

*The Law Offices of Thomas M. Shuler, P.A.
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Mailing Address:
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Apalachicola, FL 32320

April 19, 2021

To: Franklin County Board of County Commissioners
From: Thomas M. Shuler, County Attorney
Re: April 20, 2021 Meeting

Informational Supplement to April 20, 2021 Report

1. E911 DataMark Contracts

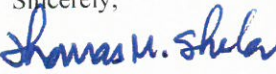
On March 16, 2021, the board approved several 911 related contract subject to my review. I found several provisions to be unfair to Franklin County, but the regional service provider has indicated that it will not make any meaningful change to the following provisions:

- a. Foreign corporation requiring indemnification from local governments. ¶9.4.1, software agreement.
- b. Foreign corporation doing business in NW Florida requiring its contract be governed by foreign law. ¶11.15, software agreement.
- c. Foreign corporation doing business in NW Florida requiring venue for any dispute to be in the foreign jurisdiction. ¶11.15, software agreement.

Whoever was responsible for selecting this regional provider did us no favors. The choice is either knuckle under or miss out entirely on a \$35 million dollar regional 911 grant. I do not recommend such terms, but there did not seem to be much choice, so the county has signed the agreements and sent them in.

2. Taul Development, LLC letter:

See the attached letter. It speaks for itself.

Sincerely,

Thomas M. Shuler

Enc: as stated

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Taul Development LLC
2912 Ivanhoe Road
Tallahassee, FL 32312

Taul Development LLC
1732 Magnolia Road
St. George Island, FL 32328

Re: Your April 16, 2021 phone call to me
1732 Magnolia Road, SGI
Alleged failure to inspect roof

Dear Mr. Taul:

I represent Franklin County, a political subdivision of the State of Florida.

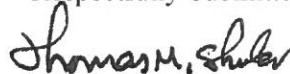
On April 16, 2021, you called me and alleged that Franklin County failed to inspect the roof on your property located at 1732 Magnolia Road, St. George Island, Florida. You stated that you were on-site 100% of the time and that you knew for a fact that the roof was not inspected by Mr. Millender and that you therefore had a problem with an inspection report reflecting that two roof inspections occurred; that your roof was damaged and leaking because of a failure by Franklin County to properly inspect, or words to that effect.

On April 16, 2021, I spoke with Mr. Steve Paterson in the building department about your allegations. Mr. Paterson informs me that he personally performed both the mid-term and the final roof inspections for 1732 Magnolia Road and that the roof passed both inspections.

Your statements to me concerning the roofer's refusal to honor the roof warranty is not a county issue.

Unless you have further information to provide, this concludes my review of your allegation.

Respectfully Submitted,


Thomas M. Shuler