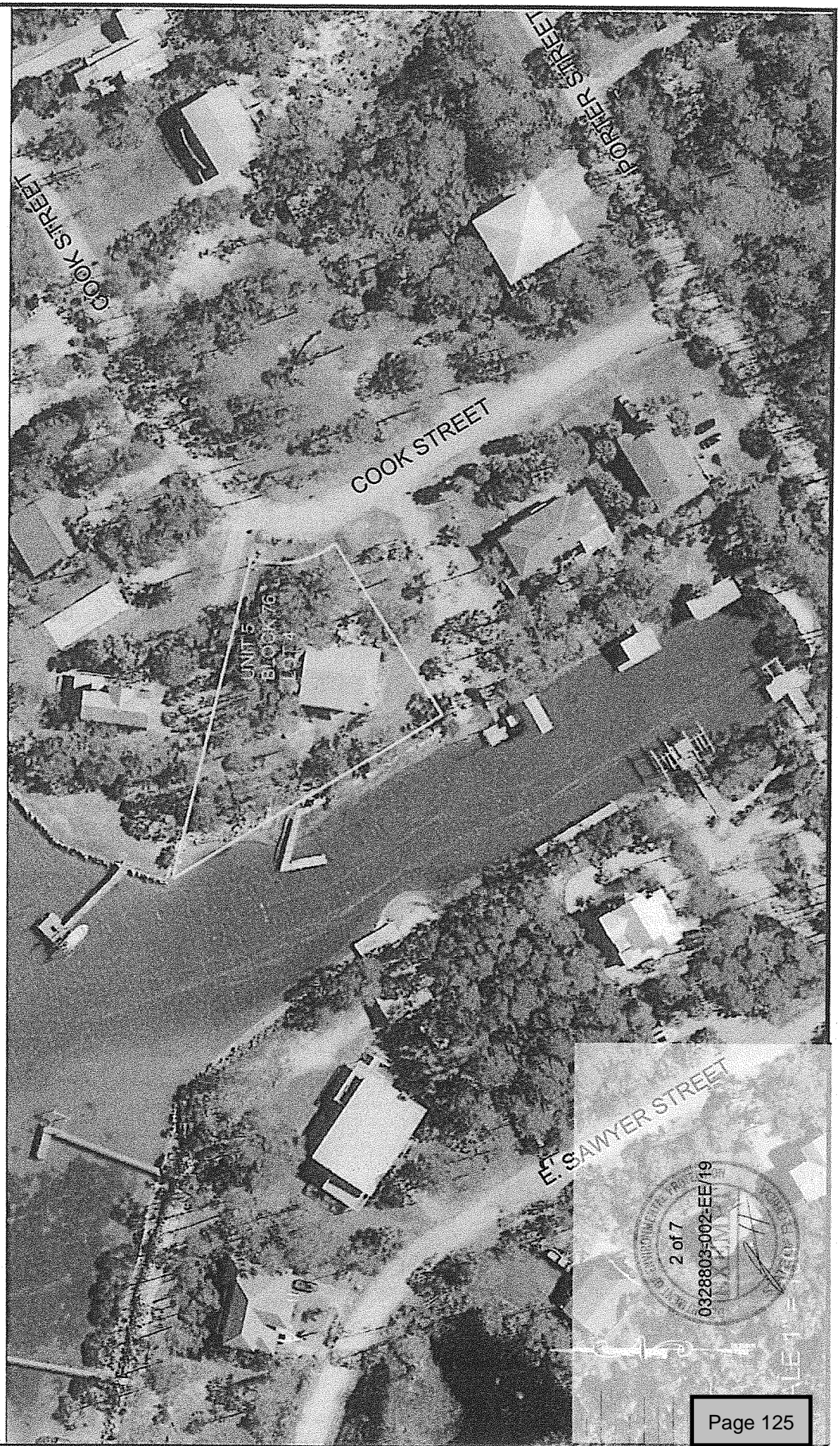
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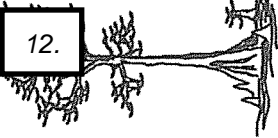
COE:

OTHER:

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SHEET: 1/4





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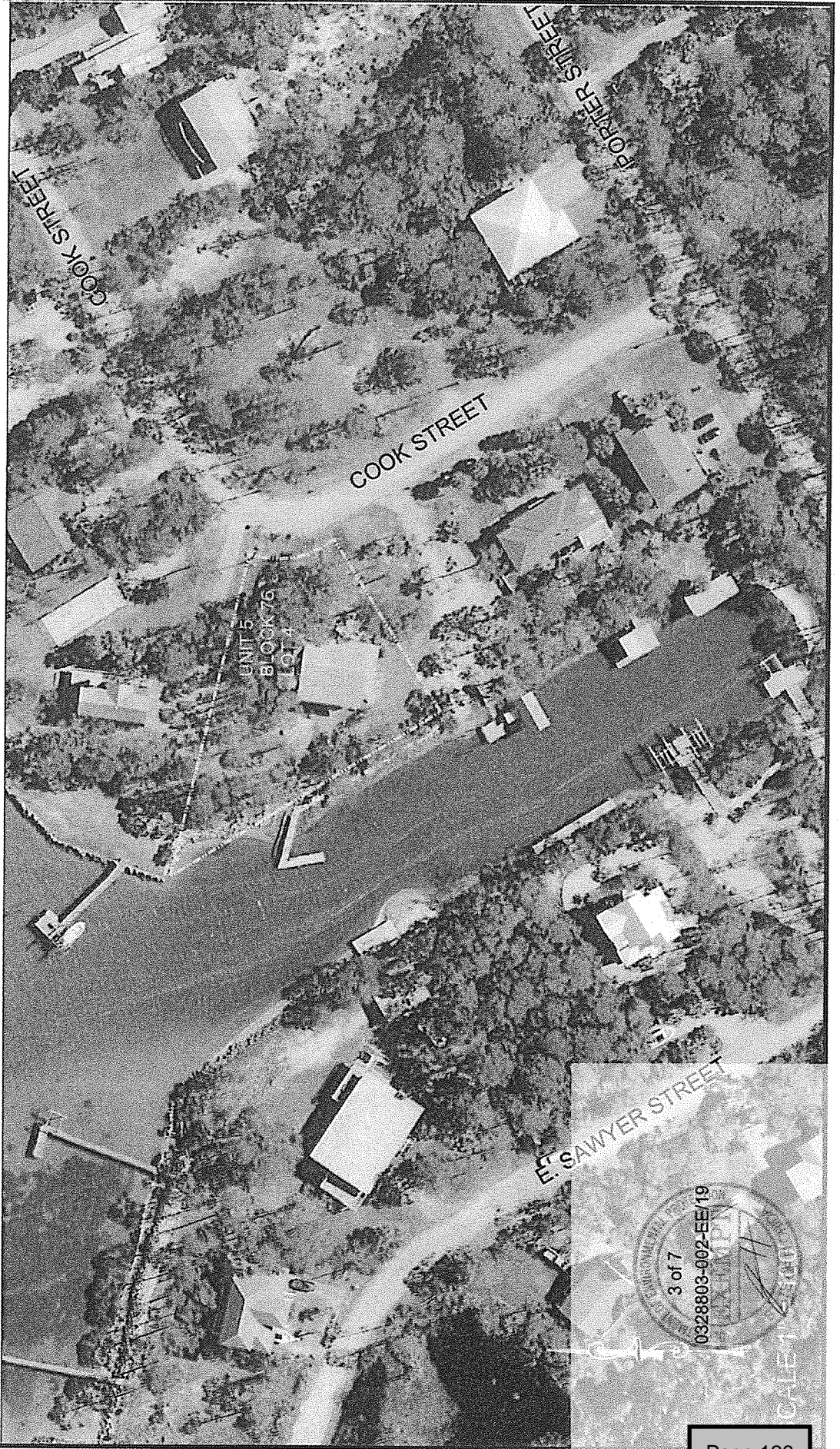
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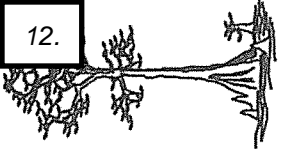
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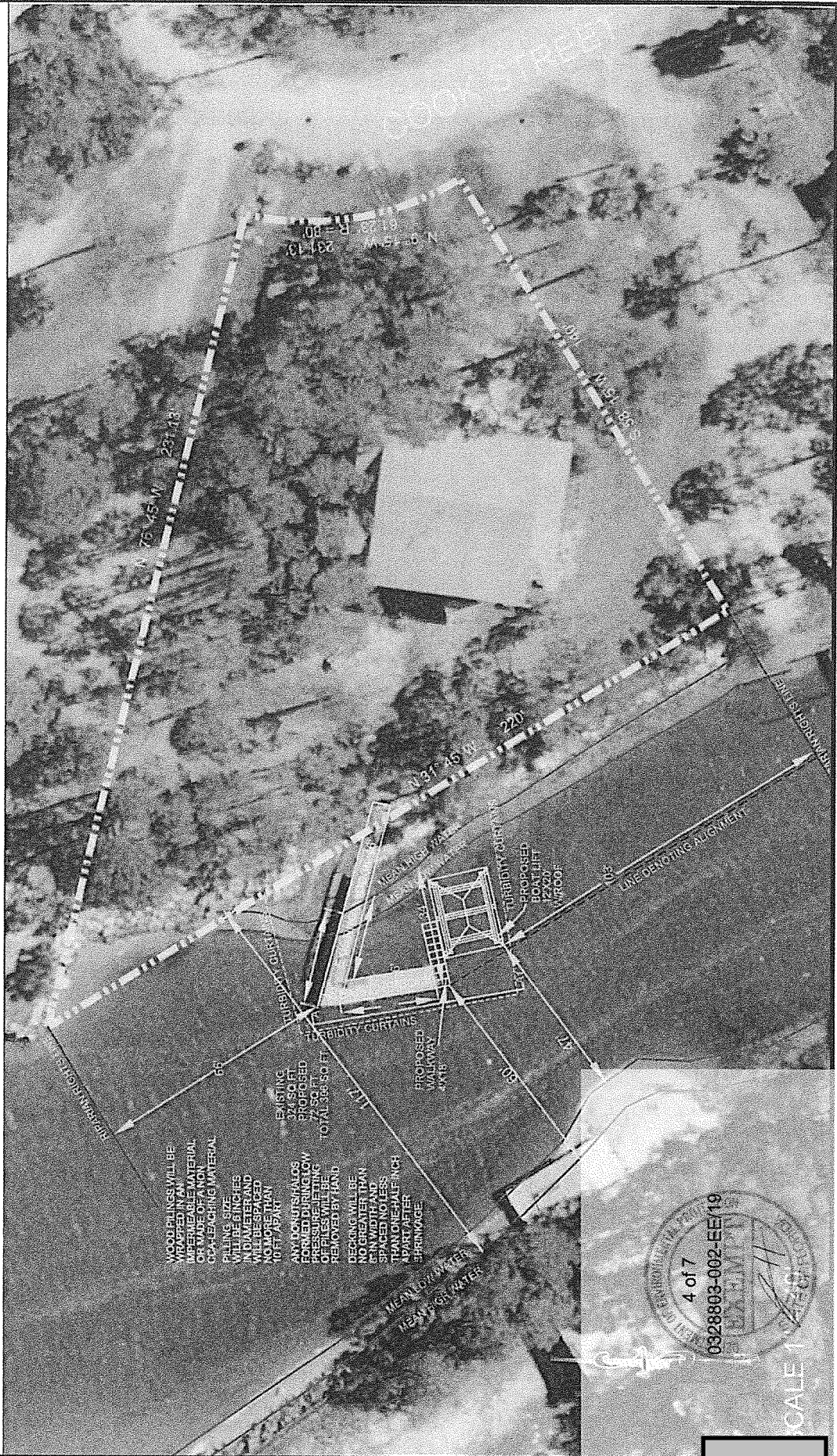




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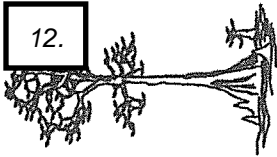


SCALE: 1"=40'

4 of 7

0328803-002-EE/19

Garlick Environmental Associates, Inc. logo and signature area.



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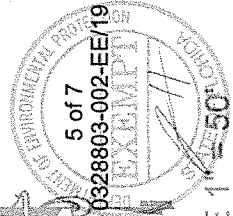
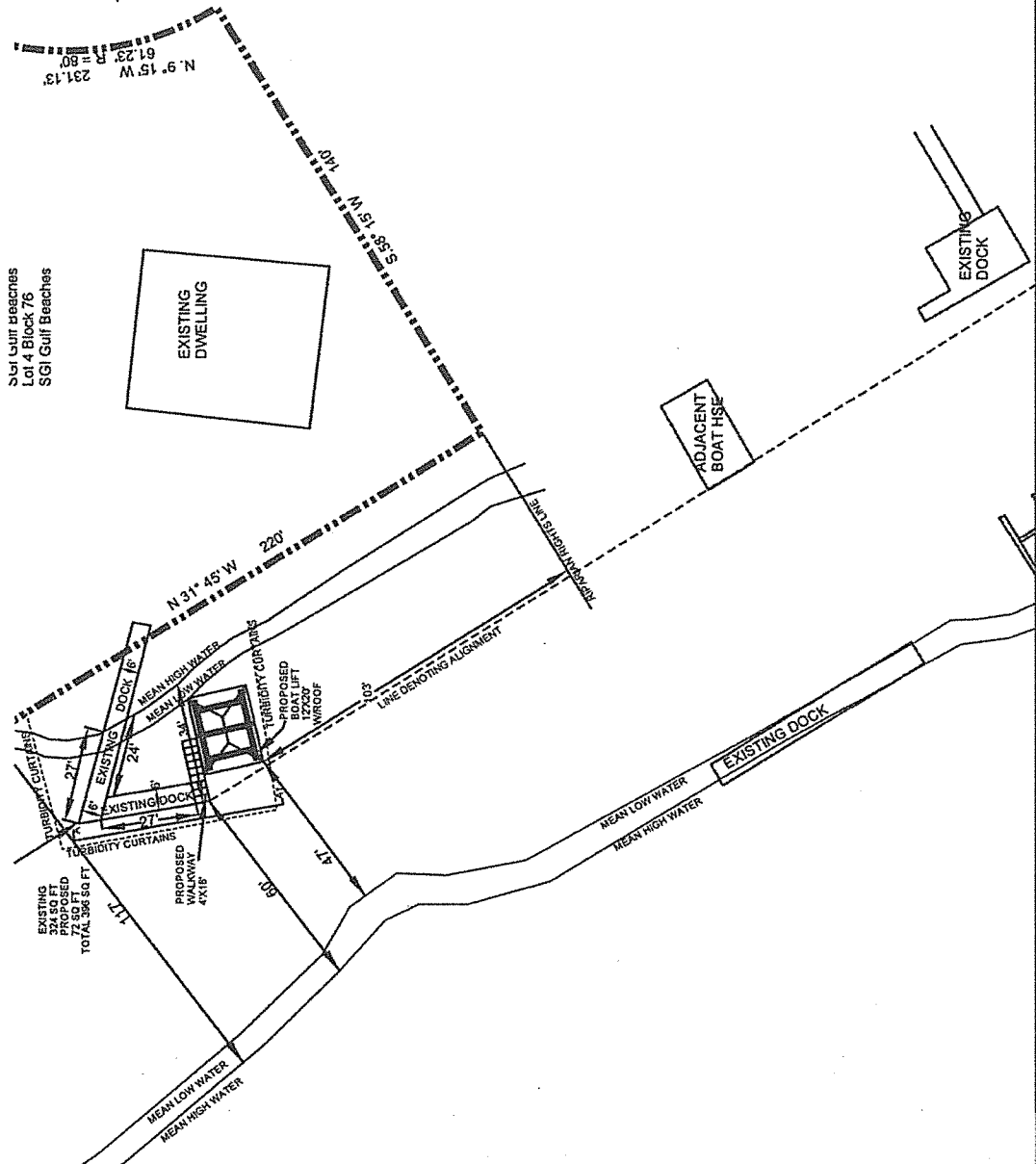
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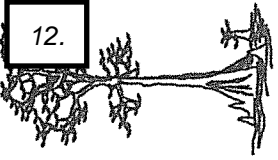
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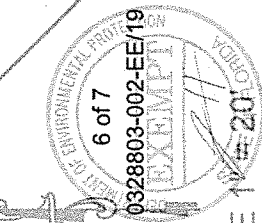
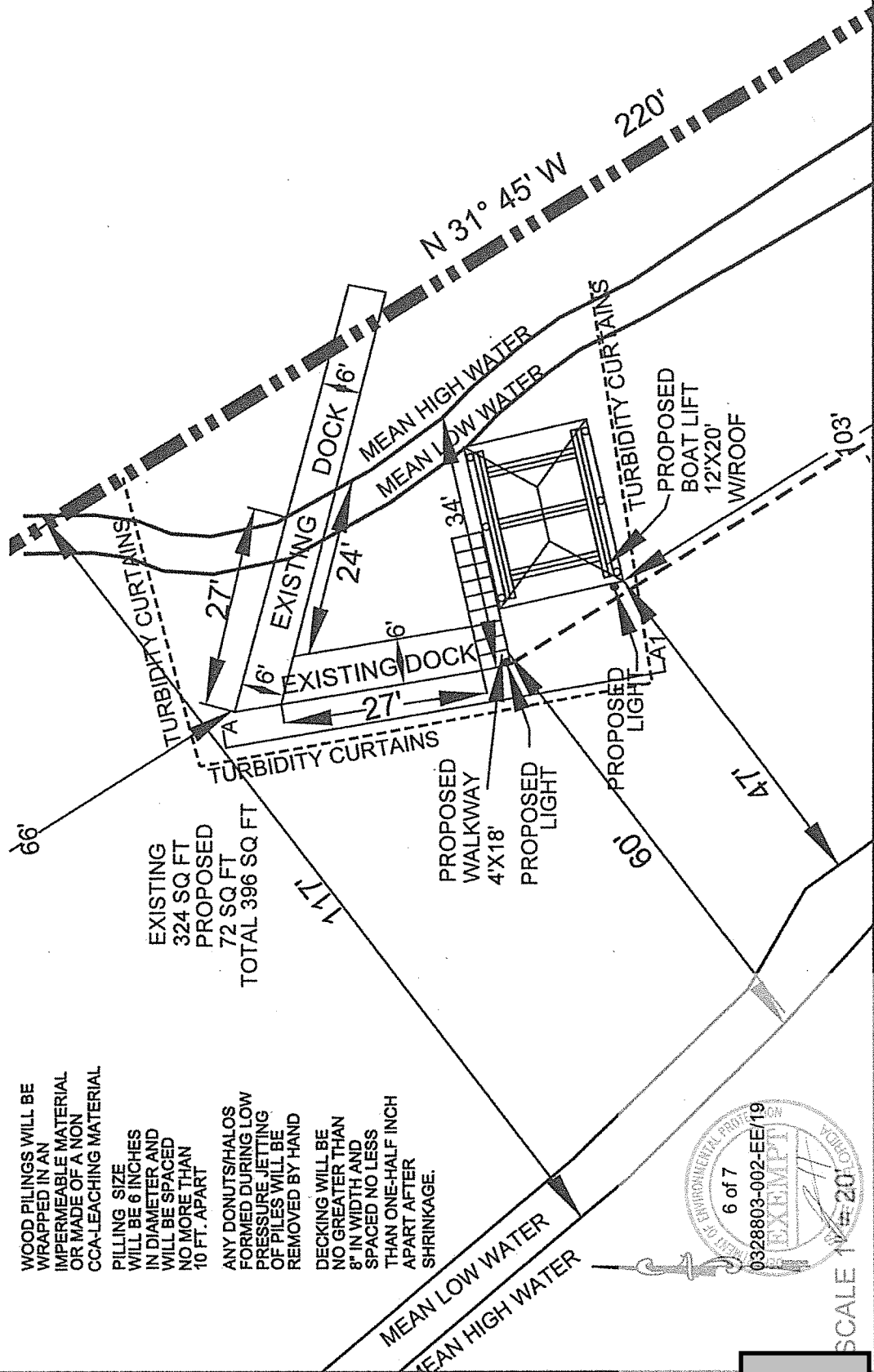
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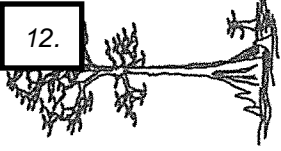
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12.

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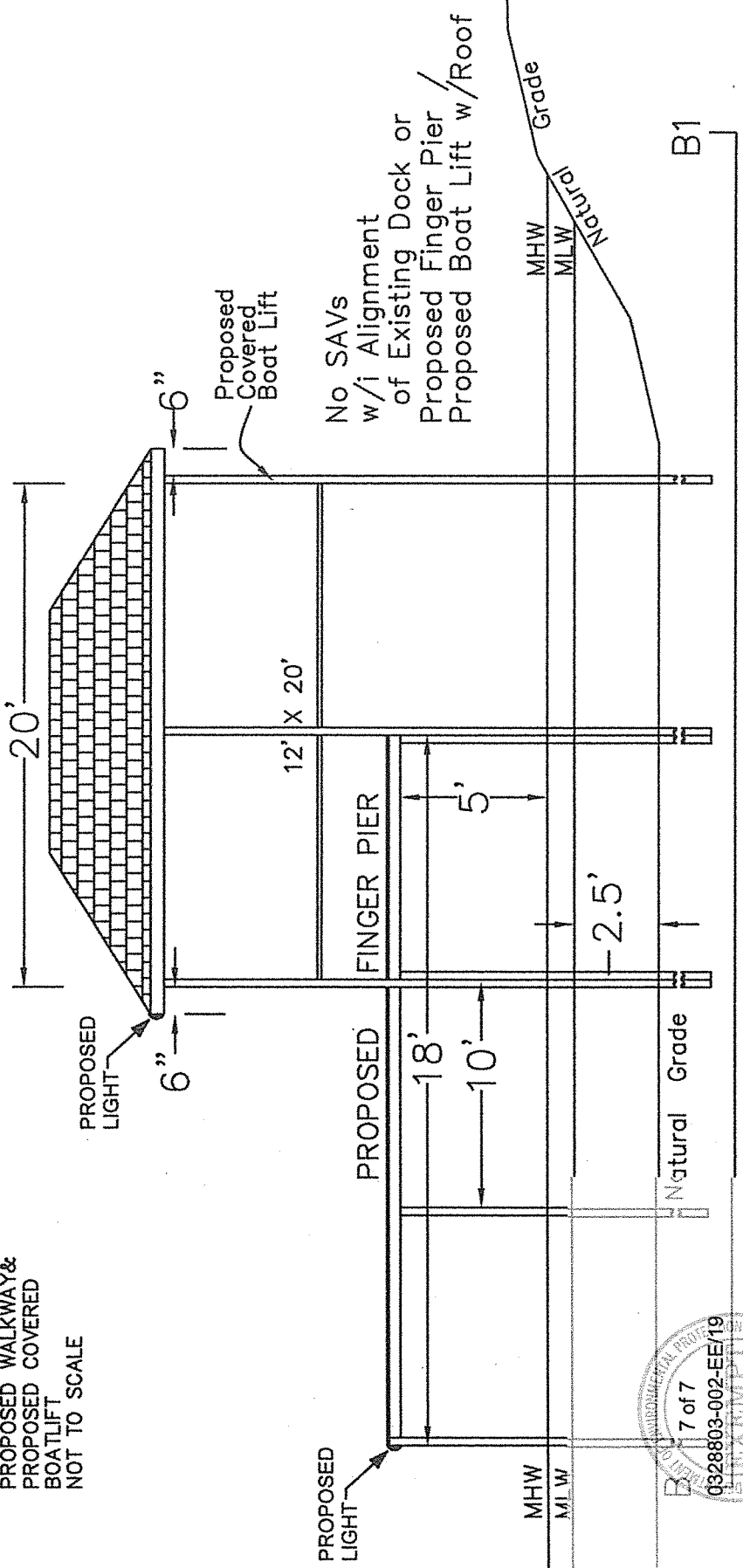
OTHER: Rev. 11-18-19

DATE: November 13, 2019

SHEET: 4A/4

SECTION: 29 TWSHP: 9 South RNG: 6 West

CROSS SECTION B-B
 PROPOSED WALKWAY &
 PROPOSED COVERED
 BOATLIFT
 NOT TO SCALE





Overview



Legend

- Parcels
- Roads
- City Labels

Parcel ID	03-075-02W-1010-0000-0340	Alternate ID	02W07503101000000340	Owner Address	SWEAT JAMES R & CARYN B
Sec/Twp/Rng	3-7S-2W	Class	VACANT		223 ROSEHILL DRIVE, NORTH
Property Address	1617 ALLIGATOR DR	Acreage	0.525		TALLAHASSEE, FL 32312
	ALLIGATOR POINT				
District	7				
Brief Tax Description	LOT 34				

(Note: Not to be used on legal documents)

Date created: 11/13/2019
 Last Data Uploaded: 11/13/2019 8:43:34 AM

Developed by  **Schneider**
 GEOSPATIAL

PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385

(850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: James R. Sweat

WATERBODY/CLASS: Alligator Harbor

PURPOSE: Environmental Permitting

PROJECT LOCATION / USGS: Alligator Point / Franklin County

LATITUDE: 29° 54' 12.21"

LONGITUDE: 84° 24' 45.35"

SECTION: 3 TWSHP: 7 South RNG: 2 West

JOB: 19-115

DEP:

COE:

OTHER:

DATE: November 13, 2019

SHEET: 1/4





PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

APPLICANT/CLIENT: James R. Sweat
WATERBODY/CLASS: Alligator Harbor
PURPOSE: Environmental Permitting
PROJECT LOCATION / USGS: Alligator Point / FranklinCounty
LATITUDE: 29° 54' 12.21"
LONGITUDE: 84° 24' 45.35"
SECTION: 3 TOWNSHIP: 7 South RING: 2 West

JOB: 19-115
DEP:
COE:
OTHER:
DATE: November 13, 2019
SHEET: 2/4

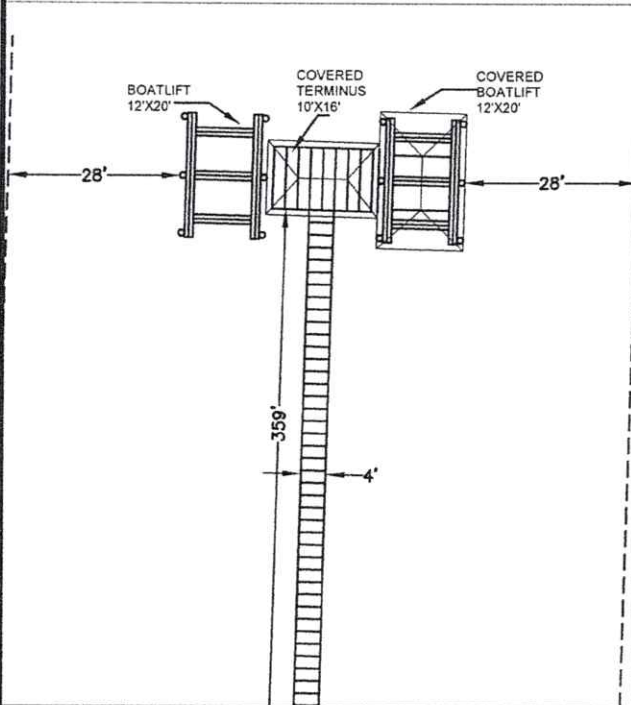


PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

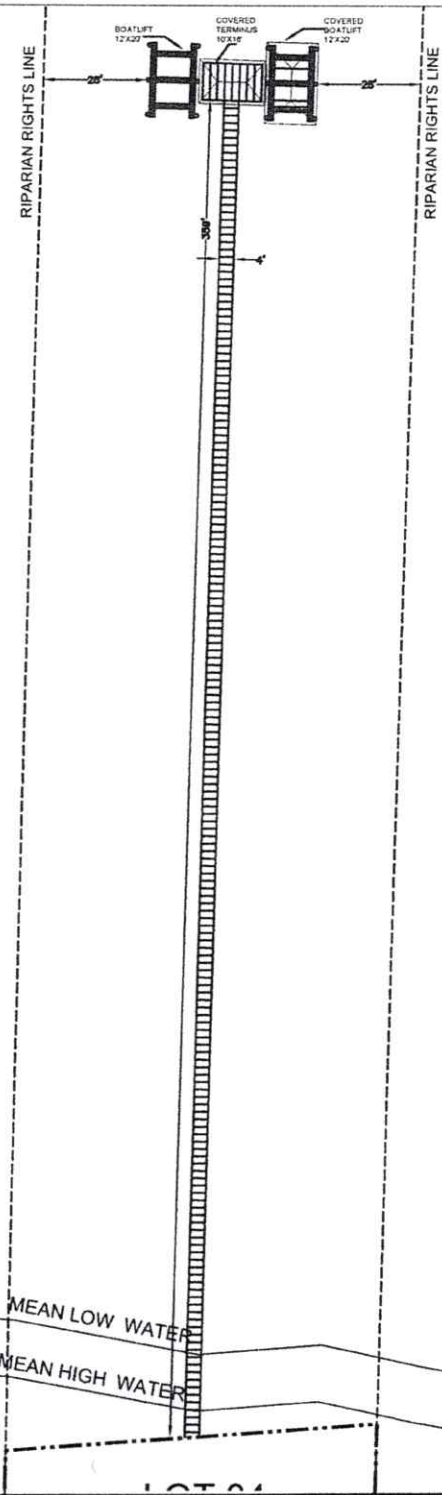


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JOB: 19-115
 DEP:
 COE:
 OTHER:
 DATE: November 13, 2019
 SHEET: 3/4



DETAIL OF PROPOSED DOCK
SCALE 1" = 30'



Scale 1" = 100'

PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

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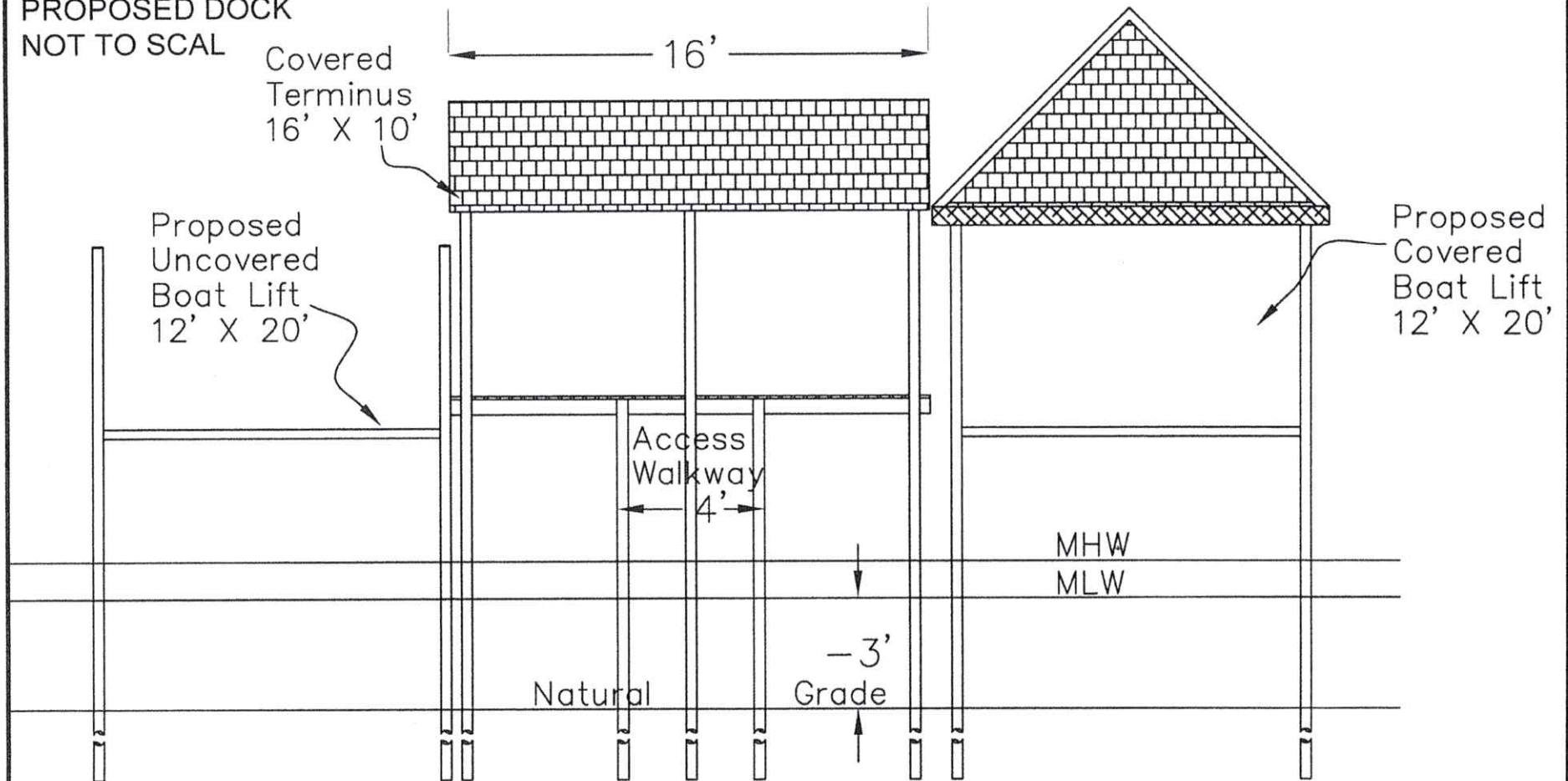
OTHER:

DATE: November 13, 2019

SHEET: 4/4



CROSS SECTION
PROPOSED DOCK
NOT TO SCAL





Overview



Legend

- Parcels
- Roads
- City Labels

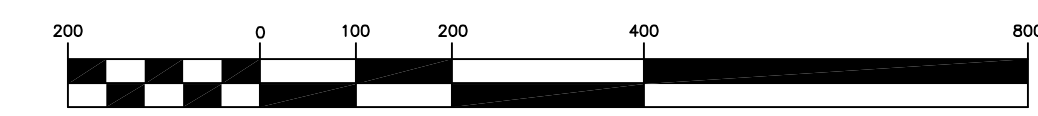
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Developed by  Schneider GEOSPATIAL

BLACK BEAR BAYOU II, A RE-PLAT OF LOTS 1 & 7

A SUBDIVISION LYING IN SECTION 8, TOWNSHIP 7 SOUTH, RANGE 4 WEST, FRANKLIN COUNTY, FLORIDA, BEING A RE-PLAT OF LOTS 1 AND 7 OF BLACK BEAR BAYOU, A SUBDIVISION AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 44 OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA.

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

DEDICATION
STATE OF FLORIDA
COUNTY OF FRANKLIN

Know all men by these present that JON P. JOHNSON being owner in fee simple of the lands shown hereon, platted as BLACK BEAR BAYOU, PHASE II and described as

A tract of land lying in Section 8, Township 7 South, Range 4 West, Franklin County, Florida and being more particularly described as follows:

BEING A RE-PLAT OF LOTS 1 AND 7 OF BLACK BEAR BAYOU, A SUBDIVISION AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 44 OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA.

Together with:
An Access and Utility Easement being more particularly described as follows:

Commence at the Southeast corner of the Southwest quarter of the Southwest quarter of Section 8, Township 7 South, Range 4 West, Franklin County, Florida, thence run North 89 degrees 59 minutes 15 seconds West 730.52 feet to an iron rod and cap (marked #7610) lying on the Easterly easement boundary of a 48 foot wide access and utility easement, said point also marking POINT OF BEGINNING. From said POINT OF BEGINNING run North 00 degrees 15 minutes 20 seconds East along said Easterly easement boundary 121.27 feet to a concrete monument (marked #7160) lying on the Southwesterly easement boundary of an 80.00 foot wide access and utility easement, then leaving said Easterly easement boundary run North 46 degrees 06 minutes 28 seconds East 80.00 feet to a concrete monument (marked #7160) lying on the Northeastly easement boundary of said 80.00 foot wide easement, said point also lying on a point of curve concave to the Northeastly, thence run Northwesterly along said Northeastly easement boundary and said curve with a radius of 90.00 feet, through a central angle of 56 degrees 01 minutes 08 seconds, for an arc distance of 87.99 feet, chord being North 15 degrees 52 minutes 58 seconds West 84.53 feet to a concrete monument (marked #7160), thence leaving said curve run North 12 degrees 07 minutes 37 seconds East along said Northeastly easement boundary 282.60 feet to an iron rod and cap (marked #7160), then leaving said Northeastly easement boundary run West 81.82 feet to an iron rod and cap (marked #7160) lying on the Southwesterly easement boundary of said 80.00 foot wide easement, then run South 12 degrees 07 minutes 37 seconds West along said Southwesterly easement boundary 115.21 feet to a concrete monument (marked #7160) lying on the point of intersection with the Northerly easement boundary of a 50.00 foot wide access and utility easement, then leaving said Northwesterly easement boundary run Northwesterly and Southwesterly along said Northerly easement boundary the following five (5) courses: North 77 degrees 55 minutes 06 seconds West 30.91 feet to a concrete monument (marked #7170) marking a point of curve concave to the Southerly, then run Southwesterly along said curve with a radius of 225.00 feet, through a central angle of 29 degrees 31 minutes 49 seconds, for an arc distance of 115.97 feet to a concrete monument (marked #7160), then leaving said curve run North 59 degrees 56 minutes 22 seconds East 52.31 feet to a concrete monument (marked #7160), then leaving said Northerly easement boundary run South 00 degrees 03 minutes 29 seconds East 57.80 feet to a concrete monument (marked #7160) lying on the Southerly easement boundary of said 50.00 foot wide easement, then run Southeastly and Northeastly along said Southerly easement boundary the following five (5) courses: South 59 degrees 56 minutes 22 seconds East 23.06 feet to a concrete monument (marked #760) marking a point of curve concave to the Northerly, then run Southeastly along said curve with a radius of 197.00 feet through a central angle of 46 degrees 33 minutes 30 seconds, for an arc distance of 160.08 feet, chord being South 82 degrees 42 minutes 43 seconds East 155.71 feet to a concrete monument (marked #7160), then leaving said curve run North 74 degrees 14 minutes 03 seconds East 293.54 feet to a concrete monument (marked #7160) marking a point of curve concave to the Southerly, then run Northwesterly along said curve with a radius of 175.00 feet, through a central angle of 29 degrees 45 minutes 21 seconds, for an arc distance of 90.88 feet, chord being North 88 degrees 09 minutes 29 seconds East 89.87 feet to a concrete monument (marked #7160), then leaving said curve run South 77 degrees 55 minutes 06 seconds East 31.26 feet to a concrete monument (marked #7160) marking a point of intersection with the Southwesterly easement boundary of said 80.00 foot wide access and utility easement, then leaving said Southerly easement boundary run South 12 degrees 07 minutes 37 seconds West along said Southwesterly easement boundary 100.20 feet to a concrete monument (marked #7160) marking a point of curve concave to the Easterly, then run Southwesterly along said Southwesterly easement boundary and said curve with a radius of 170.00 feet, through a central angle of 12 degrees 37 minutes 34 seconds, for an arc distance of 37.46 feet, chord being North 05 degrees 48 minutes 49 seconds West 37.39 feet to a concrete monument (marked #7160) marking a point of intersection with the Westerly easement boundary of a 48.00 foot wide access and utility easement, then leaving said Southwesterly easement boundary run Southwesterly along said Westerly easement boundary the following two (2) courses: South 00 degrees 15 minutes 20 seconds West 237.67 feet to an iron rod and cap (marked #7160), South 00 degrees 11 minutes 03 seconds West 153.04 feet to a concrete monument (marked #7160) lying on the Northerly right-of-way boundary of Kendrick Road, then leaving said Westerly easement boundary run South 89 degrees 55 minutes 21 seconds East along said Northerly right-of-way boundary 48.00 feet to a concrete monument (marked #7160) lying on the Easterly easement boundary of said 48.00 foot wide easement, then leaving said Northerly right-of-way boundary run North 00 degrees 11 minutes 03 seconds East along said Easterly easement boundary 153.12 feet to the POINT OF BEGINNING.

Also together with:
An Access & Utility Easement:

Commence at the Southeast corner of the Southwest quarter of the Southwest quarter of Section 8, Township 7 South, Range 4 West, Franklin County, Florida, thence run North 00 degrees 02 minutes 28 seconds West 85.59 feet to a 4 inch by 4 inch round bar, then run North 00 degrees 01 minutes 05 seconds West 448.90 feet to an iron rod and cap (marked #7160), then run West 1329.93 feet to an iron rod and cap (marked #7160) said point lying on the East boundary of the Southwest quarter of the Southwest quarter of said Section, said point also marking the POINT OF BEGINNING. From said POINT OF BEGINNING run East 227.00 feet, then run South 35.00 feet, then run West 226.96 feet, then run South 00 degrees 03 minutes 29 seconds East 113.51 feet, then run North 00 degrees 03 minutes 29 seconds West 143.94 feet, then run South 78 degrees 48 minutes 51 seconds East 12.24 feet to the POINT OF BEGINNING.

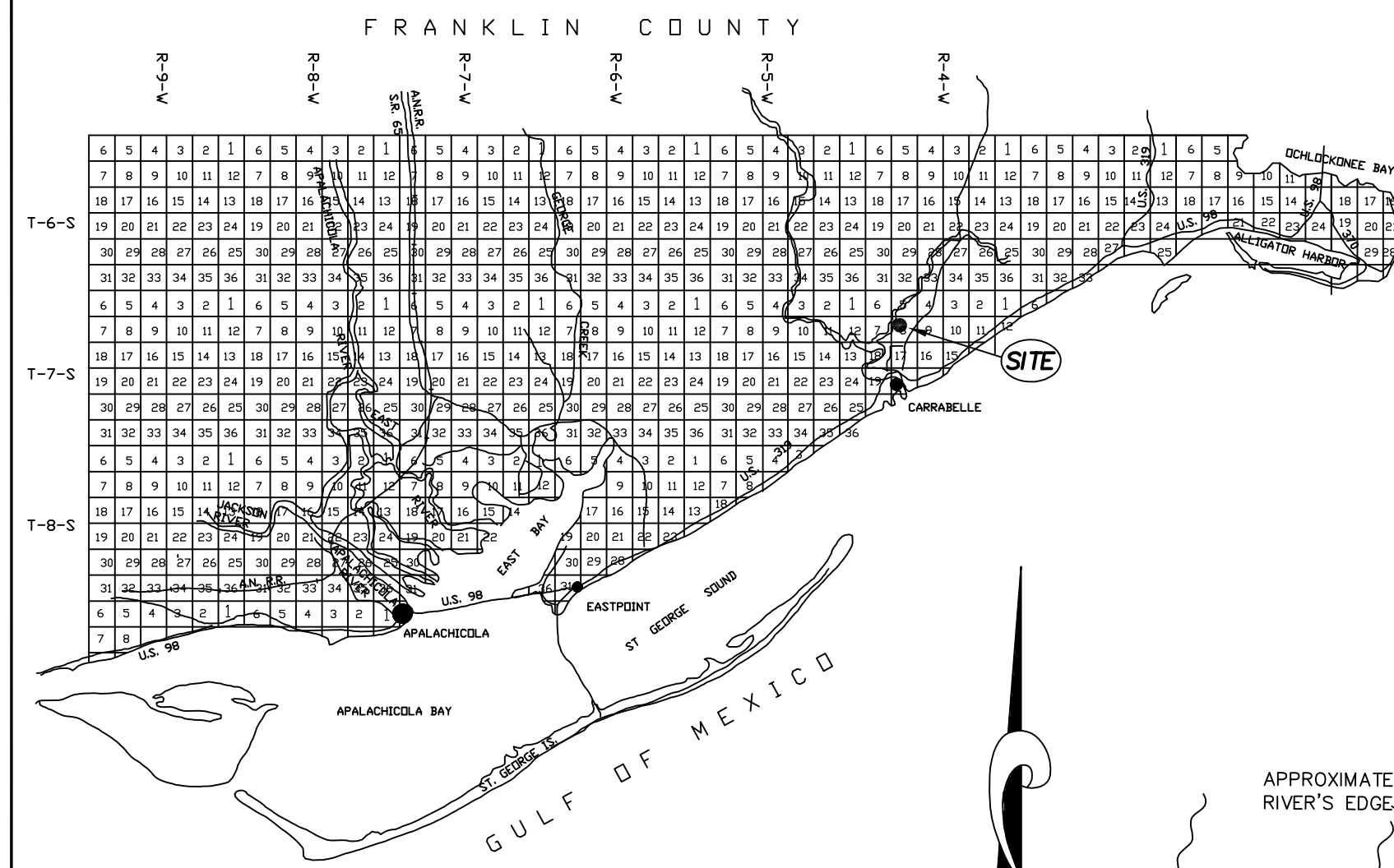
PLAT REVIEWED FOR COMPLIANCE WITH
CHAPTER 177, FLORIDA STATUTES

ROBERT B. STRICKLAND
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATE NO: 6219

SHEET 1 OF 2

TR & A THURMAN RODDENBERRY & ASSOCIATES, INC
PROFESSIONAL SURVEYORS AND MAPPERS
P.O. BOX 100 • 125 SHELDON STREET • SOPCHOPPY, FLORIDA 32358
PHONE NUMBER: 850-962-2538 FAX NUMBER: 850-962-1103

DATE: 11/19/19	DRAWN BY: BB	NO. 617 Pg. 54	COUNTY: FRANKLIN
FILE: 09030L1.DWG	DATE OF LAST FIELD WORK: 07/29/19	JOB NUMBER: 09-030	



PLAT NOTES:

- SURVEY SOURCE: Record plat, record deed, special instructions as per client and a field survey performed by the undersigned surveyor.
- BEARING REFERENCE: The North Boundary of Lot 1 of Black Bear Bayou, being South 89 degrees 58 minutes 23 seconds West as per record plat.
- "NOTICE" This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.
- "IMPORTANT NOTICE" The roads and other infrastructures-if any- contained within this subdivision are not owned or maintained by Franklin County. Should the roads or other improvements ever be maintained by Franklin County, it will be done at the expense of the property owners within this subdivision.
- All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance and operation of cable television services; provided, however, no such construction, installation, maintenance and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.
- SUBJECT PROPERTY IS LOCATED IN FLOOD ZONES "AE (EL 12 & 13)" as per Flood Insurance Rate Map, Community Panel No. 120058 0250F, Index date: February 05, 2014, Franklin County, Florida.
- Access and Utility Easements shall be used by all lot owners.
- Wetlands lines depicted hereon were established by Florida Environmental and Land Services, Inc.
- No sewage septic tank or drainfield shall be constructed within the boundaries of Lot 1 as depicted hereon. Lot 1 is restricted to a pumping unit only, to deliver sewage waste to an offsite location identified as "Remote Septic System for Lot 1", depicted hereon.

JOINDER IN DEDICATION:
CENTENNIAL BANK, (MORTGAGEE), JOINS IN DEDICATION AT VOLUME 928, PAGE 351 OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA.

WITNESS _____ PRINT NAME
WITNESS _____ PRINT NAME

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF FRANKLIN
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, by _____ as Executive Vice President, Centennial Bank (Mortgagee). HE IS PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.
WITNESS MY HAND AND SEAL AT _____, FLORIDA, THIS _____ DAY OF _____, 2019.
NOTARY _____ MY COMMISSION EXPIRES: _____ NOTARY SEAL

METAL CAP IN TOP OF CONCRETE MONUMENT MARKING PERMANENT CONTROL POINTS
PLASTIC CAP ON 5/8" RE-ROD MARKING PERMANENT REFERENCE POINTS CONTROL POINTS

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND IS A CORRECT REPRESENTATION OF THE LAND SURVEYED, AND THAT THE PERMANENT REFERENCE MONUMENTS AND PERMANENT CONTROL POINTS HAVE BEEN SET, AND THAT THE SURVEY DATA AND MONUMENTATION COMPLIES WITH CHAPTER NO. 177, FLORIDA STATUTES, RULE NUMBER SJ-17.051/.052, FLORIDA ADMINISTRATIVE CODE, AND ALL APPLICABLE FRANKLIN COUNTY SUBDIVISION REGULATIONS AND/OR ORDINANCES.

JAMES T. RODDENBERRY
SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO: 4261

SURVEYOR'S SEAL
"Not valid without the signature and the original seal of a Florida licensed surveyor and mapper"

LINE	LENGTH	BEARING
L4	43.45	S83°44'19"W
L5	57.65	S70°41'06"W
L6	44.23	S87°20'04"W
L7	40.95	S89°48'30"W
L8	20.16	N64°58'19"W
L9	43.79	N87°40'18"W
L10	70.86	N77°33'22"W
L11	108.19	N59°56'22"W
L12	64.92	N04°26'50"E
L13	14.92	N04°26'50"E

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	62.19	150.00	23°45'14"	N71°48'58"W	61.74
C2	76.92	50.00	88°08'25"	S39°37'23"E	69.55
C3	59.97	800.00	41°7'42"	N02°13'25"E	59.95

JOINDER IN DEDICATION:
ALEJANDRO CORTINAS and ALETA C. JARRETT-CORTINAS, (MORTGAGEE), JOINS IN DEDICATION AT VOLUME 821, PAGE 229 OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA.

BY: ALEJANDRO CORTINAS
WITNESS _____ PRINT NAME
WITNESS _____ PRINT NAME

BY: ALETA C. JARRETT-CORTINAS
WITNESS _____ PRINT NAME
WITNESS _____ PRINT NAME

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF FRANKLIN
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, by ALEJANDRO CORTINAS, (Mortgagee), HE IS PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.
WITNESS MY HAND AND SEAL AT _____, FLORIDA, THIS _____ DAY OF _____, 2019.
NOTARY _____ MY COMMISSION EXPIRES: _____ NOTARY SEAL

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF FRANKLIN
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, by ALETA C. JARRETT-CORTINAS, (Mortgagee), SHE IS PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.
WITNESS MY HAND AND SEAL AT _____, FLORIDA, THIS _____ DAY OF _____, 2019.
NOTARY _____ MY COMMISSION EXPIRES: _____ NOTARY SEAL

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF FRANKLIN
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, by ALETA C. JARRETT-CORTINAS, (Mortgagee), SHE IS PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.
WITNESS MY HAND AND SEAL AT _____, FLORIDA, THIS _____ DAY OF _____, 2019.
NOTARY _____ MY COMMISSION EXPIRES: _____ NOTARY SEAL

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF FRANKLIN
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, by ALETA C. JARRETT-CORTINAS, (Mortgagee), SHE IS PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.
WITNESS MY HAND AND SEAL AT _____, FLORIDA, THIS _____ DAY OF _____, 2019.
NOTARY _____ MY COMMISSION EXPIRES: _____ NOTARY SEAL

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF FRANKLIN
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, by ALETA C. JARRETT-CORTINAS, (Mortgagee), SHE IS PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.
WITNESS MY HAND AND SEAL AT _____, FLORIDA, THIS _____ DAY OF _____, 2019.
NOTARY _____ MY COMMISSION EXPIRES: _____ NOTARY SEAL

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF FRANKLIN
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, by ALETA C. JARRETT-CORTINAS, (Mortgagee), SHE IS PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.
WITNESS MY HAND AND SEAL AT _____, FLORIDA, THIS _____ DAY OF _____, 2019.
NOTARY _____ MY COMMISSION EXPIRES: _____ NOTARY SEAL

HAVE CAUSED SAID LANDS TO BE DIVIDED AND SUBDIVIDED AS SHOWN HEREON. ALL ROADS, STREETS, RIGHTS OF WAY AND EASEMENTS SHALL BE FOR THE PRIVATE USE OF THE OWNERS, WITHIN BLACK BEAR BAYOU, PHASE II, THE DECLARANT AND OR HIS ASSIGNS AND SHALL BE MAINTAINED BY THE BLACK BEAR BAYOU, PHASE II HOMEOWNERS ASSOCIATION, INC. NO PART OF THE LAND SHALL BE DEEMED TO HAVE BEEN DEDICATED TO THE PUBLIC, AND FRANKLIN COUNTY SHALL HAVE NO RESPONSIBILITY FOR THE MAINTENANCE OF ANY SUCH ROAD, STREET OR RIGHT OF WAY SHOWN HEREON, THIS _____ DAY OF _____, 2019.

BY: JON P. JOHNSON
WITNESS _____ PRINT NAME
WITNESS _____ PRINT NAME

ACKNOWLEDGMENT
STATE OF FLORIDA
COUNTY OF FRANKLIN
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, by JON P. JOHNSON, HE IS PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION.
WITNESS MY HAND AND SEAL AT _____, FLORIDA, THIS _____ DAY OF _____, 2019.
NOTARY _____ MY COMMISSION EXPIRES: _____ NOTARY SEAL

CONFIRMATION
STATE OF FLORIDA
COUNTY OF FRANKLIN
APPROVED BY THE FRANKLIN COUNTY BOARD OF COMMISSIONERS THIS _____ DAY OF _____, 2019.

NOAH LOCKLEY, JR. - CHAIRMAN
THOMAS M. SHULER - COUNTY ATTORNEY

ACCEPT FOR FILES AND RECORDED THIS _____ DAY OF _____, 2019 IN PLAT BOOK _____, PAGE _____ OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA.

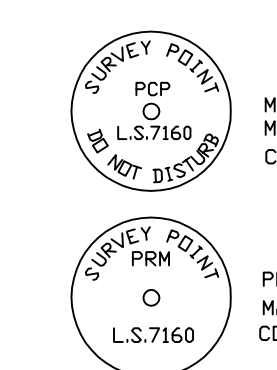
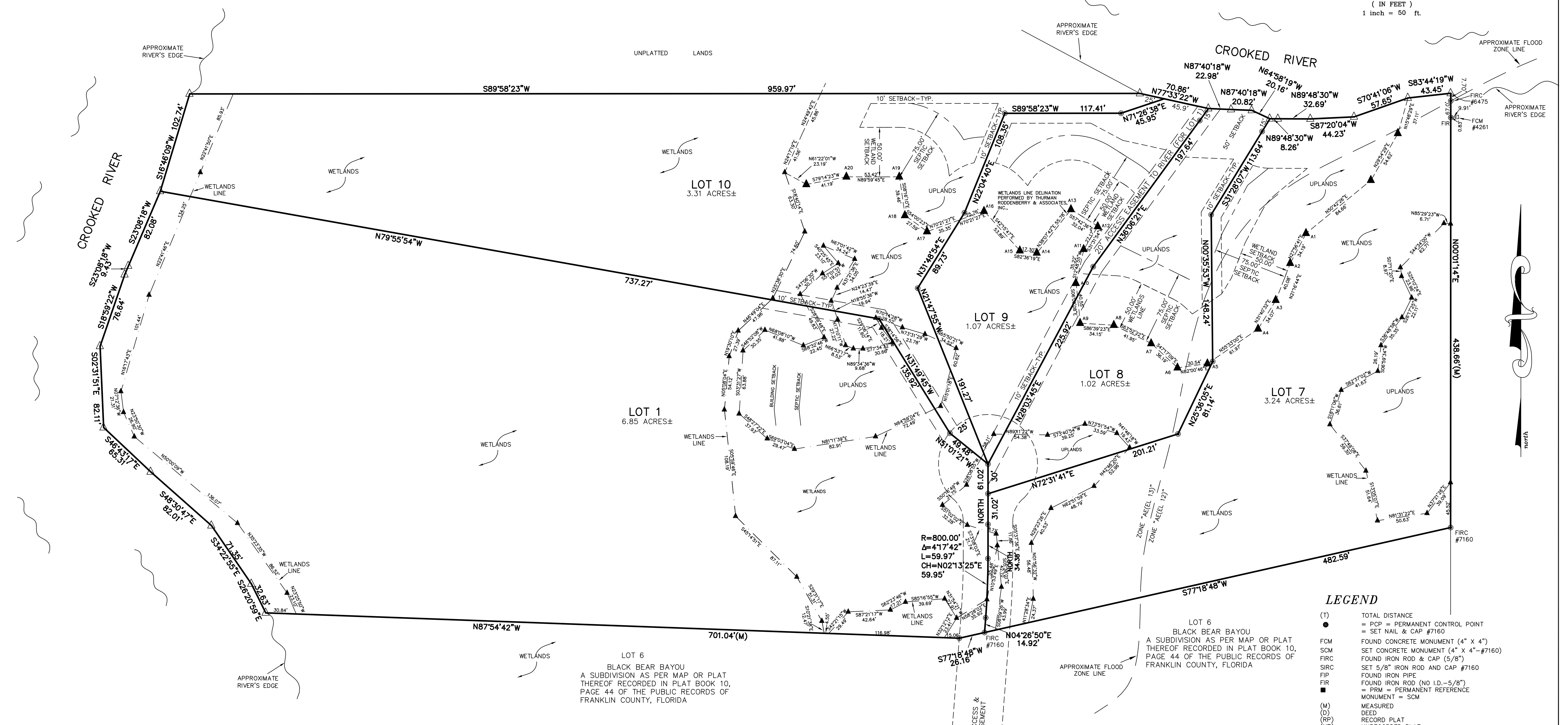
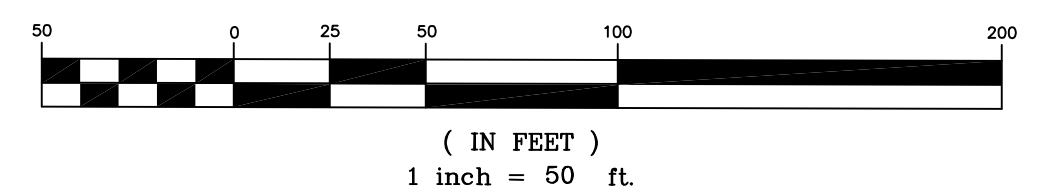
MARCIA M. JOHNSON
CLERK OF THE CIRCUIT COURT
FRANKLIN COUNTY FLORIDA

CLERK'S SEAL
Page 137

BLACK BEAR BAYOU II, A RE-PLAT OF LOTS 1 & 7

A SUBDIVISION LYING IN SECTION 8, TOWNSHIP 7 SOUTH, RANGE 4 WEST, FRANKLIN COUNTY, FLORIDA, BEING A RE-PLAT OF LOTS 1 AND 7 OF BLACK BEAR BAYOU, A SUBDIVISION AS PER MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 44 OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA.

GRAPHIC SCALE

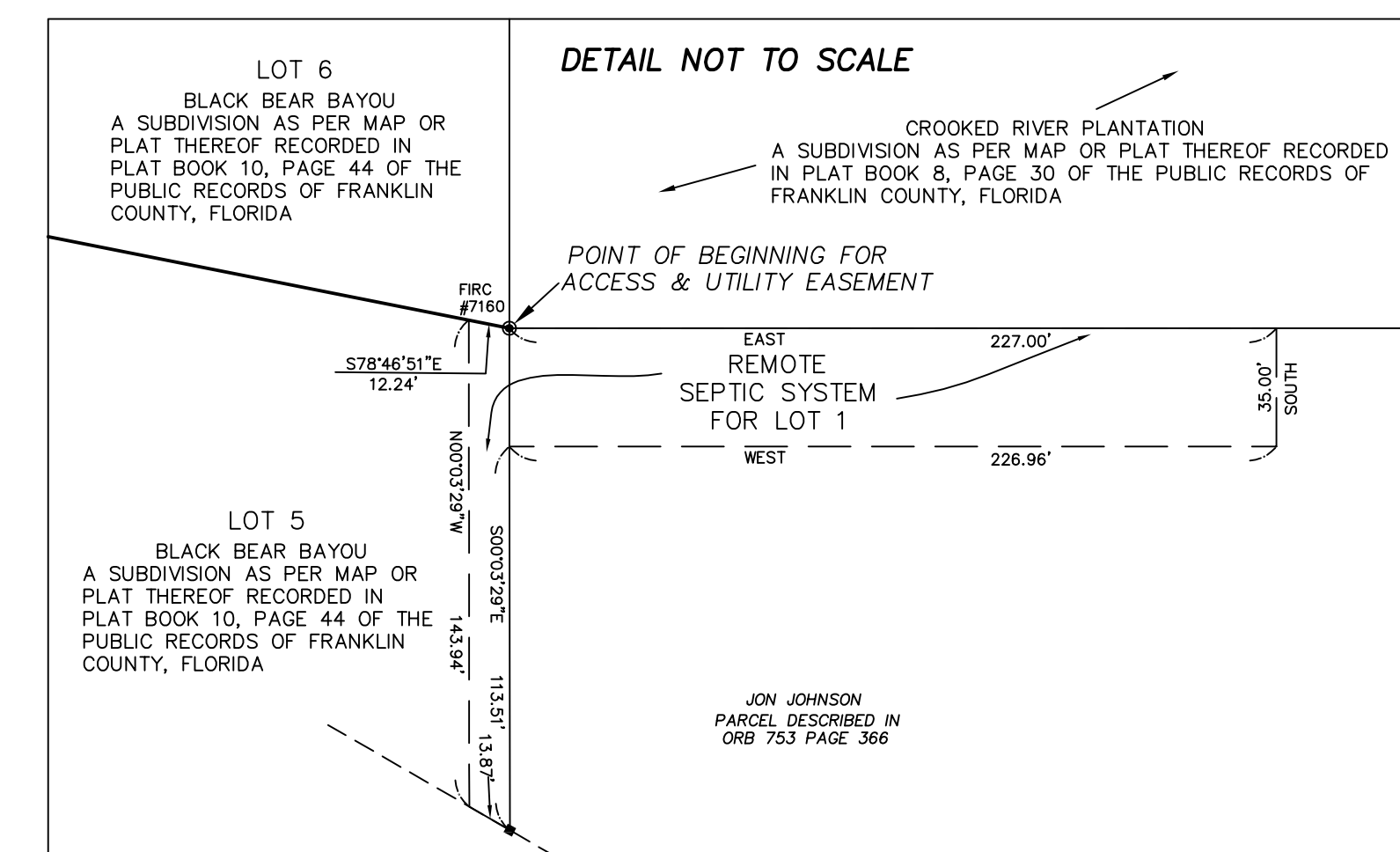


SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND IS A CORRECT REPRESENTATION OF THE LAND SURVEYED, AND THAT THE PERMANENT REFERENCE MONUMENTS AND PERMANENT CONTROL POINTS HAVE BEEN SET, AND THAT THE SURVEY DATA AND MONUMENTATION COMPLIES WITH CHAPTER NO. 177, FLORIDA STATUTES, RULE NUMBER 5J-17.051/.052, FLORIDA ADMINISTRATIVE CODE, AND ALL APPLICABLE FRANKLIN COUNTY SUBDIVISION REGULATIONS AND/OR ORDINANCES.

JAMES T. RODDENBERRY
SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO: 4261

SURVEYOR'S SEAL

"Not valid without the signature and the original seal of a Florida licensed surveyor and mapper"



- LEGEND**
- (1) TOTAL DISTANCE
 - P.C.P. = PERMANENT CONTROL POINT
 - SET NAIL & CAP #7160
 - FCM FOUND CONCRETE MONUMENT (4" X 4")
 - SCM SET CONCRETE MONUMENT (4" X 4" - #7160)
 - FIRC FOUND IRON ROD & CAP (5/8")
 - SIRC SET 5/8" IRON ROD AND CAP #7160
 - FIP FOUND IRON PIPE
 - FIR FOUND IRON ROD (NO I.D. - 5/8")
 - PRM = PERMANENT REFERENCE MONUMENT = SCM
 - (M) MEASURED
 - (D) DEED
 - (RP) RECORD PLAT
 - (UP) UNRECORDED PLAT
 - AC ACRES
 - R/W RIGHT-OF-WAY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L LENGTH
 - CD CHORD
 - ALL INTERIOR LOT CORNERS ARE MARKED WITH IRON ROD & CAP - #7160 (UNLESS NOTED OTHERWISE)
 - P.C.C. POINT OF COMPOUND CURVE
 - P.T. POINT OF TANGENCY
 - P.R.C. POINT OF REVERSE CURVATURE
 - P.C. POINT OF CURVATURE
 - P.I. POINT OF INTERSECTION
 - R.P. RADIUS POINT
 - △ POINT NOT SET OR FOUND
 - F.D.E.P. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 - ORB OFFICIAL RECORDS BOOK

TR
&A

THURMAN RODDENBERRY & ASSOCIATES, INC

PROFESSIONAL SURVEYORS AND MAPPERS

P.O. BOX 100 • 125 SHELDON STREET • SOPCHOPPY, FLORIDA 32358

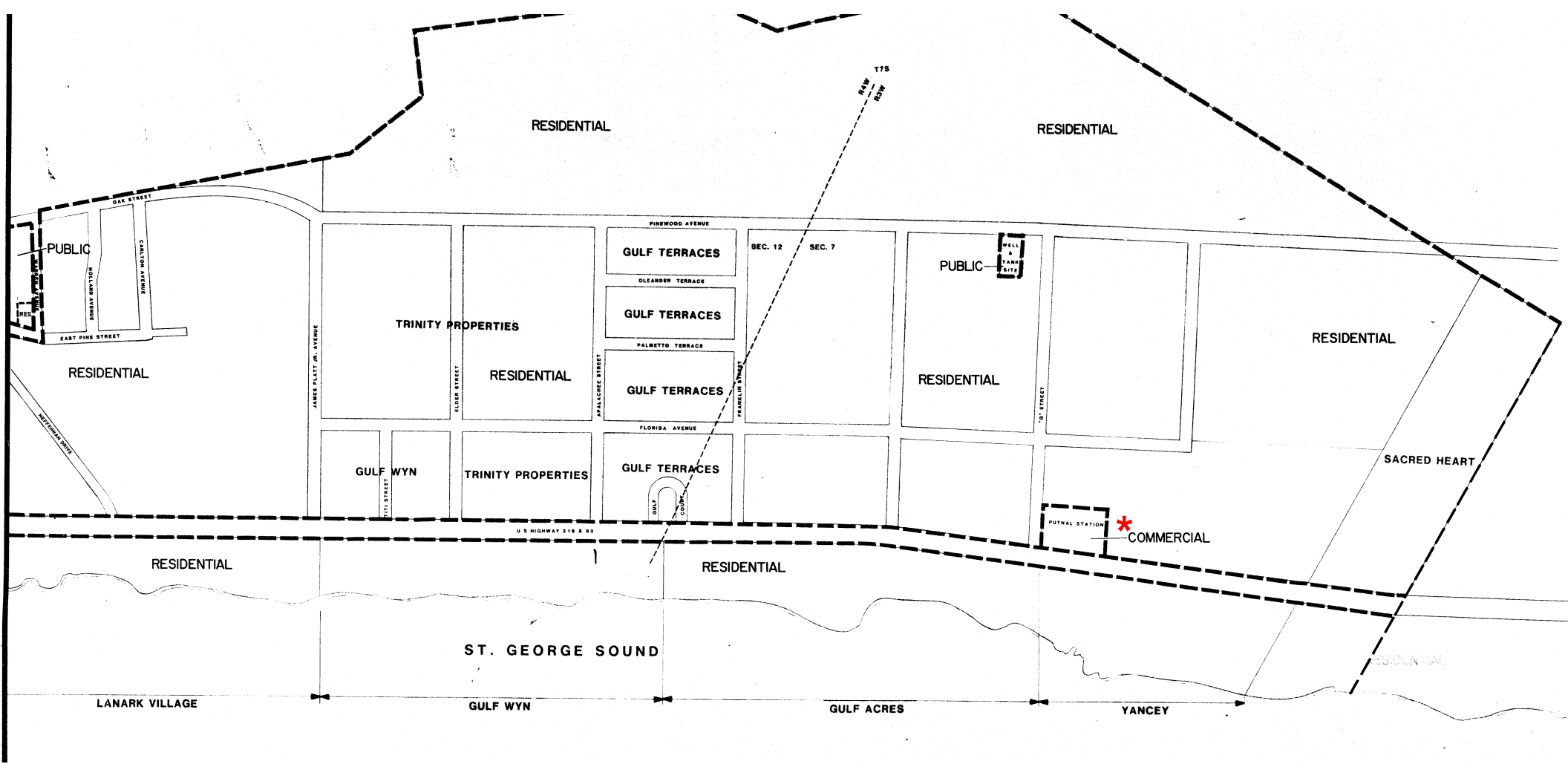
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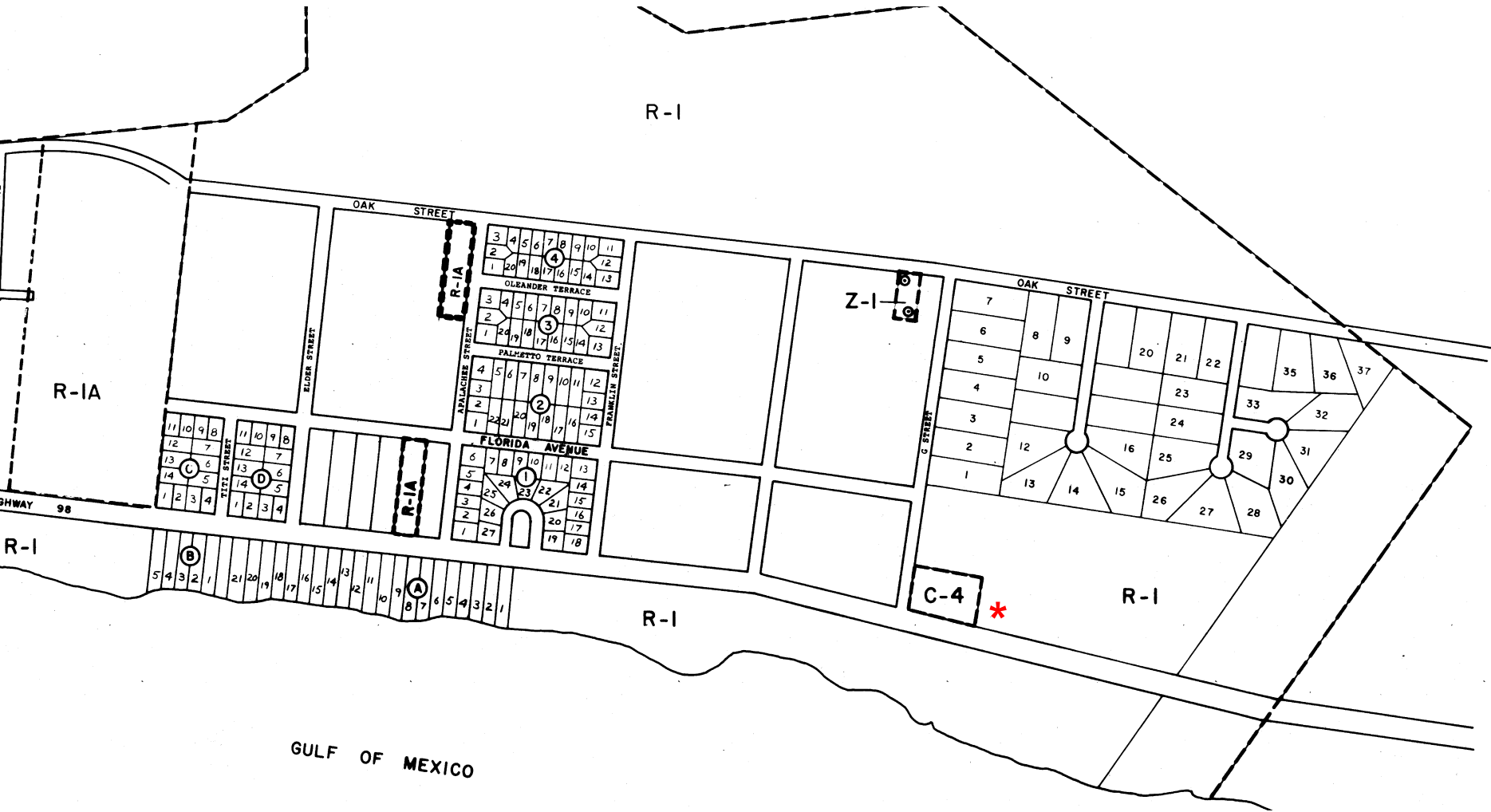
DATE: 11/19/19	DRAWN BY: BB	NB.617 Pg.54	COUNTY: FRANKLIN
FILE: 09030L1.DWG	DATE OF LAST FIELD WORK: 07/29/19	JOB NUMBER: 09-030	

15.



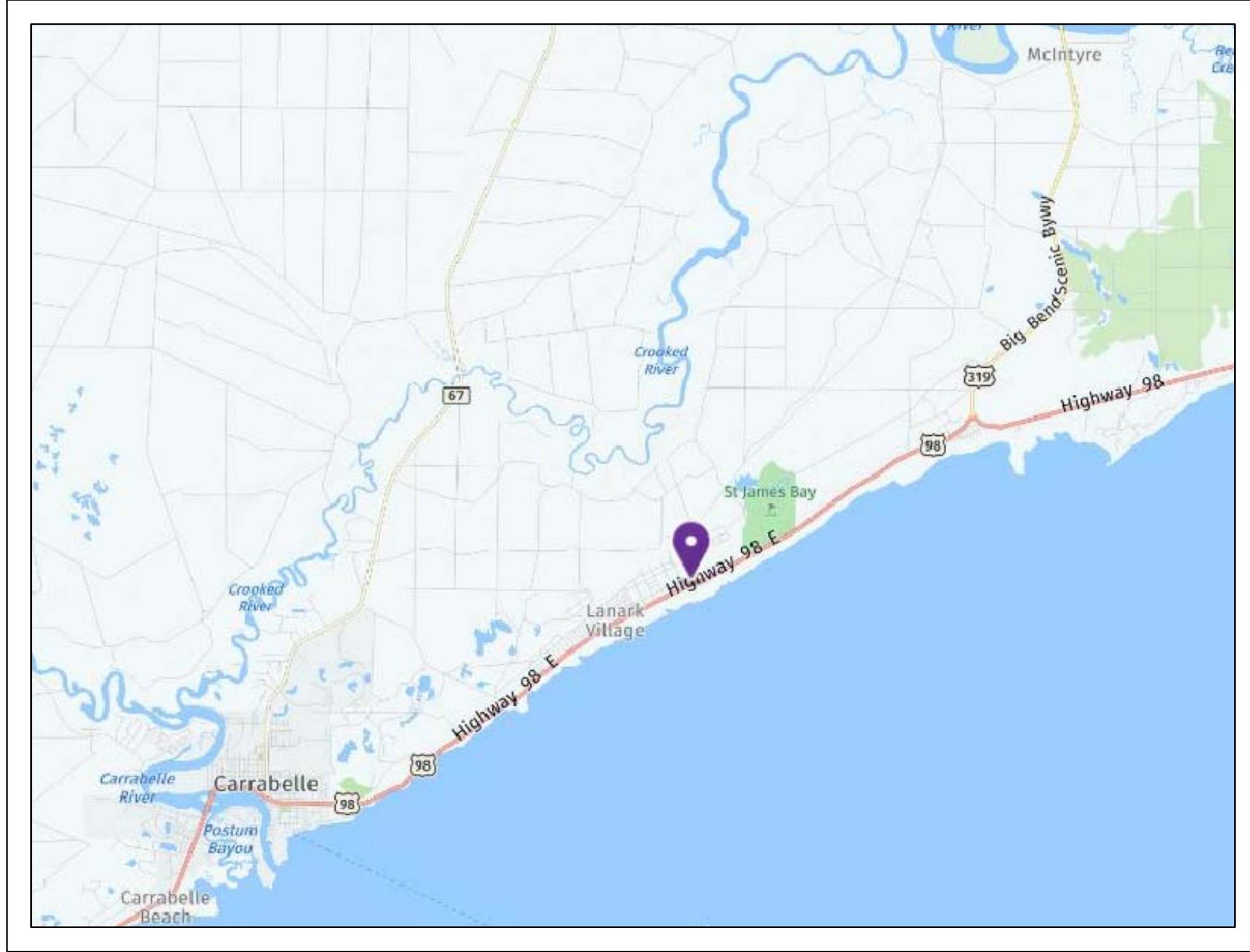
590 ft





ALTA/NSPS LAND TITLE SURVEY

2619 HIGHWAY 98 EAST
CARRABELLE, FLORIDA
SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 WEST
FRANKLIN COUNTY, FLORIDA



VICINITY MAP
NOT TO SCALE

LEGEND & ABBREVIATIONS:

- ☐ = TELEPHONE PEDESTAL
- = CONCRETE MONUMENT
- ☐ = FLAT GRATE INLET
- ↓ = GUY ANCHOR
- = IRON PIPE
- = FOUND 5/8" IRON ROD AND CAP "LB #7160 UNLESS OTHERWISE STATED
- ☐ = MITERED END SECTION
- ◇ = UTILITY POLE
- ⊕ = UTILITY MARKER
- ⊙ = VENT
- ⊕ = DRAINAGE MANHOLE
- ⊕ = SANITARY MANHOLE
- +15.5 = SOFT GROUND SPOT ELEVATION
- +15.50 = HARD GROUND SPOT ELEVATION
- OHL- = OVERHEAD UTILITY LINE
- CMP = CORRUGATED METAL PIPE
- RCP = REINFORCED CONCRETE PIPE
- (D) = DEED
- (P) = PLAT
- (C) = CALCULATED
- LB = LICENSED BUSINESS
- PRM = PERMANENT REFERENCE MONUMENT
- TRAV.PT. = TRAVERSE POINT
- SSMC = SOUTHEASTERN SURVEYING & MAPPING CORPORATION
- |—|— = LINE DRAWN TO A BROKEN SCALE

TABLE OF UTILITIES			
OWNER	UTILITY CONTACT	PHONE NUMBERS	UTILITY TYPE
MEDIACOM	STEVE THOMAS	Day: (845) 239-8673	CABLE
DUKE ENERGY	USIC DISPATCH	Day: (800) 778-9140	ELECTRIC
ST JAMES ISLAND UTILITY COMPANY	BILL STEPHENS	Day: (850) 273-1995 Emer: (850) 528-4991	WATER, SEWER
CONSOLIDATED COMMUNICATION	GARY SKIPPER	Day: (850) 227-6688	TELEPHONE
UNITI FIBER LLC	SOUTHERN LIGHT EMERGENCY RESPONSE	Day: (877) 652-2321	FIBER

NOTICE OF LIABILITY:

THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.

SURVEYOR'S CERTIFICATION:

TO: TERAMORE DEVELOPMENT, LLC, WILLIAMS, GAUTIER, GWYNN, DELOACH & KIKER P.A. AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-8, 11, 13 & 17-18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON NOVEMBER 5, 2019.

DATE OF PLAT OR MAP: NOVEMBER 25, 2019

DESCRIPTIONS:

PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY - COMMITMENT NUMBER: 764872:

COMMENCE AT AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE HOMESTEAD PROPERTY OF THOMAS A. YANCEY AND PEGGY B. YANCEY AS PER MAP OF PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 2 OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA AND BEING SITUATE IN SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 WEST, FRANKLIN COUNTY, FLORIDA AND THENCE RUN SOUTH 62 DEGREES 39 MINUTES 07 SECONDS WEST ALONG THE NORTH BOUNDARY OF SAID YANCEY HOMESTEAD (AS MONUMENTED) A DISTANCE OF 1056.44 FEET TO A RE-ROD (MARKED #7160) MARKING THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE SOUTH 62 DEGREES 39 MINUTES 07 SECONDS WEST ALONG SAID NORTH BOUNDARY (AS MONUMENTED) A DISTANCE OF 557.86 FEET TO A RE-ROD (MARKED #7160) LYING ON THE EASTERLY RIGHT OF WAY BOUNDARY OF PUTNAL STREET, THENCE RUN SOUTH 27 DEGREES 13 MINUTES 01 SECONDS EAST ALONG SAID RIGHT OF WAY BOUNDARY 98.29 FEET TO A CONCRETE MONUMENT, THENCE LEAVING SAID RIGHT OF WAY BOUNDARY RUN NORTH 62 DEGREES 39 MINUTES 15 SECONDS EAST ALONG THE SOUTHERLY RIGHT OF WAY BOUNDARY OF SECOND STREET (PRIVATE ROADWAY) A DISTANCE OF 280.15 FEET TO AN IRON PIPE, THENCE LEAVING SAID RIGHT OF WAY BOUNDARY RUN SOUTH 27 DEGREES 11 MINUTES 57 SECONDS EAST 485.70 FEET TO A RE-ROD (MARKED #7160) LYING ON THE NORTHERLY RIGHT OF WAY BOUNDARY OF U.S. HIGHWAY NO. 98, THENCE RUN NORTH 67 DEGREES 05 MINUTES 19 SECONDS EAST ALONG SAID RIGHT OF WAY BOUNDARY 14.89 FEET TO A RE-ROD (MARKED #7160) MARKING A POINT OF CURVE TO THE RIGHT, THENCE RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY BOUNDARY AND SAID CURVE WITH A RADIUS OF 16,420.20 FEET, THROUGH A CENTRAL ANGLE OF 01 DEGREES 38 MINUTES 03 SECONDS FOR AN ARC DISTANCE OF 468.34 FEET, CHORD BEING NORTH 67 DEGREES 54 MINUTES 20 SECONDS EAST 468.32 FEET TO A RE-ROD (MARKED #7160), THENCE LEAVING SAID RIGHT OF WAY BOUNDARY RUN NORTH 23 DEGREES 40 MINUTES 20 SECONDS WEST 320.37 FEET TO A RE-ROD (MARKED #7160), THENCE RUN SOUTH 62 DEGREES 41 MINUTES 50 SECONDS WEST 242.31 FEET TO A RE-ROD (MARKED #7160), THENCE RUN NORTH 23 DEGREES 40 MINUTES 37 SECONDS WEST 308.76 FEET TO THE POINT OF BEGINNING, CONTAINING 5.88 ACRES, MORE OR LESS.

AS SURVEYED:

COMMENCE AT AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE HOMESTEAD PROPERTY OF THOMAS A. YANCEY AND PEGGY B. YANCEY AS PER MAP OF PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 2 OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA AND BEING SITUATE IN SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 WEST, FRANKLIN COUNTY, FLORIDA; THENCE SOUTH 62 DEGREES 34 MINUTES 04 SECONDS WEST ALONG THE NORTH LINE OF SAID YANCEY HOMESTEAD, 1,056.39 FEET TO AN IRON ROD (LB #7160) MARKING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 62 DEGREES 34 MINUTES 04 SECONDS WEST ALONG SAID NORTH LINE 557.90 FEET TO AN IRON ROD (LB #7160) SET ON THE EASTERLY RIGHT OF WAY LINE OF PUTNAL STREET (100' RIGHT OF WAY); THENCE SOUTH 27 DEGREES 15 MINUTES 13 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 98.10 FEET TO A CONCRETE MONUMENT (NO IDENTIFICATION) SET ON THE SOUTHERLY RIGHT OF WAY LINE OF FLORIDA AVENUE (100' PRIVATE RIGHT OF WAY); THENCE NORTH 62 DEGREES 34 MINUTES 59 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 280.36 FEET TO AN IRON PIPE; THENCE DEPARTING SAID RIGHT OF WAY LINE SOUTH 27 DEGREES 17 MINUTES 28 SECONDS EAST, 485.68 FEET TO AN IRON ROD (ILLEGIBLE) SET ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 98 (100' RIGHT OF WAY); THENCE NORTH 68 DEGREES 22 MINUTES 58 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 14.88 FEET TO AN IRON ROD (ILLEGIBLE) MARKING A POINT OF CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND SAID CURVE WITH A RADIUS OF 16,420.20 FEET, THROUGH A CENTRAL ANGLE OF 01 DEGREES 38 MINUTES 04 SECONDS FOR AN ARC DISTANCE OF 468.37 FEET, CHORD BEING NORTH 67 DEGREES 54 MINUTES 17 SECONDS EAST 468.35 FEET TO AN IRON ROD (LB #7160); THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 23 DEGREES 45 MINUTES 37 SECONDS WEST, 320.25 FEET TO AN IRON ROD (LB #7160); THENCE SOUTH 62 DEGREES 35 MINUTES 31 SECONDS WEST, 242.39 FEET TO AN IRON ROD (LB #7160); THENCE NORTH 23 DEGREES 46 MINUTES 27 SECONDS WEST, 308.81 FEET TO THE POINT OF BEGINNING, CONTAINING 5.88 ACRES, MORE OR LESS.

PROPOSED PARCEL:

COMMENCE AT AN IRON PIPE MARKING THE NORTHEAST CORNER OF THE HOMESTEAD PROPERTY OF THOMAS A. YANCEY AND PEGGY B. YANCEY AS PER MAP OF PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 2 OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA AND BEING SITUATE IN SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 WEST, FRANKLIN COUNTY, FLORIDA; THENCE SOUTH 62 DEGREES 34 MINUTES 04 SECONDS WEST ALONG THE NORTH LINE OF SAID YANCEY HOMESTEAD, 1,056.39 FEET TO AN IRON ROD (LB #7160) MARKING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 62 DEGREES 34 MINUTES 04 SECONDS WEST ALONG SAID NORTH LINE 557.90 FEET TO AN IRON ROD (LB #7160) SET ON THE EASTERLY RIGHT OF WAY LINE OF PUTNAL STREET (100' RIGHT OF WAY); THENCE SOUTH 27 DEGREES 15 MINUTES 13 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 98.10 FEET TO A CONCRETE MONUMENT (NO IDENTIFICATION) SET ON THE SOUTHERLY RIGHT OF WAY LINE OF FLORIDA AVENUE (100' PRIVATE RIGHT OF WAY); THENCE NORTH 62 DEGREES 34 MINUTES 59 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 280.36 FEET TO AN IRON PIPE; THENCE DEPARTING SAID RIGHT OF WAY LINE SOUTH 27 DEGREES 17 MINUTES 28 SECONDS EAST, 485.68 FEET TO AN IRON ROD (ILLEGIBLE) SET ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 98 (100' RIGHT OF WAY); THENCE NORTH 68 DEGREES 22 MINUTES 58 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 14.88 FEET TO AN IRON ROD (ILLEGIBLE) MARKING A POINT OF CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND SAID CURVE WITH A RADIUS OF 16,420.20 FEET, THROUGH A CENTRAL ANGLE OF 01 DEGREES 38 MINUTES 04 SECONDS FOR AN ARC DISTANCE OF 468.37 FEET, CHORD BEING NORTH 67 DEGREES 54 MINUTES 17 SECONDS EAST 468.35 FEET TO AN IRON ROD (LB #7160); THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 23 DEGREES 45 MINUTES 37 SECONDS WEST, 320.25 FEET TO AN IRON ROD (LB #7160); THENCE SOUTH 62 DEGREES 35 MINUTES 31 SECONDS WEST, 242.39 FEET TO AN IRON ROD (LB #7160); THENCE NORTH 23 DEGREES 46 MINUTES 27 SECONDS WEST ALONG SAID WESTERLY LINE, 98.44 FEET TO THE POINT OF BEGINNING, CONTAINING 1.25 ACRES, MORE OR LESS.

SURVEYOR'S REPORT:

1. UTILITY LOCATIONS IF SHOWN HEREON ARE BASED ON FIELD LOCATION OF MARKINGS BY UTILITY COMPANY REPRESENTATIVES, SURFACE FEATURES AND CONSTRUCTION PLANS FURNISHED TO THE SURVEYOR. ADDITIONAL SUB-SURFACE UTILITIES MAY EXIST THAT HAVE NOT BEEN FIELD LOCATED.
2. EASEMENTS OR RIGHTS OF WAY THAT APPEAR ON RECORDED PLANS OR THAT HAVE BEEN FURNISHED TO THE SURVEYOR BY OTHERS HAVE BEEN INCORPORATED INTO THIS DRAWING WITH APPROPRIATE NOTATION. OTHER EASEMENTS MAY BE DISCOVERED BY A SEARCH OF THE PUBLIC RECORDS.
3. MINIMUM HORIZONTAL ACCURACY FOR THIS SURVEY IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 REQUIREMENTS OF FLORIDA ADMINISTRATION CODE. THE MAP AND MEASUREMENT METHODS USED FOR THIS SURVEY MEET OR EXCEED THIS REQUIREMENT. THE DIMENSIONS SHOWN HEREON ARE IN UNITED STATES STANDARD SURVEY FEET AND DECIMALS THEREOF.
4. THIS SURVEY DOES NOT DETERMINE OWNERSHIP OF THE LANDS SHOWN HEREON.
5. UNDERGROUND FOUNDATIONS HAVE NOT BEEN LOCATED.
6. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. FEATURES SHOWN BY SYMBOL AS INDICATED IN THE LEGEND ARE NOT TO SCALE.
8. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE GRID (NORTH AMERICAN DATUM, NAD 83, 2011 ADJUSTMENT, FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA NORTH ZONE) AND ARE BASED ON GPS OBSERVATIONS TAKEN FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION'S "FLORIDA PERMANENT REFERENCE NETWORK" GPS CONTINUOUSLY OPERATING REFERENCE STATION "FLC9". THE RELATIVE BEARING IS S27°15'13"E ALONG THE MONUMENTED EASTERLY RIGHT OF WAY LINE OF PUTNAL ROAD. BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED UNLESS OTHERWISE NOTED.
10. VERTICAL INFORMATION SHOWN HEREON REFERS TO NATIONAL GEODETIC SURVEY (NGS) PID# AS0167 BEING A BENCH MARK DISK SET IN TOP OF 12" DIAMETER CONCRETE MONUMENT STAMPED "K 293 1967", ELEVATION 9.40'(NAVD88). THE CONTOUR INTERVAL IS ONE FOOT.
11. UNLESS SHOWN, ONLY THOSE VISIBLE FEATURES FOUND WITHIN THE BOUNDARIES OF THIS SURVEY OR IN THE IMMEDIATE VICINITY OF THE ABOVE DESCRIBED PARCEL BOUNDARY HAVE BEEN LOCATED.
12. THE ABOVE DESCRIBED PARCEL CONTAINS 5.88 ACRES, MORE OR LESS.
13. ADJACENT PROPERTY INFORMATION SHOWN HEREON, THAT WAS NOT FURNISHED TO THIS SURVEYOR, WAS COMPILED USING LATEST AVAILABLE DATA. NO ATTEMPT WAS MADE BY THIS FIRM TO VERIFY ITS ACCURACY.
14. I HAVE REVIEWED THE OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT NUMBER 764872, DATED 07/29/2019 AND ALL RECORDED ENCUMBRANCES, EXCEPT LIENS, IDENTIFIED IN SCHEDULE B-II OF THE TITLE INSURANCE COMMITMENT HAVE BEEN SHOWN OR NOTED ON THE SURVEY.
15. TITLE COMMITMENT SCHEDULE B-II EXCEPTIONS 1, 2A, 2E AND 3-6 ARE NOT A SURVEY MATTER AND MAY REQUIRE A LEGAL OPINION AS TO THEIR AFFECTING OR NOT AFFECTING THE SUBJECT PARCEL THEREFORE THE SURVEYOR IS NOT QUALIFIED BY LAW TO RENDER A CONCLUSIVE LEGAL OPINION AS TO THOSE NON-SURVEY MATTER EXCEPTIONS.
16. WETLAND AREAS OR JURISDICTIONAL BOUNDARIES, IF EXISTING WERE NOT ADDRESSED AS A PART OF THIS SURVEY.
17. BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 12037C0265F, EFFECTIVE DATE FEBRUARY 5, 2014, THE ABOVE DESCRIBED PROPERTY LIES WITHIN ZONE "X", ZONE "X" SHADED, ZONE "AE" AND ZONE "VE".
 - ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
 - SHADED ZONE X - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.
 - ZONE AE - BASE FLOOD ELEVATIONS DETERMINED.
 - ZONE VE - COASTAL FLOOD ZONE WITH VELOCITY HAZARD (WAVE ACTION); BASE FLOOD ELEVATIONS DETERMINED.
18. PER EMAIL RECEIVED FROM MARK C. CURENTON, COUNTY PLANNER WITH FRANKLIN COUNTY ON NOVEMBER 1, 2019:

"The property at 2619 US Highway 98 East of Lanark, Florida is currently zoned R-1 Single Family Residential. The setbacks in this zoning district are 25 feet from any property line facing a road and 10 feet from any other property line. If there are any state jurisdictional wetlands in the area there is a 50' setback from the landward extent of the wetlands."

ITEMS SHOWN ON SCHEDULE B - SECTION II TITLE COMMITMENT FILE NUMBER: 764872 DATED JULY 29, 2019, ISSUED BY: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY	
(2B)	RIGHTS OR CLAIMS OF PARTIES NOT SHOWN BY THE PUBLIC RECORDS. ALL OBSERVED EVIDENCE IS SHOWN HEREON.
(2C)	ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE THAT WOULD BE DISCLOSED BY AN INSPECTION OR AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND INSPECTION OF THE LAND. ALL OBSERVED EVIDENCE IS SHOWN HEREON.
(2D)	EASEMENTS OR CLAIMS OF EASEMENTS NOT RECORDED IN THE PUBLIC RECORDS. NONE OBSERVED.
(7)	ALL MATTERS CONTAINED ON THE PLAT OF HOMESTEAD PROPERTY OF THOMAS A. AND PEGGY B. YANCEY, AS RECORDED IN PLAT BOOK 3, PAGE 2, PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA. DOES AFFECT SUBJECT PARCEL AND IS BLANKET IN NATURE.
(8)	EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES CONTAINED IN INSTRUMENT RECORDED APRIL 16, 2002, UNDER O.R. BOOK 695, PAGE 181, PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA. DOES NOT AFFECT SUBJECT PARCEL.
(9)	EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES CONTAINED IN INSTRUMENT RECORDED SEPTEMBER 5, 2002, UNDER O.R. BOOK 710, PAGE 783, PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA. DOES NOT AFFECT SUBJECT PARCEL.
(10)	QUIT CLAIM DEED FROM GORDON LAND COMPANY TO STATE OF FLORIDA, FOR THE USE AND BENEFIT OF THE STATE ROAD DEPARTMENT OF FLORIDA, RECORDED IN DEED BOOK RR, PAGE 541-542, PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA. DOES NOT AFFECT SUBJECT PARCEL.

THOMAS A. MEAD
Professional Land Surveyor and Mapper
Number: 1252

**SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION**

Chapler, Florida 32428
(850) 638-0790
e-mail: info@southeasternsurveying.com
Certification Number: 1252106

BY: REVISION

REVISION DATE

SHEET NUMBER 1 OF 2

NOT VALID WITHOUT SHEETS 1 THROUGH 2

ALTA/NSPA LAND TITLE SURVEY

2619 HIGHWAY 98 EAST
CARRABELLE, FLORIDA

Scale: 1" = 40'

Drawn By: AE

TERAMORE DEVELOPMENT, LLC
WILLIAMS, GAUTIER, GWYNN,
DELOACH & KIKER P.A.

OLD REPUBLIC NATIONAL TITLE
INSURANCE COMPANY

10/23/2019

Field Date:

DRAWING NUMBER

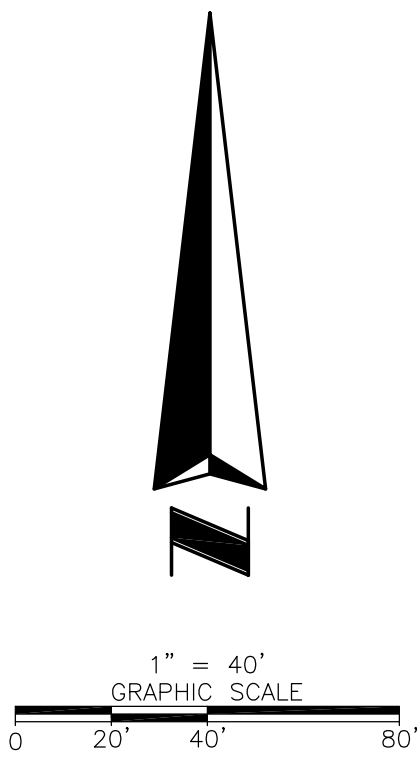
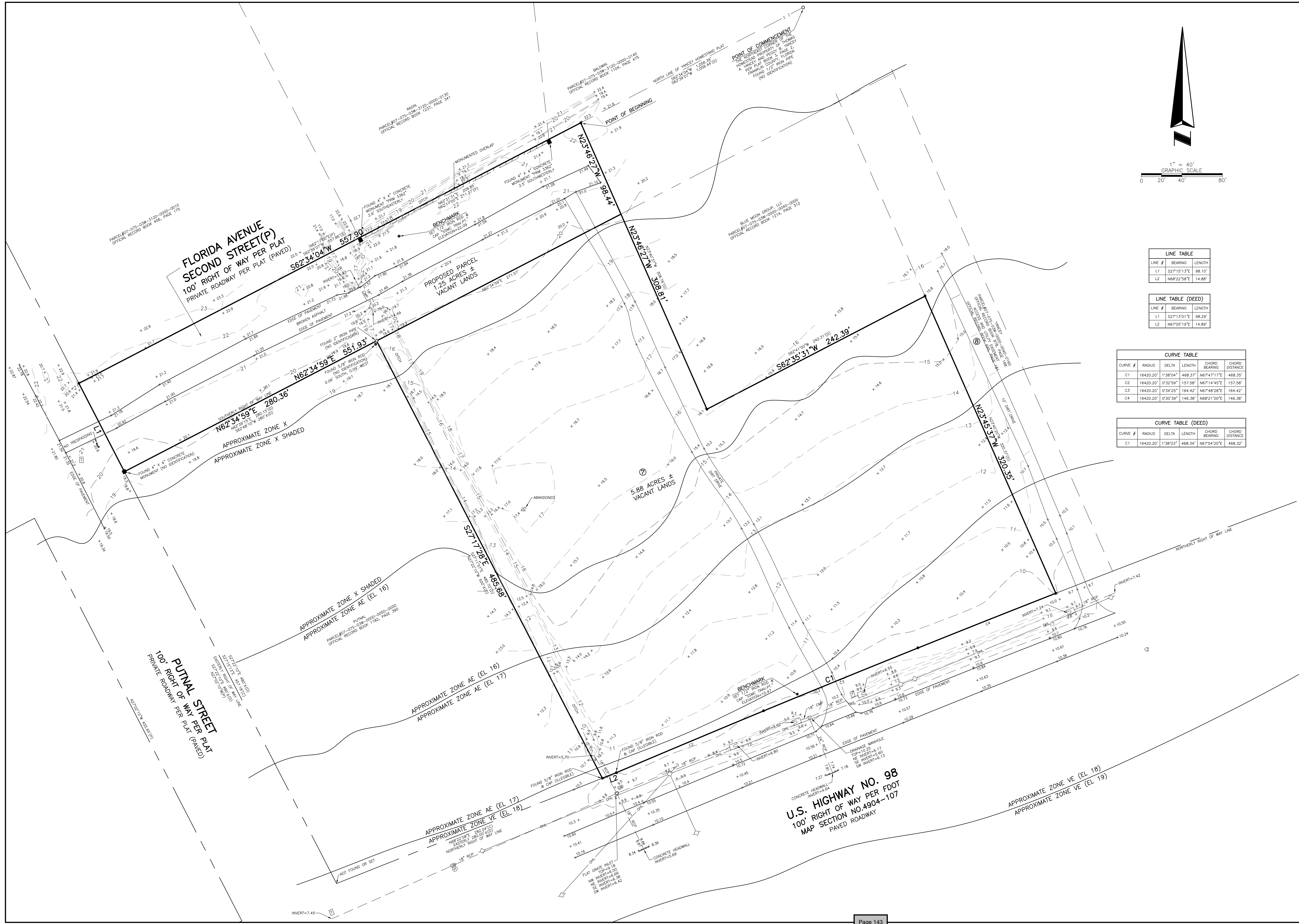
63757001

SHEET NUMBER

1

OF 2

Page 142



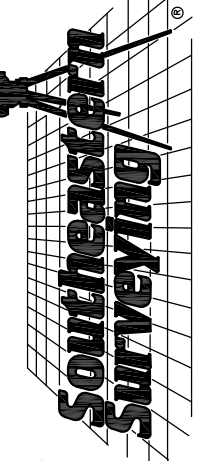
LINE TABLE		
LINE #	BEARING	LENGTH
L1	S27°15'13"E	98.10'
L2	N68°22'58"E	14.88'

LINE TABLE (DEED)		
LINE #	BEARING	LENGTH
L1	S27°13'01"E	98.29'
L2	N67°05'19"E	14.89'

CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	16420.20'	1°38'04"	468.37'	N67°47'17"E	468.35'
C2	16420.20'	0°32'59"	157.58'	N67°14'45"E	157.58'
C3	16420.20'	0°34'25"	164.42'	N67°48'28"E	164.42'
C4	16420.20'	0°30'39"	146.38'	N68°21'00"E	146.38'

CURVE TABLE (DEED)					
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	16420.20'	1°38'03"	468.34'	N67°54'20"E	468.32'

SHEET NUMBER 2 OF 2
NOT VALID THROUGH 2



**SOUTHEASTERN SURVEYING
AND MAPPING CORPORATION**
Chapley, Florida 32428
(850) 638-0790
e-mail: info@southesternsurveying.com
Certification Number: LB2106

REVISION	DATE	BY

Project: **ALTA/NSA LAND TITLE SURVEY
2619 HIGHWAY 98 EAST
CARRABELLE, FLORIDA**
Scale: 1" = 40'
Drawn By: AE
Field Date: 10/23/2019

SEE SHEET 1 FOR NOTES,
LEGEND AND DESCRIPTION.

DRAWING NUMBER
63757001
SHEET
NUMBER

15. - AERIAL		CITY, STATE - STREET LANARK VILLAGE, FRANKLIN COUNTY, FL - 2619 HWY 98 EAST		PARCEL ID: 723/323 978/476 978/479	
PROTOTYPE:	D	DEVELOPER	DESIGNER	DATE	
BLDG SF:	10,640/8,526 SF	COMPANY: TERAMORE DEVELOPMENT, LLC	COMPANY: TERAMORE DEVELOPMENT, LLC	10/21/19	
ACREAGE:	5.8 ± AC	NAME: JOSH HUFSTETLER	NAME: BRANNEN RAY		
PARKING:	54	PHONE: (229) 977-3931	PHONE: (229) 225-8630		

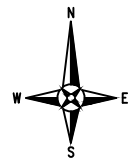


LEGEND			
	EXISTING ASPHALT		PROPOSED HD ASPHALT
	PROPOSED CONCRETE		PROPOSED LD ASPHALT
	PROPOSED LANDSCAPING		

GENERAL NOTES:

1. PRELIMINARY BOUNDARY IS BASED ON INFORMATION FROM PROPERTY APPRAISER AND SHALL BE USED FOR ILLUSTRATIVE PURPOSES ONLY. THIS PLAN SHALL NOT BE INTENDED TO CERTIFY THE ACCURACY OF EXISTING SURFACE OR SUBSURFACE CONDITIONS. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SHOULD BE VERIFIED BY ACTUAL SURVEY.

2. PROPOSED ACCESS LOCATIONS SHALL BE APPROVED BY REGULATORY AGENCIES HAVING JURISDICTION.



SCALE: 1" = 100'

AN ORDINANCE RE-ZONING A 1.04+/- ACRE PARCEL LYING IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 1 WEST, ALLIGATOR POINT, FRANKLIN COUNTY, FLORIDA FROM C-3 COMMERCIAL RECREATION TO C-3 COMMERCIAL FISHING.

**ORDINANCE 2019- _____
FRANKLIN COUNTY, FLORIDA**

WHEREAS, the Board of County Commissioners of Franklin County, Florida has received a recommendation from the Franklin County Planning and Zoning Commission for changing the zoning of private real property, and

WHEREAS, the Board of County Commissioners of Franklin County, Florida has conducted a public hearing with due notice, and

NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS that:

The permitted zoning of a 1.04+/- acre parcel lying in Section 6, Township 7 South, Range 1 West, Alligator Point, Franklin County, Florida as shown on the attached legal description and map labeled Exhibit A and Exhibit B respectively, is changed from C-3 Commercial Recreation to C-1 Commercial Fishing.

This Ordinance adopted this _____ day of _____, 2019, in regular meeting of the Franklin County Board of County Commissioners after notice of intent to adopt it as a rezoning of less than 5% of the County. This ordinance shall take effect when notice of receipt of a certified copy of same is returned from the Florida Secretary of State.

**THE FRANKLIN COUNTY BOARD OF
COUNTY COMMISSIONERS**

BY: _____
Noah Lockley, Jr. Chairman

ATTEST:

Marcia M. Johnson, Clerk of Court

EXHIBIT A

Thurman Roddenberry and Associates, Inc. ***Professional Surveyors and Mappers***

PO Box 100
125 Sheldon Street
Sopchoppy, Florida 32358
USA

Phone: 850-962-2538
Fax: 850-962-1103

September 9, 2019

Legal Description of a 1.04 Acre Tract
Certified To: Paul B. Parker and Stephanie G. Parker

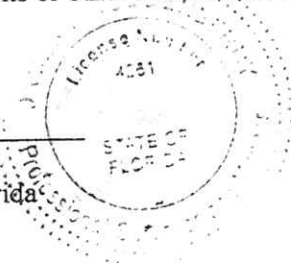
I hereby certify that this is a true and correct representation of the following described property and that this description meets the minimum technical standards for land surveying (Chapter 5J-17.051, Florida Administrative Code).

Commence at a concrete monument marking the Southeast corner of Lot 5, Block "H" of Alligator Harbor, Unit 2, a subdivision as per map or plat thereof recorded in Plat Book 4, Page 7 of the Public Records of Franklin County, Florida; thence run North 77 degrees 4 minutes 19 seconds West 139.89 feet; thence run North 00 degrees 00 minutes 54 seconds East 25.30 feet; thence run North 78 degrees 01 minute 31 seconds West 153.11 feet; thence run North 01 degree 39 minutes 18 seconds East 77.16 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING; thence run South 78 degrees 01 minute 31 seconds East 77.25 feet; thence run North 00 degrees 01 minutes 38 seconds East 100.94 feet; thence run South 78 degrees 01 minute 31 seconds East 161.74 feet; thence run North 07 degrees 17 minutes 29 seconds East 40.61 feet to a point lying on the approximate mean high water line of Alligator Harbor; thence run Northwesterly along said mean high water line the following (8) eight courses: North 67 degrees 46 minutes 19 seconds West 61.95 feet; North 14 degrees 52 minutes 28 seconds West 48.74 feet; North 14 degrees 29 minutes 08 seconds East 50.14 feet; North 42 degrees 58 minutes 39 seconds West 15.30 feet; North 23 degrees 59 minutes 51 seconds West 56.18 feet; North 83 degrees 08 minutes 32 seconds West 64.43 feet; North 60 degrees 54 minutes 55 seconds West 63.54 feet; North 69 degrees 25 minutes 58 seconds West 25.82 feet; thence leaving said mean high water line run South 00 degrees 34 minutes 47 seconds West 241.78 feet; thence run South 01 degree 39 minutes 18 seconds West 79.13 feet to the POINT OF BEGINNING containing 1.04 acres, more or less.

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

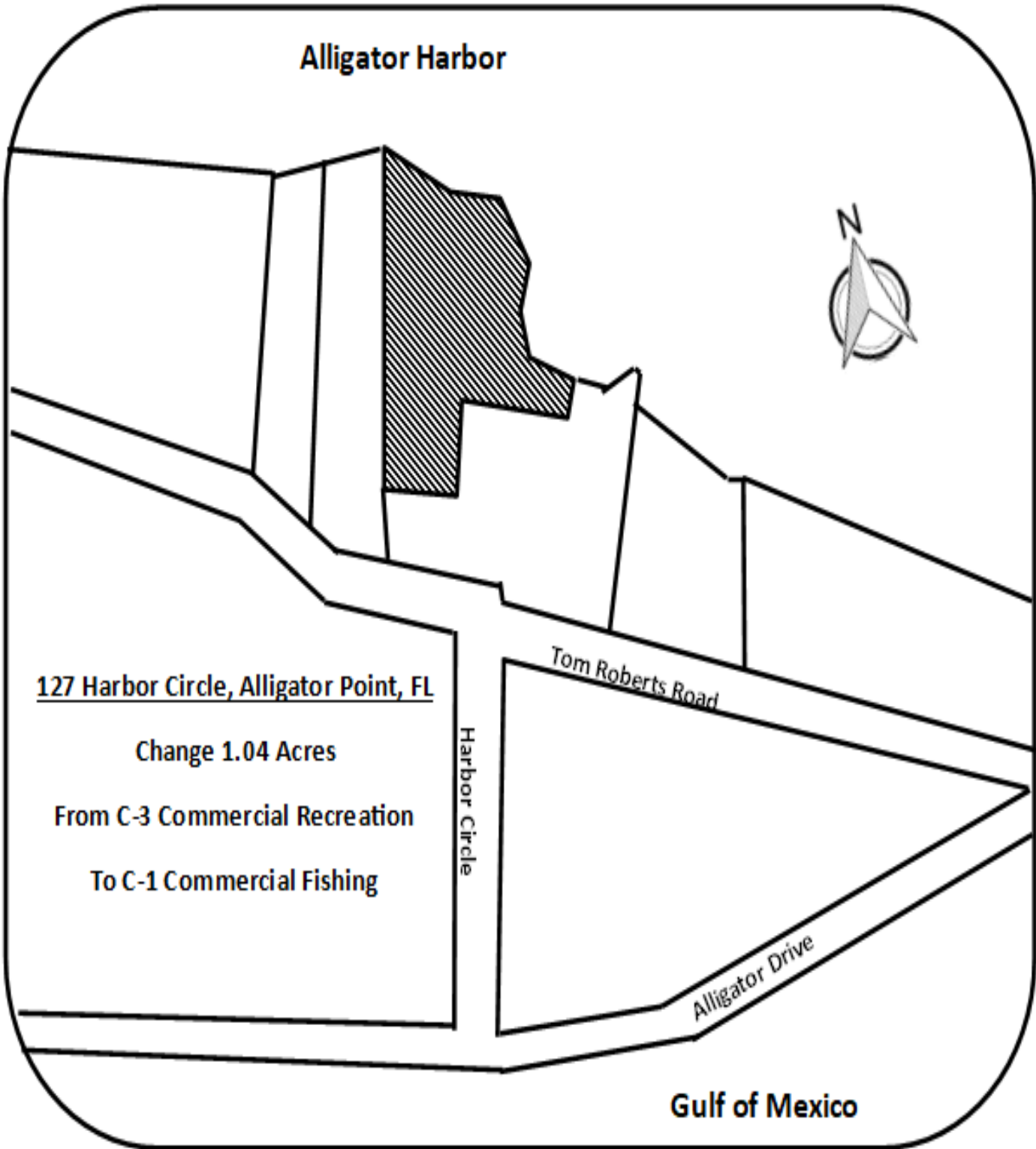


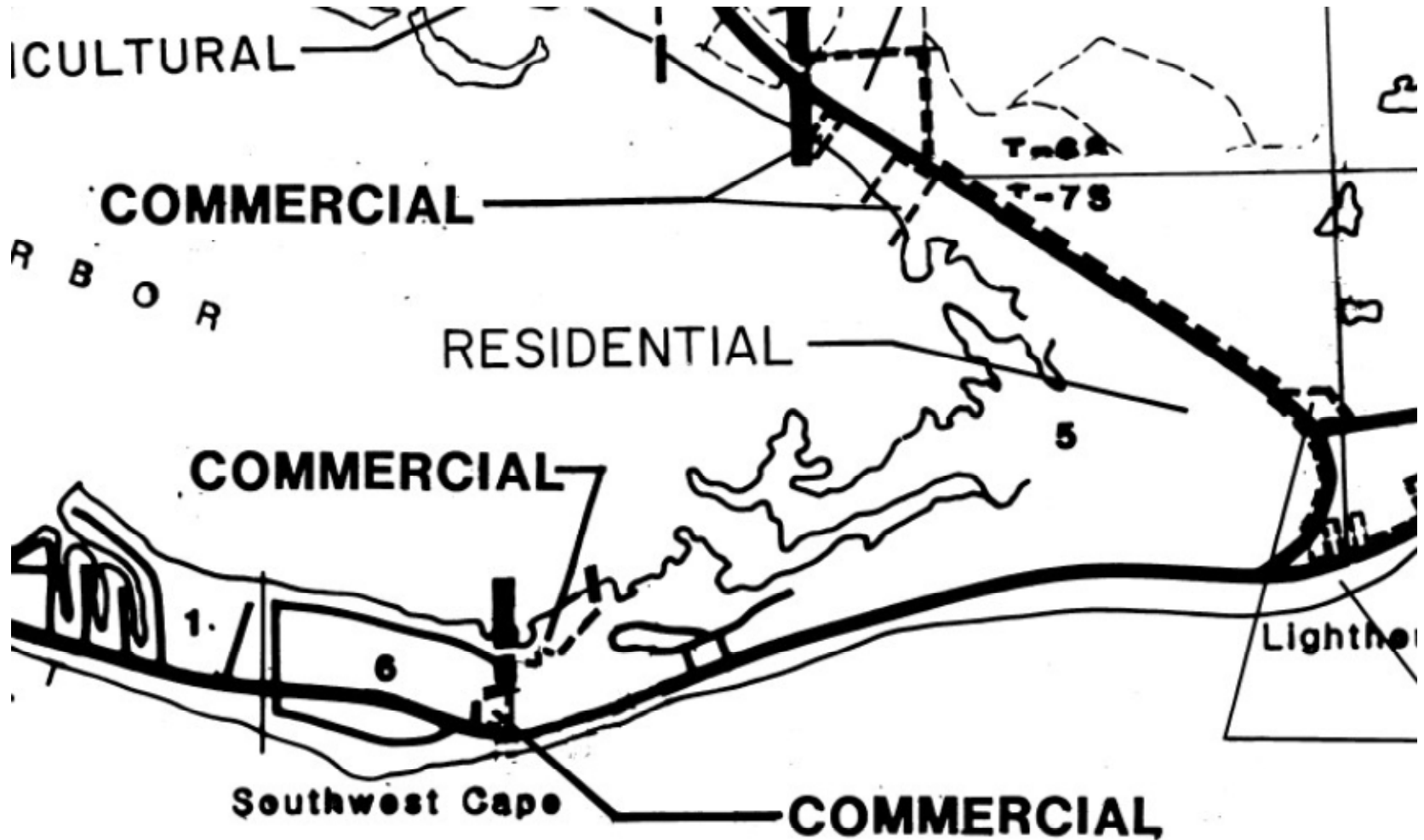
James T. Roddenberry
Surveyor and Mapper Florida
Certificate No: 4261



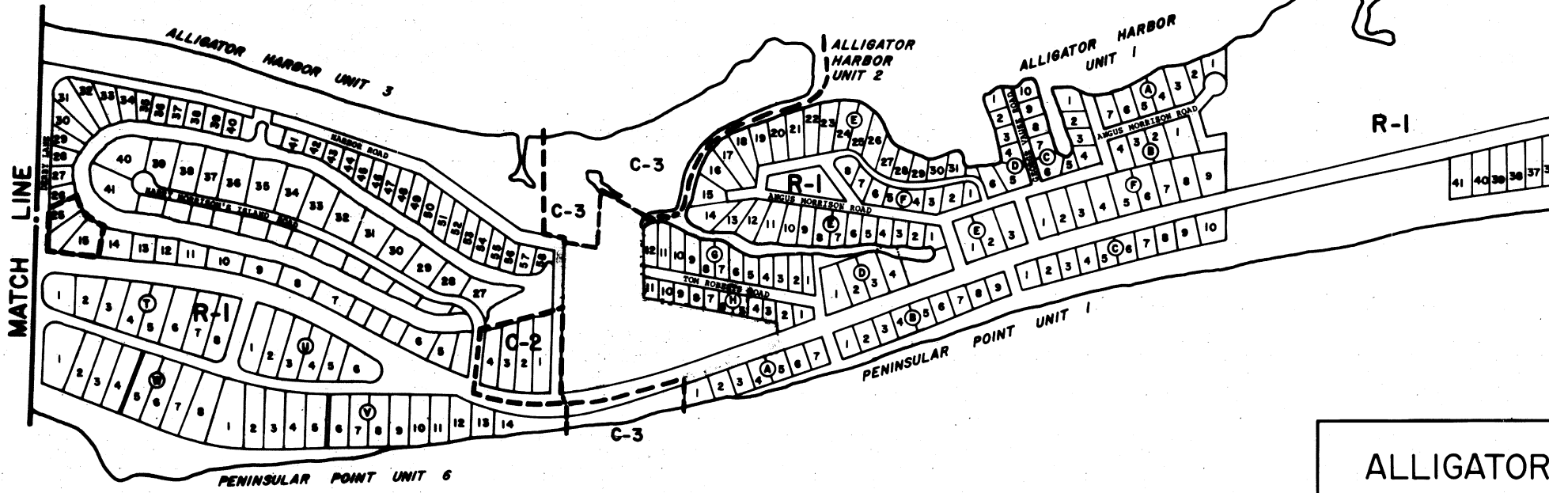
97-298ac1.04

EXHIBIT B





ALLIGATOR HARBOR



ALLIGATOR

NOTICE OF INTENT TO CONSIDER ADOPTION OF A
COUNTY ORDINANCE
THIS IS THE FIRST OF TWO PUBLIC HEARINGS
PURSUANT TO §125.66(4), F.S.

The proposed Ordinance will be considered at the following public meetings: (1) the Local Planning Agency meeting on Tuesday, December 17, 2019, at 11:00 a.m. (ET); and (2) the Franklin County Board of County Commissioners meeting on Tuesday, December 17, 2019, at 11:05 a.m. (ET), or as soon thereafter as is possible. The meetings will be held at the County Commission Meeting Room at the Courthouse Annex, 34 Forbes Street, Apalachicola, Florida.

No vote shall occur at the public hearings held on December 17, 2019. A vote will occur at the second advertised public meeting. The proposed Ordinance is entitled:

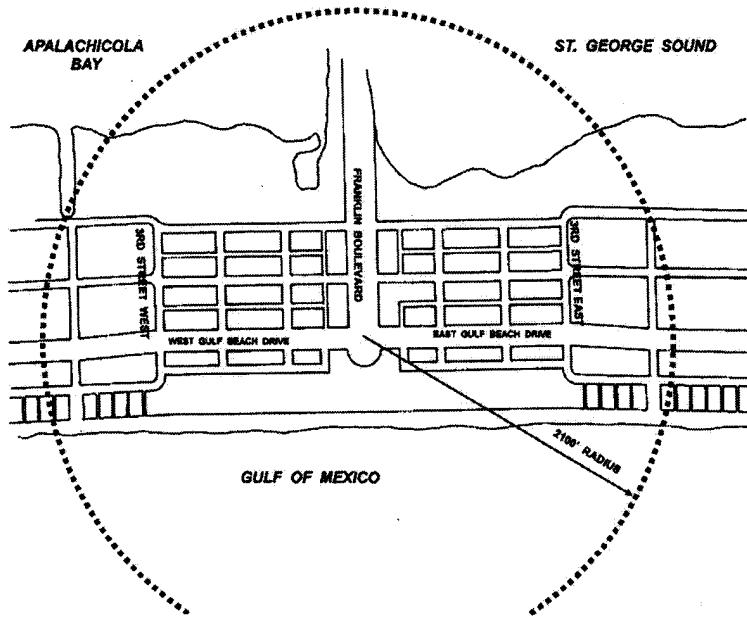
**AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA,
AMENDING THE ST. GEORGE ISLAND CORRIDOR OVERLAY
DISTRICT BY REMOVING THE PROHIBITION AGAINST
SINGLE FAMILY RESIDENTIAL USES ON THE GROUND
FLOOR FOR PROPERTY LOCATED WITHIN A 2,100-FOOT
RADIUS OF THE CENTER POINT OF THE INTERSECTION OF
FRANKLIN BOULEVARD AND GULF BEACH DRIVE, ON ST.
GEORGE ISLAND, FLORIDA, AS DESCRIBED IN PLAT BOOK
2, PAGE 7, FRANKLIN COUNTY, FLORIDA, EXCLUDING THE
AREA EAST OF THE EAST BOUNDARY OF THIRD STREET
EAST AND WEST OF THE WEST BOUNDARY OF THIRD
STREET WEST; PROVIDING FOR EXEMPTIONS; PROVIDING
FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
DATE.**

The public is invited to attend the public hearings. Those persons who desire to speak regarding the adoption of the proposed 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 Lori Hines 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.



INSTRUCTIONS TO PUBLISHER:

Publish as a display ad on December 5, 2019. The ad must be no less than two columns wide by 10 inches long in a standard size and the headline shall be no smaller than 18 point.

Send the invoice to:

Franklin County
c/o Linda Phillips
33 Market Street, suite 203
Apalachicola, Florida 32320

ORDINANCE NO. 2019-_____

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, AMENDING THE ST. GEORGE ISLAND CORRIDOR OVERLAY DISTRICT BY REMOVING THE PROHIBITION AGAINST SINGLE FAMILY RESIDENTIAL USES ON THE GROUND FLOOR FOR PROPERTY LOCATED WITHIN A 2,100-FOOT RADIUS OF THE CENTER POINT OF THE INTERSECTION OF FRANKLIN BOULEVARD AND GULF BEACH DRIVE, ON ST. GEORGE ISLAND, FLORIDA, AS DESCRIBED IN PLAT BOOK 2, PAGE 7, FRANKLIN COUNTY, FLORIDA, EXCLUDING THE AREA EAST OF THE EAST BOUNDARY OF THIRD STREET EAST AND WEST OF THE WEST BOUNDARY OF THIRD STREET WEST; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, FLORIDA:

SECTION 1: AUTHORITY.

The authority for the enactment of this Ordinance is Chapter 125, *Florida Statutes*, and Franklin County’s Home Rule powers.

SECTION 2: FINDINGS OF FACTS.

WHEREAS, the County Commission of Franklin County, Florida (“County Commission”), is required to protect the public health, safety, and welfare; and

WHEREAS, on February 20, 2018, the County Commission adopted Ordinance 2018-02, which created the St. George Island Corridor Overlay District; and,

WHEREAS, Ordinance 2018-02, prohibited single-family residential development on the ground floor of property located within the St. George Island Overlay District; and,

WHEREAS, the County Commission intends by this ordinance to remove the prohibition of 2018-02 against single-family residential development on the ground floor of property located within the St. George Island Overlay District; and,

WHEREAS, the County Commission by this ordinance intends to allow single-family residential development of property located within the St. George Island Overlay District as such use is governed and regulated by the Franklin Zoning Code’s C-4 zoning classification, but not

otherwise; and,

WHEREAS, the County Commission intends to prohibit all residential use of property located within the St. George Island Overlay District, except as authorized and regulated by the Franklin County Zoning Code's C-4 zoning classification; and

WHEREAS, the County Commission intends that Ordinance 2018-02, shall remain in full force and effect, except as modified by this ordinance; and,

WHEREAS, the County Commission finds that this ordinance is consistent with the Franklin County Comprehensive Plan; and,

WHEREAS, the County Commission finds that in the event of conflict between this ordinance and the Franklin County Zoning Code, then this ordinance shall prevail; and,

WHEREAS, the County Commission finds that in the event of conflict between this ordinance and Ordinance 2018-02, then this ordinance shall prevail;

NOW, THEREFORE, BE IT ORDAINED by the County Commission of Franklin County, Florida, that the County hereby:

1. Incorporates all of the preamble and findings into this Ordinance.
2. Removes the prohibition of Ordinance 2018-02, against single-family residential use on the ground floor of property located within the St. George Island Corridor Overlay District.
3. Authorizes and allows single-family residential use on the ground floor of property located within the St. George Island Corridor Overlay District, as that use is authorized and limited by the C-4 zoning classification of the Franklin County Zoning Code, but not otherwise.
4. Single-Family residential use of property located within the St. George Island Corridor Overlay District not authorized by the C-4 zoning classification of the Franklin County Zoning Code is prohibited.
5. The St George Island Corridor Overlay District is described below:

ALL PROPERTY LOCATED WITHIN A 2,100-FOOT RADIUS OF THE CENTER POINT OF THE INTERSECTION OF FRANKLIN BOULEVARD AND GULF BEACH DRIVE, ON ST. GEORGE ISLAND, FLORIDA, AS DESCRIBED IN PLAT BOOK 2, PAGE 7, FRANKLIN COUNTY, FLORIDA, EXCLUDING THE AREA EAST OF THE EAST BOUNDARY OF THIRD STREET EAST AND WEST OF THE WEST BOUNDARY OF THIRD STREET WEST; AND ALSO EXCLUDING PUBLICLY OWNED LANDS.

SEE THE ATTACHED MAP ILLUSTRATING THIS AREA. IN THE EVENT OF A CONFLICT, THE LEGAL DESCRIPTION SHALL PREVAIL OVER THE

ILLUSTRATION.

SECTION 4: SEVERABILITY.

If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5: EFFECTIVE DATE.

This Ordinance shall take effect as provided by law.

Passed on Second Reading the ___ day of January 2020.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the County Commission, upon second and final reading this ___ day of January 2020.

FRANKLIN COUNTY, a political
subdivision of the State of Florida

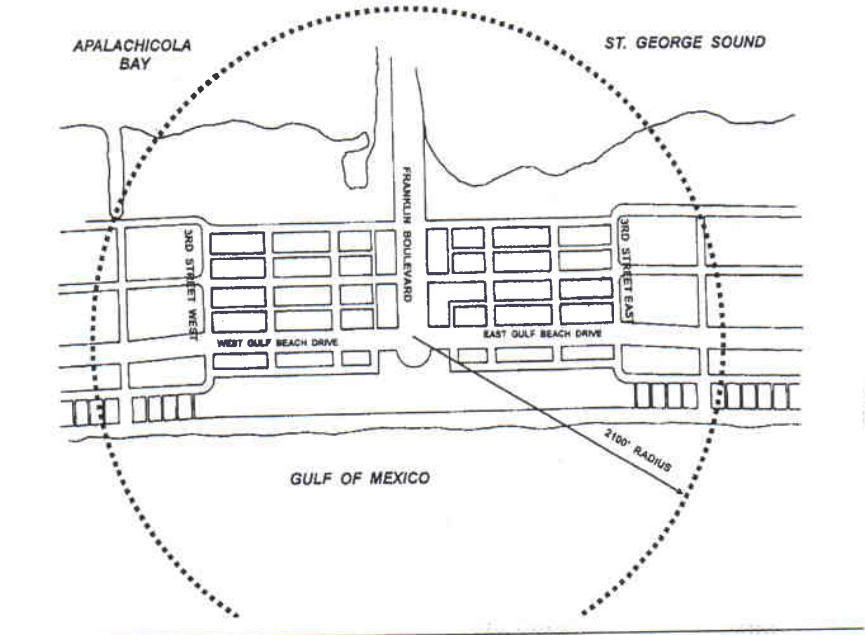
Noah Lockley, Jr., Chairman

ATTEST:

APPROVED AS TO FORM

Marcia M. Johnson, Clerk

Thomas M. Shuler, County Attorney



DRAFT

NOTICE OF INTENT TO CONSIDER ADOPTION OF A
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PURSUANT TO §125.66(4), F.S.

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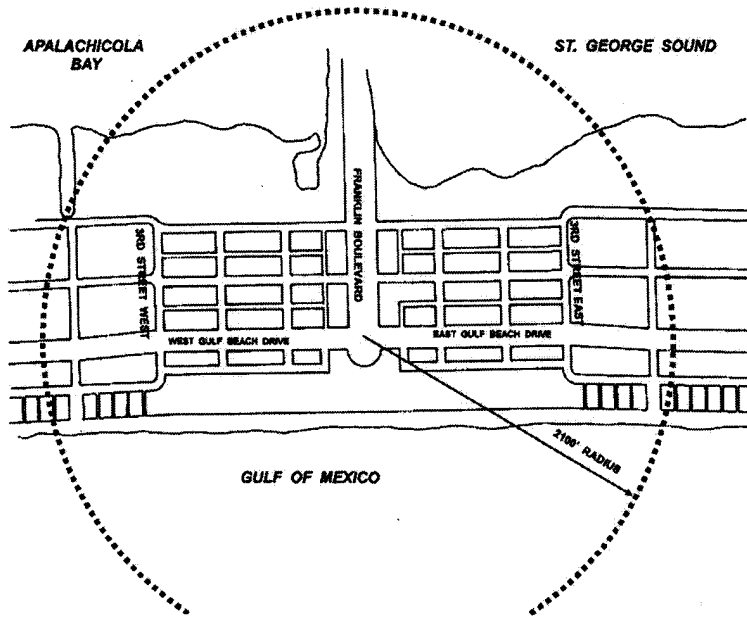
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otherwise; and,

WHEREAS, the County Commission intends to prohibit all residential use of property located within the St. George Island Overlay District, except as authorized and regulated by the Franklin County Zoning Code's C-4 zoning classification; and

WHEREAS, the County Commission intends that Ordinance 2018-02, shall remain in full force and effect, except as modified by this ordinance; and,

WHEREAS, the County Commission finds that this ordinance is consistent with the Franklin County Comprehensive Plan; and,

WHEREAS, the County Commission finds that in the event of conflict between this ordinance and the Franklin County Zoning Code, then this ordinance shall prevail; and,

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SEE THE ATTACHED MAP ILLUSTRATING THIS AREA. IN THE EVENT OF A CONFLICT, THE LEGAL DESCRIPTION SHALL PREVAIL OVER THE

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If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5: EFFECTIVE DATE.

This Ordinance shall take effect as provided by law.

Passed on Second Reading the ___ day of January 2020.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the County Commission, upon second and final reading this ___ day of January 2020.

FRANKLIN COUNTY, a political
subdivision of the State of Florida

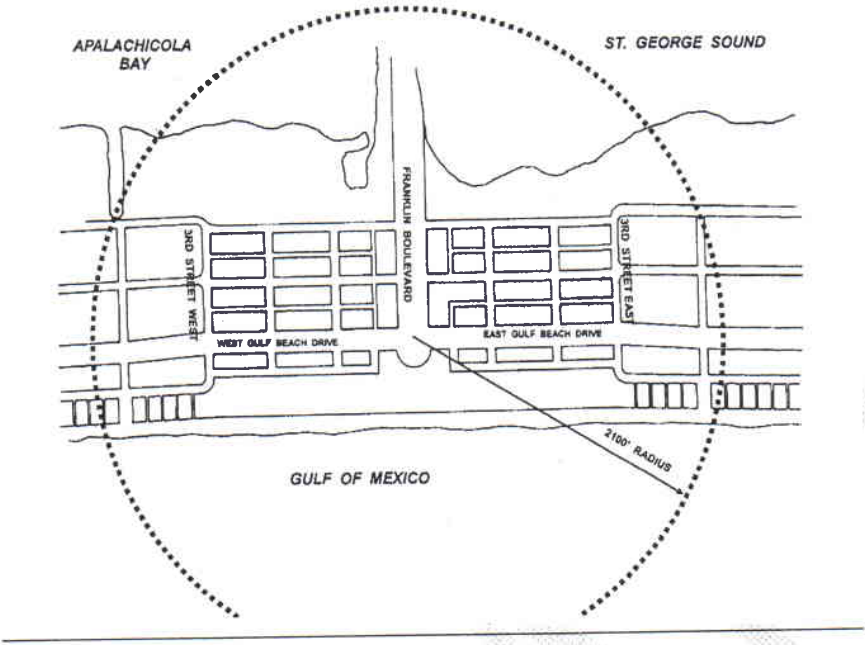
Noah Lockley, Jr., Chairman

ATTEST:

APPROVED AS TO FORM

Marcia M. Johnson, Clerk

Thomas M. Shuler, County Attorney



DRAFT



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
415 RICHARD JACKSON BOULEVARD, SUITE 411
PANAMA CITY BEACH, FLORIDA 32407

December 10, 2019

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Panama City Permits Section
SAJ-2018-02268 (SP-LSL)

Franklin County Board of County Commissioners
C/o Mr. Joseph Parrish
33 Market Street, Suite 305
Apalachicola, Florida 32320

Dear Mr. Parrish:

The U.S. Army Corps of Engineers (Corps) has completed the review and evaluation of your Department of the Army permit application, number SAJ-2018-02268. Our regulations require that you have an opportunity to review the terms and conditions prior to final signature by the Department of the Army. Enclosed is an unsigned Department of the Army permit instrument (permit).

Please read carefully the Special Conditions beginning on page 2 of the permit. These were developed to apply specifically to your project. Water Quality Certification is also required prior to issuance of a permit. The Corps has received a copy of the State of Florida certification for your project. In accordance with General Condition 5 of the permit, any special conditions of the Water Quality Certification have been attached to the Department of the Army permit.

Instructions for Objecting to Permit Terms and Conditions: This letter contains an initial proffered permit for your proposed project. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria under 33 CFR Part 331.5, and that it has been received by the District office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the letterhead address by **February 10, 2020**.

Instructions for Accepting Terms and Conditions and Finalizing Your Permit: It is not necessary to submit an RFA form to the District office, if you do not object to the

decision in this letter. In this case, the permit must be signed by the applicant in the space provided on the signature page of the permit. In the case of corporations, acceptance must be by an officer of that corporation authorized to sign on behalf of the corporation. The party responsible for assuring the work is done in accordance with the permit terms and conditions must sign the permit. Please type or print the name and title of the person signing below the signature and the date signed.

SIGN PAGE 11 AND RETURN THE ENTIRE PERMIT, INCLUDING ALL ATTACHMENTS, TO THE LETTERHEAD ADDRESS.

The permit will be signed by the District Engineer or his representative. The Corps will add the permit expiration date to the permit and return the permit to you. It is important to note that the permit is not valid until the District Engineer or his representative signs it.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

If you have any questions concerning this application, you may contact Mrs. Lisa S. Lovvorn in writing at the letterhead address, by electronic mail at lisa.s.lovvorn@usace.army.mil, or by telephone at 850-285-9533.

Sincerely,



Digitally signed by
KIZLAUSKAS.ANDREW.A.136812
9140
Date: 2019.12.10 14:30:34 -06'00'

for Shawn H. Zinszer
Chief, Regulatory Division

Enclosures

Copies Furnished:
Mr. Grayson Shepard
Mr. Paul Gionis, Marine Chart Division, National Oceanic and Atmospheric Administration

27. IDENTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND TEST FOR APPEAL

Applicant: Franklin Co. Board of County Commissioners	File Number: SAJ-2018-02268	Date: December 10, 2019
Attached is:		See Section below
X	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

27. REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to the initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:

Project Manager as noted in letter

If you have questions regarding the appeal process you may contact:

Dale Beter
Deputy, Regulatory Division
Jacksonville District
904-232-1361

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date: _____

Telephone number: _____

DEPARTMENT OF THE ARMY PERMIT

Permittee: Franklin County Board of County Commissioners
C/o Mr. Joseph Parrish
33 Market Street, suite 305
Apalachicola, Florida 32320

Permit No: SAJ-2018-02268

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The Permittee is authorized to develop an artificial reef site to be known as the Buddy Ward artificial reef. The proposed artificial reef will be 1 nautical mile by 1 nautical mile encompassing 856 acres of sand bottom of which less than 1 acre of artificial reef material footprint will be deployed during the lifetime of the permit. The navigational clearance of -25' MLLW will be maintained for the life of the project. In addition, there will be a 50' buffer zone inside the site borders on all sides to ensure all reef materials will be deployed within the permitted zone. All reef materials will be consistent with the publication *Guidelines for Marine Artificial Reef Materials*, 2nd edition, the National Artificial Reef Plan, the state of Florida Artificial Reef Strategic Plan, and the OAR Artificial Reef Development Plan. The work described above shall be completed in accordance with the 5 pages of drawings and 6 attachments affixed at the end of this permit instrument.

Project Location: The project would affect waters of the United States associated with Gulf of Mexico. The center of the project site is located 8.1 nautical miles offshore at a bearing of 166 degrees from Government Cut also known as Bob Sikes Cut.

PERMIT NUMBER: SAJ-2018-02268
PERMITTEE: Franklin County Board of County Commissioners, c/o Grayson Shepard
PAGE 2 of 13

Approximate Central Coordinates:

Corner	Lat (DD)	LONG (DD)	LAT (DM)	LONG (DM)	LAT (DMS)	LONG (DMS)
NW	29.48825	-84.93673	29° 29.295' N	84° 56.204'	29° 29' 17.70"	84° 56' 12.24"
NE	29.48825	-84.91752	29° 29.295' N	84° 55.051'	29° 29' 17.70"	84° 55' 3.06"
SE	29.47147	-84.91752	29° 28.288' N	84° 55.051'	29° 28' 17.28"	84° 55' 3.06"
SW	29.47147	-84.93673	29° 28.288' N	84° 56.204'	29° 28' 17.28"	84° 56' 12.24"
Center	29.47987	-84.92713	29° 28.792' N	84° 55.628'	29° 28' 47.52"	84° 55' 37.65"

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on . If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

PERMIT NUMBER: SAJ-2018-02268

PERMITTEE: Franklin County Board of County Commissioners, c/o Grayson Shepard

PAGE 3 of 13

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. Reporting Addresses: The Permittee shall reference this permit number, SAJ-2018-02268, on all correspondence. Unless specifically notified to the contrary, the Permittee shall use the following addresses for transmitting correspondence to the referenced agencies:

- a. U.S. Army Corps of Engineers
P.O. Box 4970, Jacksonville, Florida 32232-0019

or by email at SAJ-RD-Enforcement@usace.army.mil

- b. National Oceanic and Atmospheric Administration
Marine Chart Division
Office of Coast Survey, N/CS26, Sta. 7317
1315 East-West Highway
Silver Springs, MD 20910-3282

or email at ocs.ndb@noaa.gov

- c. Commander, U.S. Coast Guard (USCG)
Hale Boggs Federal Building
500 Poydras Street
New Orleans, Louisiana 70130

- d. Florida Fish and Wildlife Conservation Commission
Artificial Reef Program
620 S. Meridian Street, Box 4B2
Tallahassee, Florida 32399

Or email at artificialreefdeployments@MyFWC.com

2. Initial Agency Notification: The Permittee shall provide to the U.S. Army Corps of Engineers (Corps), National Oceanic and Atmospheric Administration (NOAA), and U.S. Coast Guard (USCG) written notification of the planned deployment start date at least 2 weeks prior to the initial deployment on the authorized artificial reef site.

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3. Authorized Reef Materials: No reef materials or module will weigh less than 500 pounds. Reef materials shall be clean and free from asphalt, petroleum, other hydrocarbons and toxic residues, loose free floating material or other deleterious substances. All artificial reef materials and/or structures will be selected, designed, constructed, and deployed to create stable and durable marine habitat. The Permittee shall deploy only the following authorized reef materials:

a. Prefabricated artificial reef modules composed of ferrous and/or aluminum-alloy metals, ¼ inch or more in thickness, concrete, rock, or a combination of these materials.

b. Natural rock boulders and other pre-cast concrete material such as culverts, stormwater junction boxes, power poles, railroad ties, jersey barriers, or other similar concrete material.

c. Clean steel and concrete bridge or large building demolition materials such as slabs or pilings with all steel reinforcement rods severed as close to the concrete surface as possible but not to extend more than 6 inches to ensure the rod will not create a fishing tackle or diver ensnaring hazard.

d. Heavy gauge ferrous & aluminum alloy metal material components or structures, ¼ inch or more in thickness, such as utility poles and antenna towers.

e. Heavy gauge ferrous and aluminum alloy metal hulled vessels which equal or exceed 60 feet hull length prepared and deployed in accordance with all applicable U.S. Coast Guard, U.S. Environmental Protection Agency, Florida Fish and Wildlife Conservation Commission, or other applicable state or federal agency regulations or policies. The vessel shall not be deployed until all necessary inspections and clearances have been obtained or waived and a stability analysis has been completed demonstrating the vessel will be stable during a 50-year storm event based on vessel and deployment site characteristics. The Permittee shall follow the National guidance regarding preparation of vessels for deployment as artificial reefs which are available at <http://www.epa.gov/owow/oceans/habitat/artificialreefs/index.html>. The Permittee shall provide a record of all inspections, clearances or waivers to the Corps along with the pre-deployment notification.

4. Reef Parameters: The Permittee shall deploy all reef materials within the site boundaries as defined on permit drawing pages 2-3 of 5. A minimum clearance of 25 feet from the top of the deployed material relative to mean low water (MLW) shall be maintained.

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5. Violation of Reef Parameters Notification: In the event reef material is deployed in a location or manner contrary to the Reef Parameters Special Condition, the Permittee shall immediately notify the USCG Station and provide information as requested by the station. The Permittee shall notify NOAA, USCG and Corps in writing within 24 hours of the occurrence. At a minimum the written notification shall explain how the deployed material exceeds the authorized reef parameters, a description of the material, a description of the vessel traffic in the area, the deployment location in nautical miles at compass bearing from obvious landmarks, the location of the unauthorized material in latitude and longitude coordinates (degree, minute, decimal minute format to the third decimal place), and the water depth above the material from MLW. The document will list the information provided by telephone to the USCG as noted above and include the time of the call and the name of the USCG personnel receiving the information.

6. Protection of Existing Resources: The Permittee shall not deploy artificial reef materials until an assessment of the bottom conditions have been accomplished by diver, submersible video camera, fathometer, depth/bottom sounder (e.g. "fish finder"), or side-scan sonar. The inspection of the deployment area may occur at the time of deployment, but no more than 1 year prior to deployment. The Permittee shall maintain a deployment buffer of at least 200 feet from any submerged beds of sea grasses, coral reefs, live bottom, areas supporting growth of sponges, sea fans, soft corals, and other sessile macroinvertebrates generally associated with rock outcrops, oyster reefs, scallop beds, clam beds, or areas where there are unique or unusual concentrations of bottom-dwelling marine organisms. Should the assessment find any evidence of cultural/archaeological resources such as sunken vessels, ballast, historic refuse piles, or careenage areas, the Permittee shall also maintain a deployment buffer of at least 200 feet from these resources.

The Permittee shall provide of the information obtained from the assessment to the Corps no less than 14 days prior to deployment of material on an artificial reef in conjunction with the pre-deployment notification.

7. Pre-Deployment Notification: No less than 14 days prior to deployment of material on an artificial reef, the Permittee shall transmit by electronic mail ("email") a complete and signed "Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification" form (Attachment A), to the Corps and Florida Fish and Wildlife Conservation Commission (FWC) to allow inspection of the proposed reef materials as deemed necessary by the agencies. Inspection is allowable at the staging area. By signing the Pre-Deployment Notification the Permittee certifies all materials are free from asphalt, petroleum, other hydrocarbons and toxic residues. The Permittee shall not deploy material if notified by the Corps or FWC that the material is questionable.

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The material needs to be evaluated before it is released for deployment. Any material deemed unacceptable for reef material will be disposed in an approved upland disposal site.

Deployment of the material shall not occur until after the end of the 14-day inspection period. The Permittee shall ensure both a copy of this permit and the signed "Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification" form are maintained aboard the deployment vessel at all times during loading, transit, and deployment.

8. Post-Deployment Placement Report/As-Built Drawing: No less than 30 days after deployment at the reef site, the Permittee shall transmit by email to the Corps, FWC, and NOAA a complete and signed "Florida Artificial Reef Materials Placement Report and Post-Deployment Notification" form (Attachment B). Please note, the Corps requires the latitude and longitude to be accurate within 5 meters horizontal distance on the post-deployment report. Attach to the report an as-built drawing containing the approximate deployment configurations and the height of the material after placement. Depth shall be verified utilizing fathometer, depth sounder, or similar device accurate to within 1 meter. Also, include information on the condition of the material at the time of deployment. The report and drawing shall be limited to a few pages per deployment. Representative photographs and/or video, if available, should be submitted.

9. Ownership/Maintenance/Liability: By signing this permit, the Permittee certifies and acknowledges ownership of all artificial reef materials deployed on the reef, accepts responsibility for maintenance of the artificial reef, and possesses the ability to assume liability for all damages that may arise with respect to the artificial reef.

10. Assurance of Navigation and Maintenance: The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

11. Sea Turtle/Sawfish/Sturgeon Guidelines: The Permittee shall comply with the National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions", which also applies to sturgeon (Attachment C).

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12. Manatee Conditions: The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment D).

13. Marine Life Entrapment: Neither reef structure nor material or the method of design or deployment should pose more than minimal risk of entrapping fish, marine turtles, or marine mammals. The Permittee shall take all necessary action to minimize this risk. Any observation of entrapped marine turtles or marine mammals on this artificial reef site should be reported immediately to the Enforcement Section by telephone at 850-433-8860 and the National Marine Fisheries Service by telephone at 727-824-5301.

14. Protected Species Guidance: The Permittee shall comply with the “Vessel Strike Avoidance Measures and Injured or Dead Protected Species Reporting” (Attachment E), for marine turtles and marine mammals.

15. Cultural Resources/Historic Properties:

a. Prior to deploying the reef materials, SHPO recommends that divers visually inspect the deployment locations to determine whether or not there is any evidence of exposed cultural resources.

b. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

c. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

d. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the

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circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

e. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

16. Agency Changes/Approvals: Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittee is advised a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee’s responsibility to request a modification of this permit from the Panama City Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for modification of this permit.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)

Section 404 of the Clean Water Act (33 U.S.C. 1344)

Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413)

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

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c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or

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enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)

(DATE)

(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)

(DATE)

For Andrew D. Kelly, Jr.
Colonel, U.S. Army
District Commander

27.

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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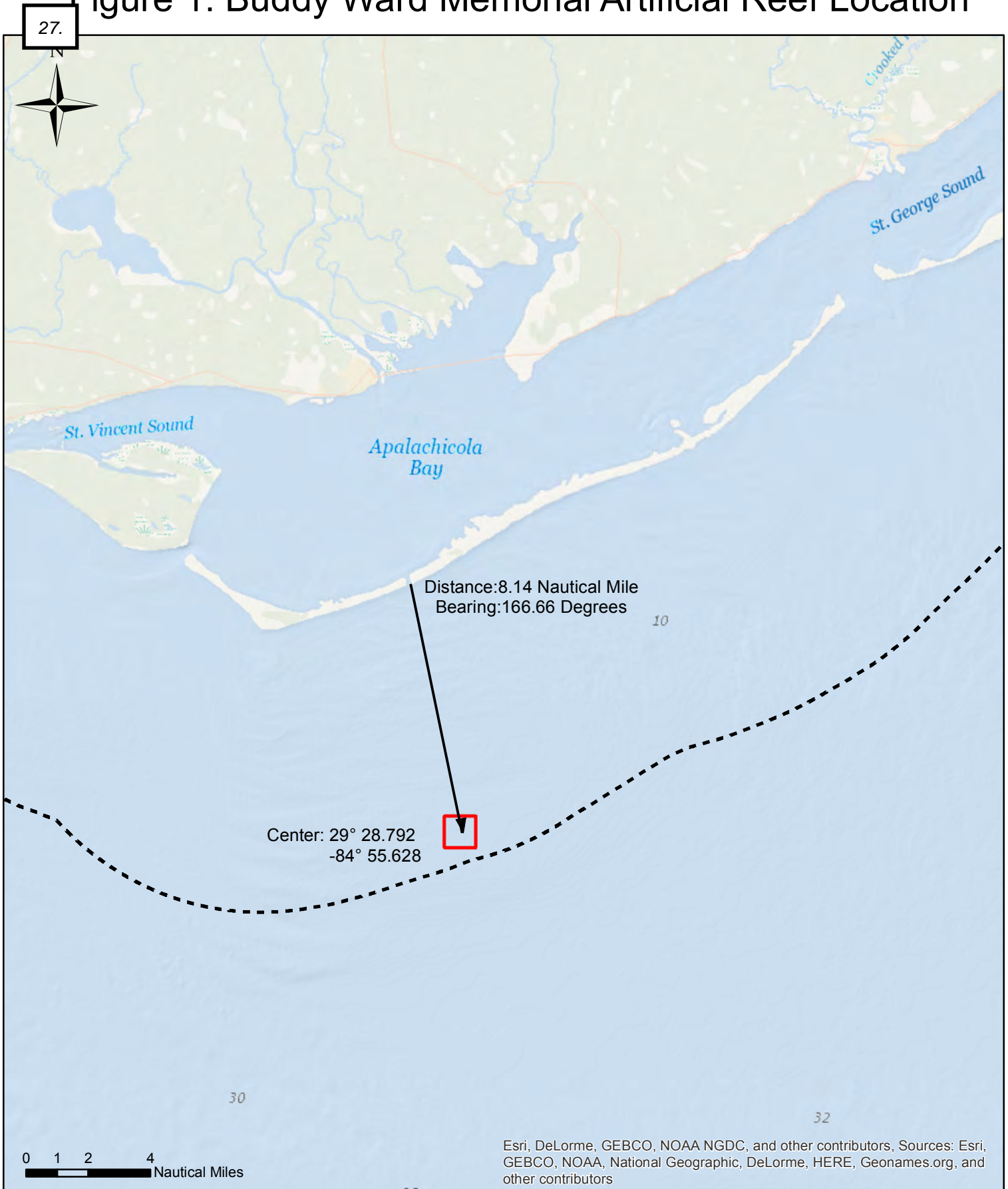
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***Attachments to Department of the Army
Permit Number SAJ-2018-02268***

1. PERMIT DRAWINGS: 5 pages, dated 22 January 2018.
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. 8 pages.
3. PRE-DEPLOYMENT NOTIFICATION: 2 pages, *Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification*.
4. POST-DEPLOYMENT PLACEMENT REPORT: 2 pages, *Florida Artificial Reef Materials Placement Report and Post-Deployment Notification*.
5. SEA TURTLE – SAWFISH CONDITIONS: 1 page, *Sea Turtle and Smalltooth Sawfish Construction Conditions, revised March 23, 2006*.
6. MANATEE CONDITIONS: 2 pages, *Standard Manatee Conditions for In-Water Work – 2011*.
7. PROTECTED SPECIES GUIDANCE: 2 pages, *Vessel Strike Avoidance Measures and Reporting for Mariners*.

Figure 1: Buddy Ward Memorial Artificial Reef Location



Legend

-  Buddy Ward Memorial Artificial Reef
-  Florida State Waters Line

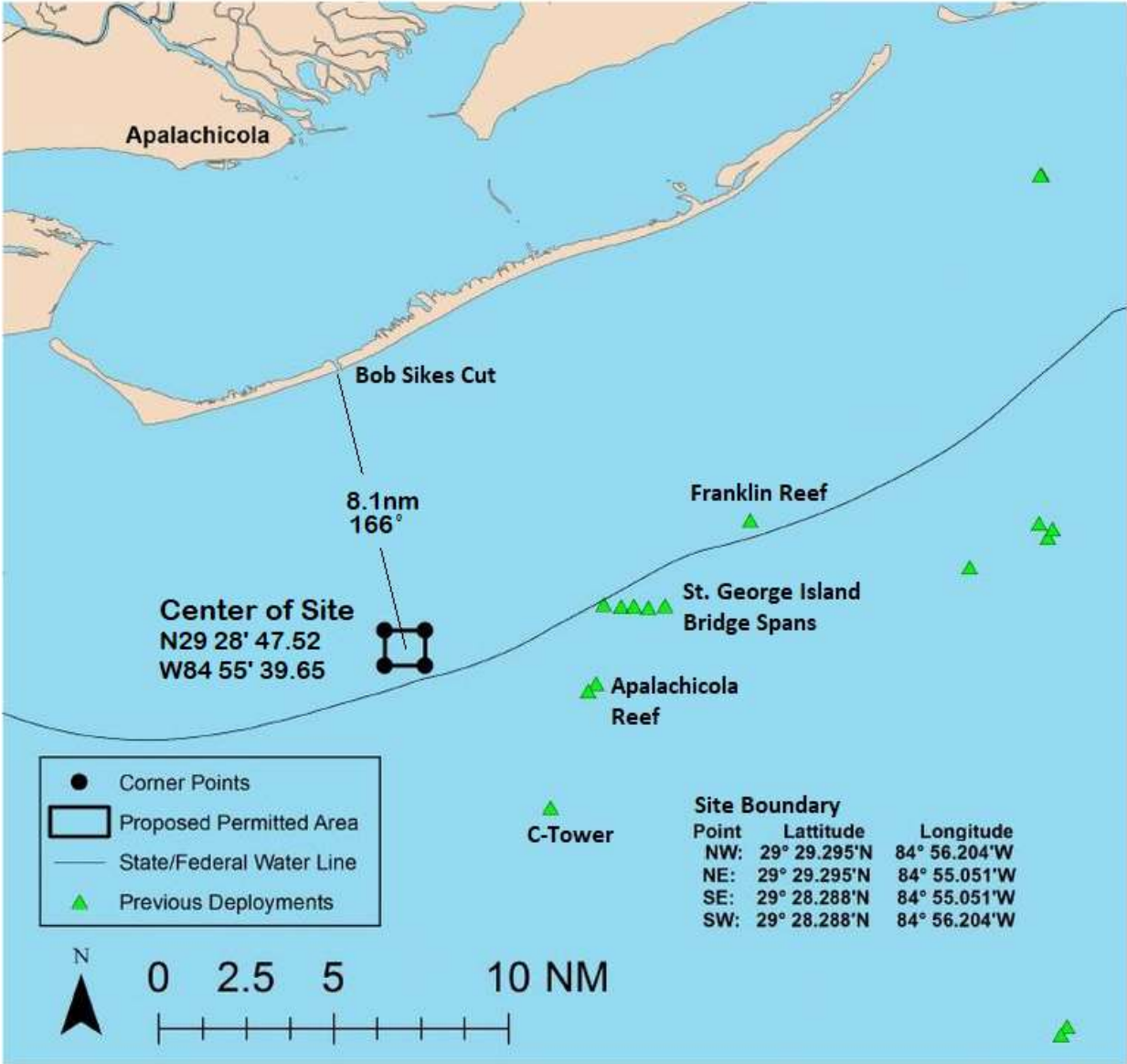
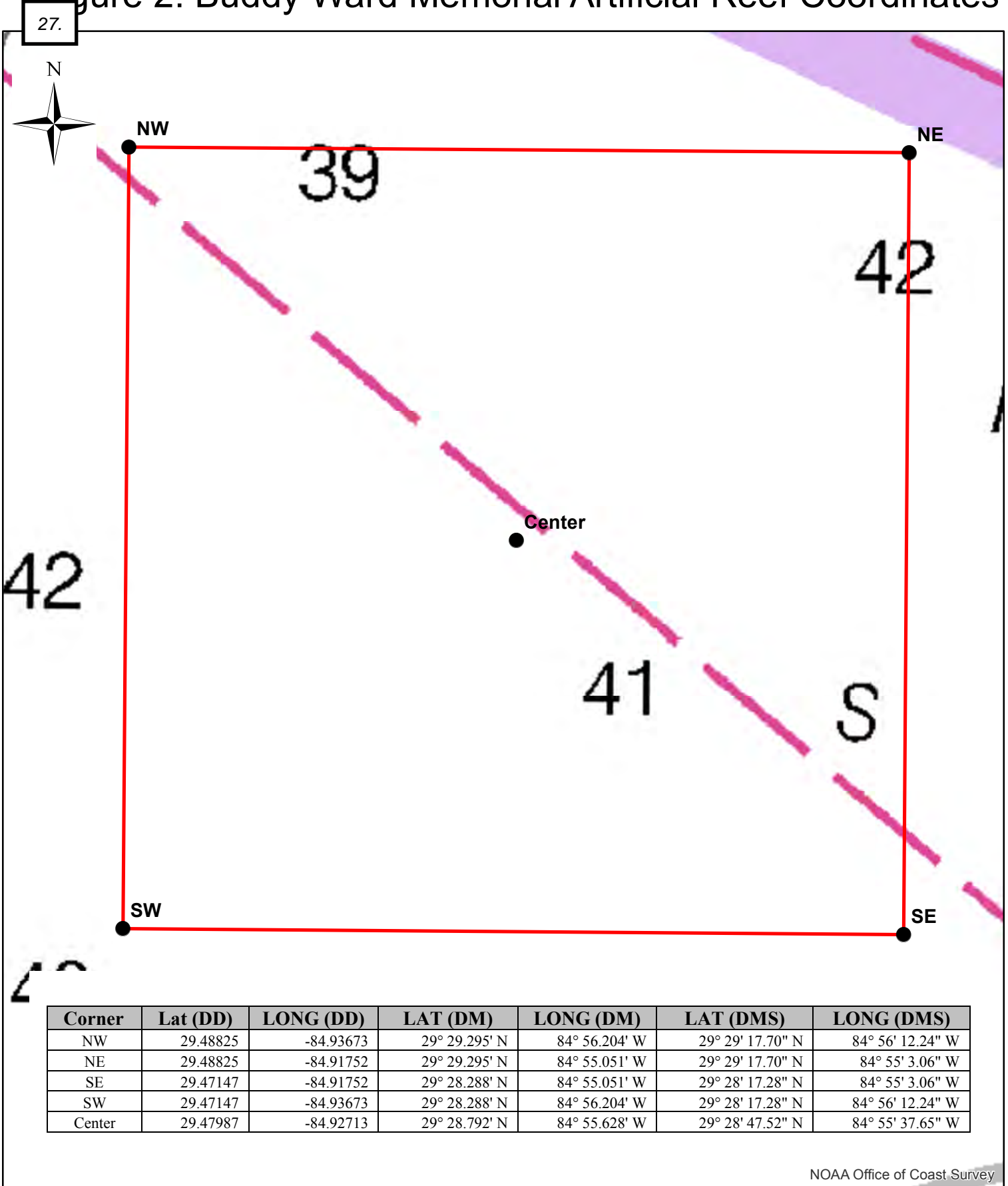


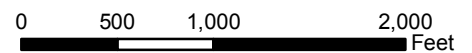
Figure 2: Buddy Ward Memorial Artificial Reef Coordinates



NOAA Office of Coast Survey



Florida Fish and Wildlife Conservation Commission
 Division of Marine Fisheries Management
 Florida Artificial Reef Program
 Prepared by: Christine Kittle
 01/22/2018



Legend

Buddy Ward Memorial Artificial Reef Site

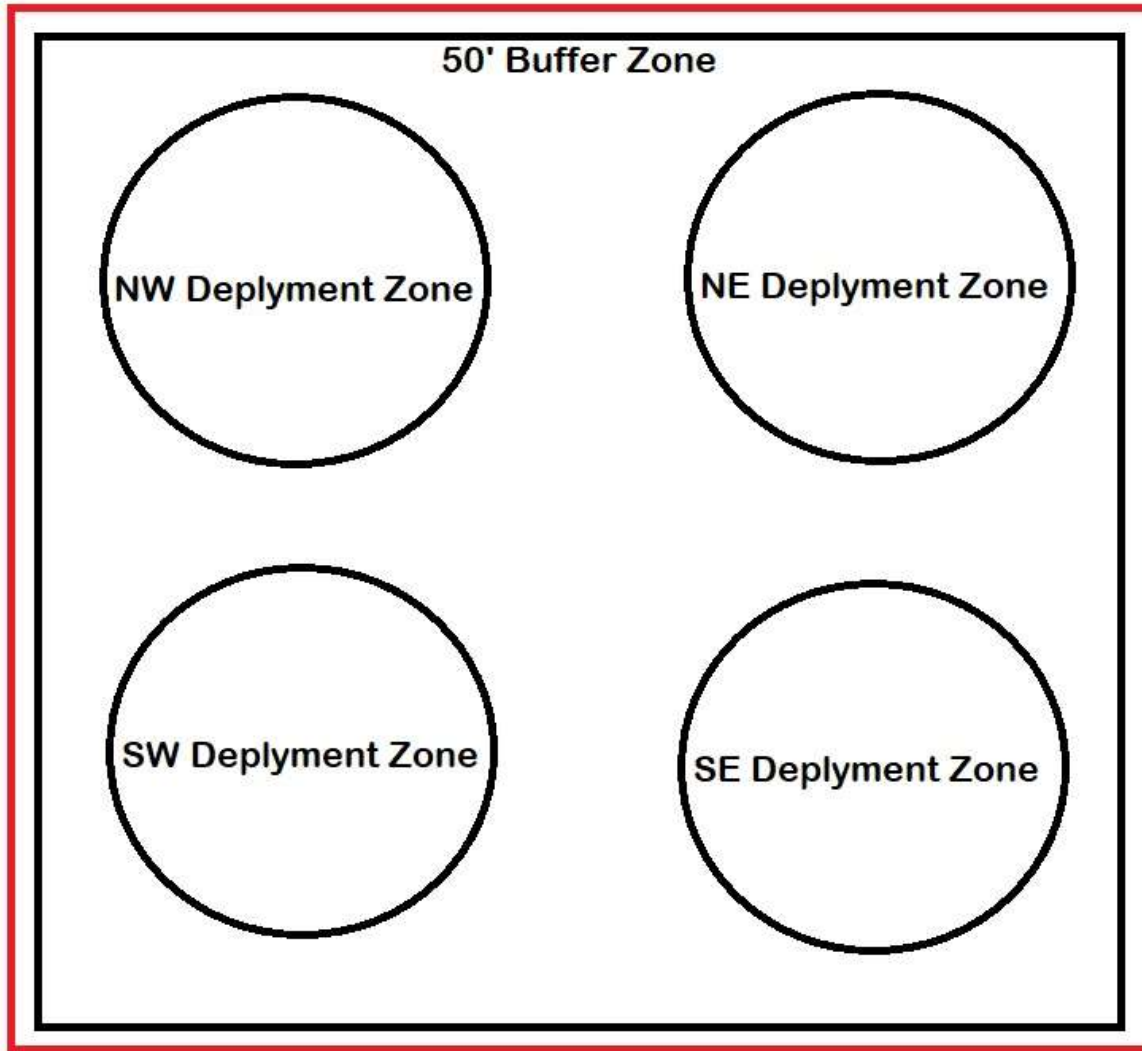
27.

Buddy Ward Reef Site



NW Corner
N29 29 .295
W84 56 .204

NE Corner
N29 56 .204
W84 55 .051



SW Corner
N29 28 .288
W84 28 .204

SE Corner
N29 28 .288
W84 55 .051

27.

Buddy Ward Artificial Reef Site

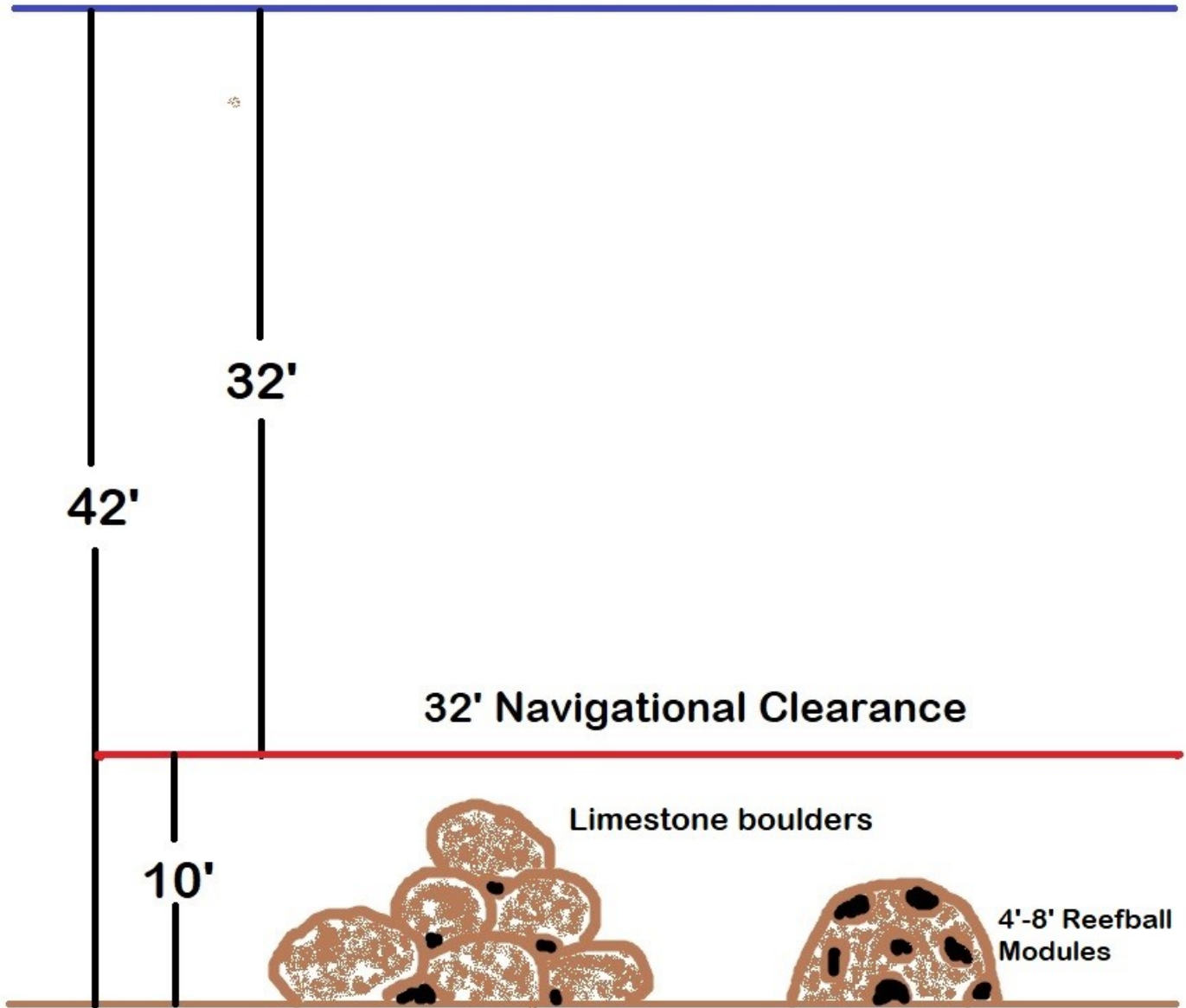
Graphical Cross Section Drawing

32' Navigational Clearance

Location of Project N29 28' 47.52 W84 55' 39.65

USACE Application # SAJ-2018-02268

Water Surface



Sea Bottom at 42' at MLLW

10' Maximum Profile

PERMIT / SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The Special Consent Conditions**
- **The General Conditions for Sovereignty Submerged Lands Authorization**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – PRIOR TO ANY CONSTRUCTION

1. The attached project drawings; [Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification](#) form, [Florida Artificial Reef Materials Placement Report and Post-Deployment Notification](#) form; and DEP forms 62-330.310(1); 62-330.310(2); 62-330.340(1); and 62-330.350(1), which may be downloaded at floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms become part of this permit. If the permittee does not have access to the Internet, please contact the Department at (850) 595-8300 to request the aforementioned forms and/or documents.
2. After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a pre-construction conference with a representative of the Department. It shall be the responsibility of the permittee to contact this project's Compliance Project Manager, Kenneth Dickey, by email Kenneth.Dickey@FloridaDEP.gov, or by phone (850) 595-0580, to schedule the pre-construction conference. If the assigned Compliance Project Manager cannot be reached, the permittee shall contact the ERP Program Compliance/Enforcement section by phone (850) 595-8300, to schedule the pre-construction conference.
3. The GPS coordinates of the center of the artificial reef material shall be given to the contractor conducting the material placement. In cases where the deployment will be spread over a relatively large area, the corners of the microsite shall be buoyed prior to the deployment to delineate the entire working area.
4. Cultural resource assessment surveys of a specific proposed deployment site must be conducted within 12 months prior to the deployment date to ensure that no resources are present within the proposed deployment area. Coordinates of the proposed deployment site and the site-specific survey results must be submitted to the Division of Historical Resources, Compliance and Review Section for review and approval no less than 30 days prior to deployment. The survey report must conform to the provisions of Chapter 1A-46, Florida Administrative Code.

Survey methodology should include use of a magnetometer and side scan sonar and should be consistent with the guidance provided in the Florida Division of Historical Resources Performance Standards for Submerged Remote Sensing Surveys. The use of a subbottom profiler is not necessary for this survey since the undertaking will not include extensive ground disturbing activities. Potential submerged cultural resources identified during the survey will be avoided by the applicant during permitted activities.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

5. The artificial reef material shall be placed in barren sandy bottom locations void of all environmental resources including, but not limited to, hard bottom, corals, attached biota, or marine plant communities. Stability analysis and sand sonar scans shall be conducted prior to material deployment and shall be submitted to the Department showing that all materials shall remain stable on the bottom post deployment. Prior to deployment, the exact location shall be determined by a precision GPS. If consecutive placement of material on top of existing materials takes place, then, prior to placement, it shall be verified that the existing material is void of significant benthic community development.

6. Deployment of any vessel as artificial reef material is prohibited unless written authorization has first been obtained from Florida DEP. The permittee must submit a project-specific deployment plan to Florida DEP requesting authorization to deploy vessels, and the plan must include the following information:

- a. Detailed description of the proposed deployment including vessel material type, deployment depth, intended orientation of the vessel (e.g., upright, on its side, upside down), navigational clearance with the material in all orientations, and the weight and dimensions of the selected vessel;
- b. Stability analysis of the proposed vessel at the specific depth and location proposed for deployment;
- c. A pre-deployment preparation plan describing how compliance with the EPA and MARAD “National Guidance: Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs” has been followed. This document is available at: http://water.epa.gov/type/oceb/artificialreefs_index.cfm;
- d. Tow and anchoring plan describing how the vessel will be towed to and anchored at the deployment site;
- e. Sink Plan describing the methods used to deploy the vessel. If the use of explosives is requested, a detailed explosive and detonation plan including justification documenting the need for the use of explosives as the only deployment alternative, and a marine mammal monitoring and vessel security plan must be provided;
- f. A monitoring plan describing on-water and pre-deployment monitoring, immediate post-deployment monitoring, and annual monitoring activities to document that the vessel is deployed/located within the permitted area including coordinates, orientation of vessel (e.g., upright, side, upside down), structural integrity status (i.e., is the vessel in one piece, are pieces being disassociated from the structure), and documentation that the vessel meets USCG navigational requirements.
- g. A copy of the proposed project budget, and documentation that the permittee has approved funding adequate to procure, clean, deploy, and conduct monitoring of the selected vessel once it has been deployed.

7. Pursuant to Section 379.249, F.S., the transport and deployment of all artificial reef materials off Florida require a cargo manifest. The “Florida Artificial Reef Materials Cargo Manifest and Pre-Deployment Notification” form must be filled out and maintained on the vessel, with the materials onboard, during transport and deployment of artificial reef materials. The completed form must be submitted to the FWC Artificial Reef Program at least 7 days prior to the anticipated deployment via email artificialreefdeployments@myfwc.com. The form is also available online at: <http://myfwc.com/media/131594/FWCArtificialReefCargoManifest.pdf>.

8. No adverse impacts to environmental resources are authorized by this permit.

9. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

10. The permittee shall maintain a deployment buffer area of 400 feet for all construction materials from any submerged beds of seagrasses or macroalgae, coral reefs, live bottom, areas supporting growth of sponges, sea fans, soft corals, and other sessile macroinvertebrates generally associated with rock outcrops, oyster reefs, scallop beds, clam beds, or areas where there are unique or unusual concentrations of bottom dwelling marine organisms.

11. The material used shall be clean concrete or rock, clean steel boat hulls, other clean heavy gauge steel products with a thickness of ¼ inch or greater, and prefabricated structures that are a mixture of clean concrete and heavy gauge steel. The material shall be free of soils, oils and greases, debris, litter, putrescible substances or other pollutants and must meet the requirements set forth by the United States Coast Guard and Environmental Protection Agency. There shall be no “white goods” (inoperative and discarded refrigerators, freezers, ranges, water heaters, washers, and other similar domestic and commercial appliances), asphalt material, tires, other polluting materials used in construction of the reef.

12. The material shall be firmly anchored to the bottom and shall not be indiscriminately dumped. The material shall be placed so that the top of the reef does not exceed ½ the distance from the bottom to the surface of the water unless a greater distance from the surface is required for safe navigation. At no time shall the distance between the top of the reef and the surface of the water be less than 25 feet.

13. Neither reef structure nor material or the method of design or deployment should pose more than minimal risk of entrapping fish, marine turtles or marine mammals. The permittee shall take all necessary action to minimize this risk.

SPECIFIC CONDITIONS – CONSTRUCTION COMPLETION

14. The permittee shall notify the National Ocean Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Rockville, Maryland, and the Florida Fish and Wildlife Conservation Commission (FWC), Division of Marine Fisheries Management, via e-mail at artificialreefdeployments@myfwc.com of the precise location of the reef within 30 days of placement of the reef material.

15. Pursuant to Section 379.249, F.S., the FWC is required to track all artificial reef development state-wide. As a requirement of this permit, the Permittee shall fill out a “Florida Artificial Reef Materials Placement Report and Post-Deployment Notification” form and submit it to the FWC within 30 days of completion, for each date of deployment or separate deployment location. The completed form shall be submitted to the FWC Artificial Reef Program via email artificialreefdeployments@myfwc.com. The form is available online at: <http://myfwc.com/media/131597/FWCArtificialReefMaterialPlacementReport.pdf>.

16. The Permittee shall additionally submit all permit-required artificial reef-related post-construction reports to the FWC Artificial Reef Program via email artificialreefdeployments@myfwc.com, or by regular mail: FWC Artificial Reef Program 620 S Meridian St., MS 4B2, Tallahassee, FL 32399. These reports must be submitted to the FWC within the same time frame specified by this permit for submittal of these reports to USACE.

17. In the event reef material is deployed in a location or manner that is contrary to the submitted plans, the permittee shall immediately notify the Department, and follow up in writing within 14 days of the occurrence. At a minimum, the written notification shall explain how the deployed material exceeds the authorized reef parameters, a description of the material, a description of the vessel traffic in the area, the deployment location in nautical miles at compass bearing from obvious landmarks, the location of the unauthorized material in latitude and longitude coordinates, a resource survey of the new locations in accordance with specific condition above, and the water depth above the material from Mean Low Water. After an assessment of the new reef deployment areas, the Department's Compliance Staff will instruct the applicant to remove or relocate the misplaced reef material.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

18. Franklin County shall be the entity responsible for the operation and maintenance of the artificial reef system.

SPECIFIC CONDITIONS – ADMINISTRATIVE/EMERGENCIES

19. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is **800-320-0519** (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is (850) 595-0663, day or night.

20. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit, unless an application for extension is received and approved pursuant to Rule 62-330.320, F.A.C.

21. The mailing address for submittal of forms for the “Construction Commencement Notice”, “As Built Certification ...”, or other correspondence is Florida DEP, SLERP, 160 W. Government Street, Suite 308 Pensacola, Florida, 32502.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru

12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

- b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:

- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
- b. Convey to the permittee or create in the permittee any interest in real property;
- c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
- d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:

- a. Immediately if any previously submitted information is discovered to be inaccurate; and
- b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such

discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

SPECIAL CONSENT CONDITIONS

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty

(30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions, which are binding upon the applicant and are enforceable under Chapter 253, F.S.

1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.

7. Structures or activities will not create a navigational hazard.

8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.



**FLORIDA ARTIFICIAL REEF MATERIALS
CARGO MANIFEST AND PRE-DEPLOYMENT NOTIFICATION**
(Issued pursuant to Ch. 370.25(6)(b), Florida Statutes)



27.

I, _____
Name of individual managing reef deployment (print) Signature Date

whose address is _____, (____) _____ - _____
Street City State Zip Code Phone

declare that I am staging and transporting the following artificial reef construction materials allowable pursuant to the U.S. Army Corps of Engineers Artificial Reef Permit referenced below and agree to comply with all permit conditions in the permit listed below and attached to this manifest. I understand this artificial reef site is open to public access and this authorization does not provide any rights or exclusive private use over those rights or uses to the general public.

The address of the land based reef materials staging area is: _____

Transporting Vessel Registration Number: _____

Vessel Owner: _____ Vessel Operator: _____

The following items are to be deployed as reef material (attach additional sheets when more than four locations):

MATERIAL TAG ID NUMBER(S), if applicable	Descriptions of material (number of pieces, type, dimension, weight)	GPS Coordinates degrees, minutes, decimal minutes (DD°MM.mmm')
		Lat: _____ ° _____ ' _____ '' Lon: _____ ° _____ ' _____ ''
		Lat: _____ ° _____ ' _____ '' Lon: _____ ° _____ ' _____ ''
		Lat: _____ ° _____ ' _____ '' Lon: _____ ° _____ ' _____ ''
		Lat: _____ ° _____ ' _____ '' Lon: _____ ° _____ ' _____ ''

A copy of the below referenced permit(s) and all associated conditions is attached to this manifest and shall be carried on board the vessel during loading, storing, or transporting artificial reef material.

-- OFFICIAL USE ONLY --
(TO BE COMPLETED BY PERMIT HOLDER, OR AUTHORIZED ARTIFICIAL REEF INSPECTOR)

Permit Holder: _____
Name of U.S. Department of the Army, Corps of Engineers (ACOE) Permit Holder

ACOE permit number _____, permitted site name _____

issued on _____ and has an expiration date of _____.

Local tracking number (if applicable): _____

(Name of FWC authorized Artificial Reef Inspector, printed)

(Signature)

(Date)

27.

EXPLANATION SHEET FOR THE ARTIFICIAL REEF MATERIALS CARGO MANIFEST FORM

The attached artificial reef cargo manifest has been developed in compliance with subsection 370.25 (6)(b), Florida Statutes, which states that:

“It is unlawful for any person to: store, possess or transport on or across state waters any materials reasonably suited for artificial reef construction and stored in such a manner providing ready access for use and placement as an artificial reef, unless a valid cargo manifest issued by the commission or a commission-certified inspector is onboard the transporting vessel. The manifest will serve as authorization to use a valid permitted site or land-based staging area, which will validate that the type of artificial reef construction material being transported is permissible for use at the permitted site, and will describe and quantify the artificial reef material being transported. The manifest will also include the latitude and longitude coordinates of the proposed deployment location, the valid permit number, and the copy off the permit conditions for the permitted site. The manifest must be available for inspection by any authorized law enforcement officer or commission employee.”

This requirement for a cargo manifest became part of the statutory revision of the artificial reef program statute Section 370.25 Florida Statutes (F.S.), modified during the 2000 State of Florida Legislature. The statutory language allows a “commission certified inspector” to complete and approve the artificial reef materials cargo manifest. Therefore, we are providing the attached cargo manifest form to all local coastal government artificial reef coordinators and eligible non-profit corporations who may physically construct artificial reefs with the approval of the permit holders.

INSTRUCTIONS

A separate cargo manifest form is to be completed for each load to be transported offshore (i.e., one manifest per voyage). The manifest is to list all, and only, the reef materials onboard.

The top of the form is to be filled out by the reef builder with his/her contact information and the information about the proposed reef materials to be deployed written into the boxes. If several materials are identical but have different tag numbers, please write “SAME” in the box for the other materials. Also put “SAME” under additional coordinates if all materials are going to the same deployment site.

The shaded portion of the form at the bottom is to be filled out by the materials inspector. The cargo manifest must be completed by an entity representing the holder of the applicable artificial reef permit to assure that all materials meet the requirements of the permit.

Completion of the artificial reef materials cargo manifest is required for all construction activities.

The requirement to complete this document is not intended to be an undue burden on entities wishing to legally construct artificial reefs within permitted sites, but is a tool to assist law enforcement personnel in preventing the illegal construction of artificial reefs without the knowledge of the permit holder or in areas outside of legally permitted sites. It is intended to allow law enforcement staff to determine whether or not a load of materials is legal under the permit conditions. Without a properly completed Cargo Manifest Form on board, reef builders will be returned to port pursuant to Chapter 370.25 (6) (b). It is not necessary to send a copy of the Cargo Manifest Form to the FWC artificial reef section in Tallahassee. Documentation of the reef building activity should be maintained by the entity issuing the manifest in the event of any FWC inquiries.

Reminder: the placement of all public artificial reefs in state or adjacent federal waters requires the submittal of a Materials Placement Report to the FWC artificial reef program within 30 days of public reef deployment in accordance with s. 370.25 F.S.



FLORIDA ARTIFICIAL REEF MATERIALS PLACEMENT REPORT AND POST-DEPLOYMENT NOTIFI



To Be Completed For Each Deployment Location or Date of Deployment

County or Municipality: _____ Date of Placement: _____

Grant No. FWC - _____ (if applicable) U.S. Army Corps Permit No.: _____

Total project cost: \$ _____

Funding Source(s) and Amount(s): FWC \$ _____ Local \$ _____ Other \$ _____

Name of Permitted Reef Site: _____ Location Name for This Deployment: _____

Latitude: _____ ° _____ ' North
(degrees, minutes, decimal minutes (DD°MM.mmm'))

Longitude: _____ ° _____ ' West
(degrees, minutes, decimal minutes (DD°MM.mmm'))

GPS Brand and Model Number: _____

Geographical Location: _____ at _____ degrees from _____
(nautical miles) (bearing) (reference inlet)

Water Depth: _____ feet - Maximum Material Height: _____ feet = Minimum Vertical Clearance: _____ feet

TYPE AND AMOUNT OF MATERIAL DEPLOYED AT THE LOCATION DESCRIBED ABOVE:
(ATTACH A PHOTOGRAPH OF THE MATERIAL ON THE BARGE IMMEDIATELY PRIOR TO DEPLOYMENT)

Primary Type of Material: _____ Number of Pieces: _____

Dimensions: _____

Secondary Type of Material: _____ Number of Pieces: _____

Dimensions: _____

TOTAL TONNAGE FOR THIS DEPLOYMENT: _____

I DO HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

Observer's Name: _____ Title: _____
(PLEASE PRINT) (PLEASE PRINT)

Observer's Signature: _____ Date: _____

Observer's Remarks: _____

I DO HEREBY CERTIFY THAT THE ABOVE INFORMATION COMPLIES WITH THE ABOVE REFERENCED PERMIT CONDITIONS

Permittee's Staff Name: _____ Title: _____
(PLEASE PRINT) (PLEASE PRINT)

Page 195

Permittee's Staff Signature: _____ Date: _____

Location number _____ FWC Tracking number _____ Entered by _____ on _____
Rev. 4/23/2007 FWC initials date

Second page to contain instructions....

**FOR GRANT-FUNDED REEFS, the following data will be recorded at the staging area prior to and after the deployment. This formula represents an average, single rake barge and may not represent the exact tonnage of materials placed.
USING THIS FORMULA FOR PAYMENT OF TRANSPORTATION COSTS SHOULD BE AGREED UPON IN ADVANCE WITH A CONTRACTOR.**

Barge Length: _____ feet Barge Width: _____ feet Loaded Draft: _____ feet Unloaded Draft: _____ feet
(Length X Width X Loaded Draft X 0.93 X 65) = 2,000 = _____ (Loaded barge weight in tons)
SUBTRACT
(Length X Width X Unloaded Draft X 0.93 X 65) = 2,000 = _____ (Unloaded barge weight in tons)
TOTAL TONNAGE FOR THIS DEPLOYMENT = _____



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service’s Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at “no wake/idle” speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service’s Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or in Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at ImperiledSpecies@myFWC.com.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at http://www.myfwc.com/WILDLIFEHABITATS/manatee_sign_vendors.htm. Questions concerning these signs can be forwarded to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



Vessel Strike Avoidance Measures and Reporting for Mariners NOAA Fisheries Service, Southeast Region

Background

The National Marine Fisheries Service (NMFS) has determined that collisions with vessels can injure or kill protected species (e.g., endangered and threatened species, and marine mammals). The following standard measures should be implemented to reduce the risk associated with vessel strikes or disturbance of these protected species to discountable levels. NMFS should be contacted to identify any additional conservation and recovery issues of concern, and to assist in the development of measures that may be necessary.

Protected Species Identification Training

Vessel crews should use an Atlantic and Gulf of Mexico reference guide that helps identify protected species that might be encountered in U.S. waters of the Atlantic Ocean, including the Caribbean Sea, and Gulf of Mexico. Additional training should be provided regarding information and resources available regarding federal laws and regulations for protected species, ship strike information, critical habitat, migratory routes and seasonal abundance, and recent sightings of protected species.

Vessel Strike Avoidance

In order to avoid causing injury or death to marine mammals and sea turtles the following measures should be taken when consistent with safe navigation:

1. Vessel operators and crews should maintain a vigilant watch for marine mammals and sea turtles to avoid striking sighted protected species.
2. When whales are sighted, maintain a distance of 100 yards or greater between the whale and the vessel.
3. When sea turtles or small cetaceans are sighted, attempt to maintain a distance of 50 yards or greater between the animal and the vessel whenever possible.
4. When small cetaceans are sighted while a vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until the cetacean has left the area.
5. Reduce vessel speed to 10 knots or less when mother/calf pairs, groups, or large assemblages of cetaceans are observed near an underway vessel, when safety permits. A single cetacean at the surface may indicate the presence of submerged animals in the vicinity; therefore, prudent precautionary measures should always be exercised. The vessel should attempt to route around the animals, maintaining a minimum distance of 100 yards whenever possible.

6. Whales may surface in unpredictable locations or approach slowly moving vessels. When an animal is sighted in the vessel's path or in close proximity to a moving vessel and when safety permits, reduce speed and shift the engine to neutral. Do not engage the engines until the animals are clear of the area.

Additional Requirements for the North Atlantic Right Whale

1. If a sighted whale is believed to be a North Atlantic right whale, federal regulation requires a minimum distance of 500 yards be maintained from the animal (50 CFR 224.103 (c)).
2. Vessels entering North Atlantic right whale critical habitat are required to report into the Mandatory Ship Reporting System.
3. Mariners should check with various communication media for general information regarding avoiding ship strikes and specific information regarding North Atlantic right whale sighting locations. These include NOAA weather radio, U.S. Coast Guard NAVTEX broadcasts, and Notices to Mariners. Commercial mariners calling on United States ports should view the most recent version of the NOAA/USCG produced training CD entitled "A Prudent Mariner's Guide to Right Whale Protection" (contact the NMFS Southeast Region, Protected Resources Division for more information regarding the CD).
4. Injured, dead, or entangled right whales should be immediately reported to the U.S. Coast Guard via VHF Channel 16.

Injured or Dead Protected Species Reporting

Vessel crews should report sightings of any injured or dead protected species immediately, regardless of whether the injury or death is caused by your vessel.

Report marine mammals to the Southeast U.S. Stranding Hotline: 877-433-8299

Report sea turtles to the NMFS Southeast Regional Office: 727-824-5312

If the injury or death of a marine mammal was caused by a collision with your vessel, responsible parties should remain available to assist the respective salvage and stranding network as needed. NMFS' Southeast Regional Office should be immediately notified of the strike by email (takereport.nmfs@noaa.gov) using the attached vessel strike reporting form.

For additional information, please contact the Protected Resources Division at:

NOAA Fisheries Service
Southeast Regional Office

263 13th Avenue South
St. Petersburg, FL 33701

Tel: (727) 824-5312

Visit us on the web at <http://sero.nmfs.noaa.gov>



ASHLEY MOODY
ATTORNEY GENERAL
STATE OF FLORIDA

John Guard
Chief Deputy Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050
Phone (850) 245-0140
<http://www.myfloridalegal.com>

December 5, 2019

Honorable Noah Lockley, Jr.
33 Market Street, Suite 305
Apalachicola, Florida 32320

Dear Mr. Lockley,

Governor DeSantis appointed Attorney General Ashley Moody as Chair of the Statewide Task Force on Opioid Abuse. Among other things, the task force is charged with developing a statewide strategy to address this crisis. As part of the task force, we are seeking your input on the programs that you are deploying in your subdivisions. We are also seeking your input on what programs would most effectively abate the opioid crisis in your community. As you are also aware, there are settlement negotiations ongoing in the opioid litigation. We would like to develop the statewide strategy in advance of any settlement.

Accordingly, I will host a meeting on **January 13, 2020 from 9-11AM (EST) at the Office of the Attorney General (Collins Building), 107 West Gaines Street, First Floor, Room 138, Tallahassee, FL 32301** to have an open-table discussion, along with other interested parties, to collaboratively identify your community's input. In an effort to have an organized and productive meeting, please send your recommendations, requests or anticipated input, in writing to our staff prior to the meeting. Given space limitations, we are asking for one representative and one counsel per subdivision.

If you intend to bring any additional people, please contact Rachel Kamoutsas at **Rachel.Kamoutsas@MyFloridaLegal.com**. **Please RSVP** and include your written input to Rachel by close of business January 1, 2020. Thank you for your attention in this matter.

Sincerely,

John Guard
Chief Deputy Attorney General
Florida Office of Attorney General Ashley Moody

Portia Sapp
Florida Department of Agriculture and
Consumer Services
Division of Aquaculture
600 South Calhoun Street
Suite 217
Tallahassee, FL 32399

Transmittal of Aquaculture Lease Application Review

Transmitted to the following:

Fish and Wildlife Conservation Commission

Division of Marine Fisheries Management
Jessica McCawley, Director

Department of Environmental Protection

Florida Coastal Office
Frank Powell

Department of State

Army Corps of Engineers

Dale Beter (Dale.E.Beter@usace.army.mil)

National Marine Fisheries Service

Nick Farmer (Nick.Farmer@noaa.gov)

Board of County Commissioners

Franklin County Board of County Commissioners

Activity: Establishment of an Aquaculture Use Zone

Date: December 12, 2019

Rule 18-21.021, Florida Administrative Code, provides the review procedures for aquaculture lease applications. Accordingly, the Division of Aquaculture seeks comments relevant to the application review and final recommendations. Please review the attached information and provide comments and information that will enhance our review. **Please complete your review and provide comments by January 11, 2020.**

Establishment of Four Mile Aquaculture Use Zone (AUZ) and Execution of Leases

REQUEST: Approval to (1) establish the Four Mile AUZ in Franklin County and (2) approval to issue and execute leases within the Four Mile AUZ.

VOTING REQUIREMENT FOR APPROVAL: Three Votes

LOCATION: Apalachicola Bay Aquatic Preserve, Apalachicola National Estuarine Research Reserve, Apalachicola Bay, Franklin County, Florida.

APPLICANT: Florida Department of Agriculture and Consumer Services (FDACS)

CONSIDERATION: An annual fee of \$86.92 for each parcel, representing a base annual rental fee of \$33.46 per acre or fraction thereof; and an annual surcharge of \$10.00 per acre or fraction thereof, pursuant to Rule 18-21.022, Florida Administrative Code (F.A.C.). The annual fee and surcharge collected will be deposited in the General Inspection Trust Fund, pursuant to Sections 597.010(5)(b) and (7), F.S.

STAFF REMARKS:

The applicant is requesting authorization from the Board of Trustees of the Internal Improvement Trust Fund, pursuant to 253.68(1), F.S. to establish the Four Mile AUZ in Apalachicola Bay. The requested AUZ would be comprised of forty, 1.5-acre parcels for culturing native shellfish in the water column. The proposed leases will be subject to the terms and conditions applied to other aquaculture leases issued throughout the state for the same purposes, including the provision that the transfer or sale of the lease will not be approved during the first five years of the lease term. Applicants will be required to provide FDACS with a survey of the individual parcels and the AUZ.

The AUZ is in the Apalachicola Bay Aquatic Preserve and the Apalachicola National Estuarine Research Reserve. FDACS has determined that the proposed AUZ and associated aquaculture activities will not result in adverse impacts to seagrasses, existing shellfish beds or natural reefs or other sensitive habitats.

FDACS will hold a pre-application meeting prior to the opening of the lease application window to allow applicants to learn about the aquaculture leasing process and the aquaculture industry. FDACS will advertise the availability of the newly created sites in the local newspaper publicly announcing a 15-day lease application window during which FDACS will be accepting applications. Only one application will be accepted per person or business (but not both) and a person may apply as an individual or a business but only one application from an individual or from a business entity listing that applicant as a member will be accepted.

Preference will be given to:

- Applicants that are Franklin County residents.
- Applicants that have attended a pre-application meeting (which will be held in Franklin County to provide an overview of the aquaculture leasing process and

- requirements).
- Applicants that have not previously held a 10-year renewable submerged land aquaculture lease.
- Applicants that have held a Saltwater Products License (SPL) for at least three of the last five years.
- Applicants that have held an Apalachicola Bay Oyster Harvesting License for at least three of the last 10 years.

Once the application window has closed, FDACS will use a random number generator to assign a selection order to only those applications received during the application window. FDACS will then compile the selection order based on the random numbers assigned and the preferences listed above. The forty highest ranked applicants will be notified and allowed 15 days to submit the \$200 lease application fee. If the fee is not received within the deadline, the next highest ranked applicant will be notified and allowed 15 days to furnish the application fee. Upon receipt of the application fees for all forty parcels, FDACS will conduct an open meeting where the applicants will select lease parcels in the ranked order. Prior to execution of the leases, the applicants are required to provide FDACS with a survey of the individual parcels and the AUZ.

Public Interest

The Florida Aquatic Preserve Act provides that no further sale, lease, or transfer of sovereignty submerged lands shall be approved within an aquatic preserve, unless the sale, lease, or transfer is in the public interest. The Aquatic Preserve Act specifically provides that “aquaculture is in the public interest and aquaculture leases may be authorized in aquatic preserves...” [Section 258.42(1)(b), F.S.] Accordingly, FDACS recommends that the Board of Trustees find that the lease is in the public interest, as set forth in statute.

Noticing

The proposed AUZ will be noticed pursuant to section 253.70, F.S.

Comprehensive Plan

A consideration of the status of any local government comprehensive plan was not made for this item. FDACS has determined that the proposed action is not subject to the local government planning process.

Proposed Aquaculture Use Zone in Franklin County



Proposed AUZs in Apalachicola Bay



**Division of Aquaculture
Potential Aquaculture Use Zone Resource Assessment
Franklin County
4/29/19**

Introduction

The Division has identified potential areas to be utilized for Aquaculture Use Zones within Apalachicola Bay, Franklin County including a 67-acre area off Four Mile. The Four Mile site is in a Conditionally Approved Shellfish Harvesting Area. Division of Aquaculture staff, along with Johnathan Brucker, Apalachicola Bay Aquatic Preserve Manager, completed assessments of the bottom for the proposed areas on April 16th and 17th, 2019.

Site Location

The proposed Four Mile area is just off the mainland shoreline [Green Point] in the western half of Apalachicola Bay. This proposed area is located within the Conditionally Approved Shellfish Harvesting Area of Franklin County, (1612) and within the Apalachicola National Estuarine Research Reserve and the Apalachicola Bay Aquatic Preserve. The Gulf of Mexico is the major body of water adjacent to the site and is located due west and due south.

Proposed corners for the Four Mile Area:

NW corner: 29.7129 -85.05986	NE corner: 29.711944 -85.04408
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SW corner: 29.71134 -85.05997	SE corner: 29.710352 -85.044222
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The area was assessed during a low incoming tide on April 16th and 17th. Visibility, from the surface was poor. The survey was conducted by boat on both days, utilizing polling and visual observation.

Four-Mile:

This site was shallow on the North side, averaging three to five feet for the Northern transect. The sediment consisted of firm sand throughout the plot. The rest of the plot averaged five to six feet depth. We polled four transects around the perimeter and two center transects corner-corner. There were existing poles present, as well as crab pots within the plot. The plot is approximately 660 feet from shore.

Recommendations:

After review of the pertinent information, the Four-mile site, is recommended for aquaculture activity, however with the Conditional Approved shellfish harvesting area management status frequent closures may occur.

The site was determined to be suitable for the proposed activity from a resource management perspective. Navigation does not look to be a hindrance. The site meets the requirements of Rule 18-21.020, F.A.C.

Comments:

The Division seeks to preclude impacts to seagrass beds and other sensitive habitats. No seagrasses or sensitive habitats were detected. The area is in Gulf Sturgeon critical habitat. The proposed area is greater than five hundred feet from the shoreline and we also checked a fifty-foot buffer for all the plots. Division staff could make an accurate assessment of the proposed lease areas as well as adjacent areas.



Florida Department of Agriculture and Consumer Services
Division of Aquaculture

**SOVEREIGNTY SUBMERGED LAND AQUACULTURE LEASE
Water Column Lease**

NICOLE "NIKKI" FRIED
COMMISSIONER

Section 253.71, Florida Statutes

This Instrument Prepared by:
Division of Aquaculture
600 South Calhoun Street, Suite 217
Tallahassee, Florida 32399

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA**

No. _____

THIS LEASE is hereby issued by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the "Lessor."

WITNESSETH: That for and in consideration of payment of the lease fees hereinafter provided, and the faithful and timely performance of and compliance with all terms and conditions stated herein, the Lessor does hereby lease to _____ hereinafter designated as the "Lessee," the sovereignty lands described as follows:

A parcel (_____) of sovereignty, submerged land lying in the _____
Aquaculture Use Zone, near _____, in _____ County, Florida,
containing _____ acres, more or less, of sovereignty, submerged lands described and shown
on Attachment _____.

TO HAVE THE USE OF the hereinabove described premises for a period of ten years from _____, the effective date of this lease. The terms and conditions upon and for which this lease is granted are as follows:

1. The Lessee is hereby authorized to undertake aquaculture activities on the lands described above.
2. Lessee shall pay to Lessor an annual fee of \$_____, representing a base annual rental fee of \$33.46 per acre or fraction thereof and an annual surcharge of \$10.00 per acre or fraction thereof, pursuant to rule 18-21.022, Florida Administrative Code (F.A.C.). The annual fee and surcharge collected will be deposited in the General Inspection Trust Fund, pursuant to sections 597.010(5)(b) and (7), F.S. The first year's base rent and surcharge shall be paid to Lessor within 30 days of the effective date of this lease. Thereafter base rent and surcharge shall be paid annually to Lessor on or before January 1 of each succeeding year of the lease term. Lessee understands that from time to time the lease fee may be increased by the Lessor, and the Lessee agrees to pay the increased lease fee, as adopted by the Board of Trustees.
3. Failure of the lessee to pay rent within 30 days of January 1 shall constitute ground for cancellation of the lease and forfeiture to the state of all works, improvements, and animal and plant life in and upon the leased land and water column.
4. The Lessee shall maintain complete and accurate production documents and shall provide same to Lessor upon request.

5. Failure of the Lessee to perform effective cultivation, or otherwise comply with the terms of this lease, shall constitute cause for termination of the lease and forfeiture to the State of all the works, improvements, and animal and plant life in and upon the leased land and water column. Effective cultivation shall consist of the reasonable and bona fide attempt to grow-out _____ in a density suitable for commercial harvesting, in accordance with the Lessee's business plan submitted to the Department of Agriculture and Consumer Services (hereafter "Department") as part of the lease application and shall be extended throughout the entire ___-year term of this lease.

6. This lease may be terminated upon the Lessee's written request.

7. The Lessee, in accepting this lease, does hereby agree that no claim to title or interest to said lands hereinbefore described shall be made by reason of the occupancy or use thereof and that all title or interest to said land hereinbefore described is vested in the Lessor.

8. The Board of Trustees will not approve lease transfers or assignments during the first five years of the lease term. However, after five years from the effective date, Lessee, upon written consent from the Lessor, may sublease, assign or otherwise transfer the lease granted to the Lessee.

9. The Lessee shall neither permit the sovereign lands described in this lease nor any part thereof to be used or occupied for any purpose or business other than herein specified; nor shall the Lessee knowingly permit or suffer nuisances or illegal operations of any kind on the sovereign lands described in this lease.

10. The Lessee agrees to maintain the sovereign lands described in this lease in good condition in the interest of public health, safety and welfare. The Lessee agrees that the sovereign lands described in this lease are subject to inspection by the Lessor or its designated agent at any reasonable time.

11. The Lessee hereby covenants and agrees to investigate all claims of every nature at its expense, and to indemnify, defend, hold, and save harmless the Board of Trustees of the Internal Improvement Trust Fund, the State of Florida, and the Department from all claims, actions, lawsuits and demands arising out of this lease or any activity conducted hereunder. The Lessee further agrees to be solely responsible for any injury or property damage resulting from any property conditions or activity on the leased area.

12. The Lessee agrees that upon expiration or termination of this lease all permission granted to undertake the activities, as described in paragraph 1 of this lease, shall cease and terminate, and Lessee shall immediately vacate and surrender possession of the premises to Lessor subject to the provisions of paragraph 23.

13. If requested by Lessee, this lease may be renewable for additional ten-year terms upon such terms and conditions as are acceptable to the parties hereto. The request must be in writing and delivered by the Lessee to the Lessor no later than 90 days before the expiration date of the then existing lease agreement. Upon receipt of the request for an additional term, the Department will either take final action on behalf of the Board of Trustees where the circumstances meet the delegation provided to the Department by the Board or the Department will submit the Lessee's request for an additional term to the Board of Trustees for final action.

14. Neither failure or successive failures on the part of the Lessor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Lessor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. The Lessee, by acceptance of this lease, binds itself to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Lessee. In the event the Lessee fails or refuses to comply with the provisions and conditions herein set forth, or in the event the Lessee violates any of the provisions and conditions herein, except for the provisions of paragraph 25, this lease may be terminated by the Lessor after notice in writing by certified mail to the Lessee. Upon receipt of such notice, the Lessee shall undertake to correct such noncompliance or violation for which the Lessor has given notice to correct within 30 days of receipt of notice. In the event Lessee fails or refuses to timely correct the violation, the Lessor, at its option, shall be entitled to terminate this lease and, if terminated, all rights of Lessee hereunder shall cease. All costs, including reasonable attorney fees, incurred by the Lessor to enforce any provisions of this lease shall be paid by the Lessee.

The Lessee, by acceptance of this lease, agrees to accept service by certified mail of any notice required by this lease or Chapter 253, F.S., in addition to Chapter 18-14, Florida Administrative Code (F.A.C.) at the following address:

STREET OR P. O. BOX NO.

CITY STATE ZIP

The Lessee agrees to notify the Lessor by certified mail of any change in this address at least ten (10) days before the change is effective. If Lessee's mail is returned for any reason (unclaimed, unable to deliver, no longer at address, etc.), and Lessor is unable to locate Lessee, Lessor has the option of canceling the lease.

16. The Lessee agrees to assume all responsibility for liabilities that accrue to the subject property or to the improvements thereof, including any and all special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property and associated improvements during the effective period of this lease.

17. Unless the mooring of a security vessel is specifically approved in writing by Lessor, no security vessel shall be moored on or adjacent to the lease area. Lessee further agrees that no vessel required to be registered or titled under Florida law shall be allowed to moor or dock within or adjacent to, or otherwise use the area described within this lease unless such vessel is registered or titled in accordance with Chapters 327 and 328, F.S. Lessee agrees that no vessel of any description shall be moored on or adjacent to the leased premises for a period exceeding twenty-four hours, irrespective of whether the vessel is periodically moved, unless authorized by the terms of this lease.

18. NOTICE: The undertaking of any unauthorized activities, including the erection or placement of any permanent or temporary structures, shall constitute a violation of Chapter 253, F.S., and subject the Lessee to administrative fines under Chapter 18-14, F.A.C., and the terms of this lease. Any such violation may result in the imposition of administrative fines, judgment for damages, and/or the termination of this lease.

19. As a condition to obtaining this lease, the Lessee hereby agrees not to discriminate against any individual because of that individual's race, color, religion, sex, national origin, age, handicap, or marital status with respect to any activity occurring within the area subject to this lease or upon lands adjacent to and used as an adjunct of the area described within this lease.

20. Lessor and Lessee agree that Lessor has venue privilege as to any litigation arising from matters relating to this lease. Therefore, any such litigation between Lessor and Lessee shall be initiated and maintained only in Leon County, Florida.

21. This lease is the entire and only lease between the parties. Its provisions are not severable. Any amendment or modification to this lease must be in writing and must be accepted, acknowledged and executed by the Lessee and Lessor.

22. This lease shall be deemed to have been executed and entered into in the State of Florida. Any dispute arising hereunder shall be governed by the laws of the State of Florida. This lease shall be binding on and shall inure to the benefit of the heirs, executors, administrators and assigns of the parties hereto, but nothing contained in this paragraph shall be construed as a consent by Lessor to any assignment of this Lease or any interest therein by Lessee.

23. Lessee shall remove all works, equipment, structures and improvements from the sovereign lands described in this lease within 60 days following the date of expiration or termination of this lease. Lessee shall also provide to the Department an attestation statement from a third party, acceptable by the Lessor, verifying that all works, equipment, structures and improvements have been removed. Failure to remove all equipment and improvements within 60 days and provide the attestation statement may result in cancellation of all other aquaculture submerged land leases held by Lessee and Lessee will be prohibited from executing, acquiring, subletting, or the authorized use of any state owned aquaculture submerged land lease for ten years from date of cancellation of the lease in which the works, equipment, structures and improvements were not removed.

24. The Lessee shall be bound by present and future enactments in Florida law as expressed in Chapter 253, F.S., or elsewhere in Florida Statutes, and by present and future provisions of the Florida Administrative Code promulgated thereunder, and by any present and future enactments adopted by the Board of Trustees pertaining to this lease agreement.

25. Conviction of a violation of Chapter 597, F.S., and/or rule 5L-1, F.A.C., or other rules promulgated by the Department, or the Florida Fish and Wildlife Conservation Commission, may be cause for this lease to be terminated without further notice to Lessee and shall result in the forfeiture to Lessor of the works, improvements, and shellfish in and upon the leased premises.

26. SPECIAL LEASE CONDITIONS

a) Pursuant to Chapter 253.71 (7), F.S., lease agreements may contain special lease conditions that provide for flexibility in surveying and posting lease boundaries, incorporate conditions necessary to issue permits pursuant to Part IV of Chapter 373, F.S. and Chapter 403, F.S., and provide for special activities related to aquaculture and resource management.

(1) Pursuant to Chapter 597, F.S. authorized activities include, but are not limited to, planting shellfish cultivated from eggs, transplanting live stocks, placement of cultch material, harvesting shellfish, the installation and removal of nets, bags, or other devices, and the placement of markers that designate the corners and perimeters of the culture area.

(2) All culture materials, cover nets, bags or other designated markers placed on or in the water shall be clean and free of pollutants; including petroleum products such as creosote, oils and greases, or other pollutants. Compounds used as preservatives must be used in accordance with product label.

(3) Culture materials (cultch) placed on the grow-out area must be a suitable substance for attachment of oyster larvae: such as natural molluscan shells; fossilized shell; fossilized coral and other aquatic organisms; lithic materials, such as crushed and graded limestone, granite, and gravel which contain calcium carbonate and/or fossilized organisms; or recycled materials which contain lithic fractions and calcium carbonate, including crushed and graded concrete. Exceptions to this list of generally accepted cultch materials must be specifically approved and identified within the aquaculture lease agreement.

(4) Bags and/or trays used in the culture operation shall be removed from the water during all mechanical cleaning, maintenance and repair operations. Mechanical or hydraulic devices shall not be used below the water for the cleaning of the submerged structures. The Lessee may use hand tools for cleaning shellfish, bags, and other structures under water.

b) The Lessee agrees that mechanical harvesting is prohibited on the lease site, unless expressly approved in this lease agreement.

c) No aquaculture activities will be allowed over bottoms that contain biological resources consisting of submerged seagrass communities, naturally occurring oyster and clam beds, corals, attached sponges or attached macro marine algae beds.

d) The Lessee shall, prior to commencement of the aquaculture activities on the approved lease site, and no later than 120 days from the date of such approval, provide to the Lessor a Department of Environmental Protection, Division of State Lands approved survey and legal description of the parcel to be included in the lease. If an acceptable survey is not received from the Lessee within 120 days it may be cause for immediate termination of the lease.

e) The Lessee shall, within 90 days from the date of execution of this lease, properly post the lease boundaries to delineate the corners and perimeters of the lease. Except for the _____ corner, Lessee must install and maintain a buoy or post at each of the remaining lease corners of the lease area. Markers shall be installed in a consistent manner (i.e., utilizing all buoys, or all posts on site). Lessee shall apply for a Private Aids to Navigation permit from the US Coast Guard and comply with all provisions of the permit to warn mariners passing in the vicinity of the lease of the potential hazards to navigation.

- (1) A corner marker is required to be installed on the ___ corner of this lease. Unless different marking requirements are prescribed by the USCG Private Aids to Navigation permit, the corner marker must meet all requirements of this section. The corner marker shall be a sign (3' x 3' in size) fastened to a PVC pole at least six-inches in diameter. The sign must be a yellow background and include: (a) the letter "___" in twelve-inch black letters, and (b) a two-inch border using international yellow reflective tape. The PVC pole must contain: (a) the relative geographic position ___ for the corner in two-inch black letters, and (b) parcel number ___ or FDACS Lease No. ___-AQ-___ in two-inch black letters. The bottom of the sign shall extend a minimum of three-feet above the mean high water mark.
 - (2) Buoys must be white with international orange bands of reflective tape with black block characters at least one-inch in height and include each corner designation (i.e., NE, NW, SE, and SW) and parcel number ___ or FDACS Lease No. ___-AQ-___. Each buoy must be maintained upright at a minimum height of 14-inches above the mean high water mark.
 - (3) Posts must contain a field at least 2-1/2" wide and 10" long. The background shall be white with international orange bands of reflective tape above and below the field. Parcel number ___ or FDACS Lease No. ___-AQ-___ and each corner designation (i.e., NE, NW, SE, and SW) shall be displayed in black block characters of at least one-inch in height. The bottom of the identifying field on the post shall extend a minimum of 18-inches above the mean high water mark. Posts may be made from carsonite, fiberglass, and/or PVC.
 - (4) For theft prevention, you may install a sign with a white background and include: (a) the language "HARVESTING PROHIBITED EXCEPT BY LESSEE" in one-inch black letters; (b) the "circle symbol" using international orange reflective tape; and (c) a two-inch border using international orange reflective tape. The bottom of the sign shall extend a minimum of three-feet above the mean high water mark.
- f) This lease authorizes use of the entire water column, from surface to bottom for the purpose of culturing shellfish in off-bottom or floating structures. The Lessee's identification information shall be attached to all culturing structures. In the event that culturing structures become dislodged from the lease site, it is the Lessee's responsibility to retrieve the structures from the shoreline, seagrass beds, or submerged bottom anywhere within the aquatic preserve with minimal damage to the resources affected. The structures shall be removed and properly disposed of or returned to the lease site.
 - g) The Lessee, and any sublessee and/or authorized user, must possess and maintain a valid Aquaculture Certificate of Registration from the Department of Agriculture and Consumer Services pursuant to Chapter 597.004, F.S. As certified, the Lessee, sublessee and authorized user shall implement the best management practices adopted in Chapter 5L-3, F.A.C.
 - h) The Lessee shall employ "best management practices" to protect endemic shellfish populations from the potential introduction and transfer of diseases. The best management practices shall be employed during all production and transport phases to provide responsible resource management, and reduce or eliminate the risk of disease introduction or transfer. Best management practices will include but not be limited to the following provisions.
 - (1) The source of brood stock for seed stocks to be cultured shall be from native stocks. Lessee shall provide documentation to the Department stating that seed stocks are from native brood stocks. The Lessee shall obtain such documentation from the hatchery or nursery from which seed stocks are obtained. Hatchery-reared seed stocks may not be obtained from facilities that cannot document the use of native (regional) stocks in their brood stock and genetic programs.
 - (2) The Lessee shall provide documentation that seed stocks are free of diseases that may threaten endemic populations. Such documentation should be obtained from the hatchery or nursery from which the seed stocks were obtained. Seed stocks, obtained from hatcheries or nurseries located outside of the specific region referenced in section 26, h. (1), of this lease must be certified by a recognized shellfish pathologist as free of diseases that may threaten endemic populations.

- (3) The documentation required in section 26, h. (2), of this lease, as well as the source and destination, must accompany each shipment of seed stocks and market size shellfish, and a record of all documents and transactions shall be maintained by the Lessee and submitted to the Department in the annual Affidavit for Audit (FDACS form 15104) no later than 45 days from the date of the request for the information. Shellfish seed stocks, for the purpose of this section, shall be defined as shellfish that are less than ten percent of market-size or require a minimum of six months to reach market-size.
- i) Shellfish aquaculture products from certified aquaculture operations may be possessed, transported and sold when such shellfish are segregated in distinct containers, with each container being appropriately labeled as to source and certificate of registration number.
 - (1) The Lessee shall obtain authorization from the Department to transplant market-size shellfish stocks from leases that are temporarily closed to direct-to-market sale. The Lessee shall document that the receiving lease is closed for direct-to-market sale of shellfish for at least 30 days when market-size shellfish are obtained from another lease that is closed for direct-to-market sale at the time of the transaction. Shellfish aquaculture products which are harvested from a lease that is temporarily closed to direct-to-market sale shall be documented as to date of harvest and transport. The authorization to transplant may include requirements for bacteriological analyses.
 - (2) Transplanting or relaying wild shellfish stocks to a lease is prohibited.
- j) Shellfish aquaculture products which are harvested from the lease for direct-to-market sales for human consumption shall comply with all applicable provisions of Chapter 597, F.S., Chapter 5L-1, F.A.C., and any other applicable provisions of law and administrative code.
- k) The Lessee shall perform the aquaculture activities in such a manner that will not have an adverse impact on significant resource habitats such as seagrass beds or on endangered species such as manatees and sea turtles.
- l) If the activity and/or gear proposed by the lessee are not covered under the Department's Programmatic General Permit (SAJ-99) for Live Rock and Marine Bivalve Aquaculture, the Lessee will need to apply for an individual permit from the Army Corps of Engineers and comply with all provisions of the permit. Specifications regarding placement, type and function of appliances and devices used in culture practices and predator exclusion should be expressly approved by the Division of Aquaculture.
- m) If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The Lessee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850/245-6333). Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, F.S.

(Remainder of page intentionally left blank)

“LESSEE”:

By _____
Original Signature of Lessee or Executing Authority

Typed/Printed Name of Lessee or Executing Authority

As: _____
(If Lessee is a corporation, please enter capacity in which
Executing Authority is authorized to sign, i.e, President,
Vice President, etc.)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____,
by _____, who is personally known to me, or who has
produced a _____ as identification.

Notary Public (SEAL)

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA
(SEAL)

By: _____
Joey B. Hicks, Director, Division of Administration
Department of Agriculture and Consumer Services, Designee
For the Board of Trustees of the Internal Improvement Trust Fund

“LESSOR”

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by
Joey B. Hicks, Director, or his designee, Division of Administration, who is personally known to me.

Notary Public (SEAL)