

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

FEBRUARY 18, 2020

9:00 A.M.

MINUTES

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

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

Call to Order

Chairman Lockley called the meeting to Order.

Prayer and Pledge

Mr. Barry Hand, a Pastor in Apalachicola, said a prayer followed by the Pledge of Allegiance.

Approval of Minutes

1. Minutes-February 4, 2020

On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to approve the minutes from the meeting held on February 4, 2020.

Payment of County Bills

2. Bill List for Approval

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.

Mr. Moron said the Board has numerous public hearings on the Agenda today. He explained individuals will have an opportunity to speak at the public hearings at the time but they can also speak under public comment.

Public Comments

Ms. Mel Kelly, a resident of Carrabelle, thanked the pastor for including the participants in the prayer. She reported at the end of the last Friday's meeting Commissioner Massey announced Sacred Heart stood at the podium and said they would close the Carrabelle Clinic. She said she was at the Carrabelle Clinic yesterday and the employees asked her why the clinic would be closed under Sacred Heart because they are so busy. Mrs. Kelly reported Commissioner Massey owes the people of Carrabelle, the workers at the clinics, the Friday audience and the people of the Sacred Heart proposal an apology because he was wrong. She referenced the proposal from Sacred Heart and said they plan to keep the Carrabelle clinic open 5 ½ days a week like it is now and it will be staffed by two nurse practitioners as it is now.

Mr. Hand stated he is present with many ministers and pastors from the community. He reported they want to make a great need known to this Board and that is to keep Weems Memorial Hospital in Apalachicola. Mr. Hand said Weems Memorial Hospital has served as a medical safe haven for the community. He stated they acknowledge that it has been an advantage to those that are financially challenged and especially to the elderly. He reported the Board is to be honored for keeping their word and the promissory agreements they made with the City of Carrabelle and the City of Apalachicola. Mr. Hand stated the Board made an agreement with the City of Carrabelle to construct a health care facility and they carried through carried through with the agreement. He reported they made an agreement with the City of Apalachicola to construct a new public hospital facility and the keeping of their word will also be honorable to its citizens. Mr. Hand stated the voters of Franklin County gave their approval when this matter was put to a vote. He assured the Board the citizens of Apalachicola are with the Board in deed and support. Mr. Hand reported Weems Memorial Hospital is a designated critical access hospital and that label is greatly appreciated in the community. He explained a situation that occurred when his mother was ill and he knew Weems Memorial Hospital was there for treatment. Mr. Hand said they are hearing promising reports from Weems Memorial Hospital. He thanked the Board for their due diligence in taking the community and city further concerning the public hospital facility. The other pastors with Mr. Hand concurred with his comments.

Mrs. Tammi Ray Hutchinson, Hillside Coalition of Laborers for Apalachicola (H'Cola), said they are publicly in full support of Weems Memorial Hospital remaining here and remaining a full service hospital. She reported they serve predominately the north district of Apalachicola known as "The Hill" and they think if the hospital were to close or move it would be their population that would suffer the greatest loss because some of them have no transportation and some live below the poverty level. She explained having access to a hospital in the community that provides critical care is necessary. Mrs. Hutchinson reminded everyone of an accident that occurred and a man that carried his brother 2 blocks to the hospital for care. She reported it is critical to have a hospital here because inpatients would not have the ability to have their loved ones visit if they were out of town and they had no transportation. She said H'Cola is in full support of a hospital remaining here and that a new full-service hospital be built here in Apalachicola. Mrs. Hutchinson said for the people who want to move the hospital they do not realize how critical the 20 minutes to Sacred Heart or 15 minutes to another facility

might be. She explained an incident that occurred with her husband and how critical the care was he received from the EMT's and at Weems Memorial Hospital.

Ms. Julie Krantz, St. George Island Business Association, said not only do they represent the businesses on St. George Island but also the businesses in Franklin County that do business on St. George Island. She stated they want to provide some input on the zoning in the business district of St. George Island even though it is not on the Agenda today. She reported documentation created by the Association was presented to the Board. Ms. Krantz stated a photograph is also included as a reference. Ms. Krantz discussed the history of the zoning and how it evolved due to growth. She explained as they have grown as a tourist destination the zoning has become even more critical especially in the business district. She stated the area from 3rd Street to 3rd Street is the only business district they will ever have. Ms. Krantz reported in 2017 there was an initiative by the county to try and fix some of the miscalculations that occurred and to preserve the business district. She said in 2018 they adopted the St. George Island overlay program. She stated there were some obstacles and the Board was made aware that the residential properties were having problems with insurance. Ms. Krantz reported the Commissioners are having meetings and trying to find a solution. Ms. Krantz stated one of the proposals has been to make exceptions for the residential properties and another proposal is to remove the overlay. She reported this would have a significant impact on the business district and that is what they are here to discuss. Ms. Krantz explained there are 200-300 vacant lots in the business district. She said their 2 primary concerns are aesthetics and the wall of houses obstructing the area. Ms. Krantz presented the photograph of the area and said if this allowed to continue on the vacant lots in the business district then they will have multiple areas of obstruction. She explained the skinny minis can be built within 10 feet of each other and there are multiple groups of lots that could be used for these structures inside the business district. Ms. Krantz stated they are also concerned about the impact to the county financially. She explained businesses generate more revenue to the county. She reported not only are the taxes important to the county but the employment is also beneficial. Ms. Krantz pointed out if they remove the overlay and allow the business district to be consumed with single family homes then they will lose their ability to ever have new businesses on the island. She asked the Board to preserve the business area to serve the community.

Department Directors Report

Superintendent of Public Works – Howard Nabors

3. Report

Action Items:

None

Information Items:

Work Performed & Material Hauled by District (Report)

Mr. Nabors stated at the last meeting they discussed the spoil disposal site for the Two Mile Channel and they have cleaned about half of the site. He said there were more trees than expected but they will finish cleaning the site in about a week and a half.

Mr. Nabors reported they are edging sidewalks and bike paths and working on roads and shoulders. He stated when it is dry they will start grading the roads throughout the county.

Mr. Moron read the following item from his report:

26. Road Department Building: The county held the pre-construction meeting for the new Road Department administrative building on Thursday (2/13). During the meeting there were additional requested changes to the bid specifications that staff would like the opportunity to address, so it is necessary to postpone the deadline for bid submissions to Monday, April 6 at 4:00 p.m. (ET).

Request: Board action to postpone the deadline for bid submissions for the Road Department's new administrative building to Monday, April 6, 2020 at 4:00 p.m. (ET).

Commissioner Boldt made a motion to postpone the deadline for bid submissions for the Road Department's new administrative building until Monday, April 6, 2020 at 4:00 p.m. (E.T.). Commissioner Jones seconded the motion. Commissioner Jones asked if that will give time to properly advertise. Mr. Moron said it is only the submission date so they will probably have another pre-construction meeting. He stated the Addendum will be added to the county website to make sure everyone is aware of the changes. Commissioner Jones asked if this is for bid submission or pre-construction. Mr. Moron answered they are postponing the deadline for submission of the bids so bidders have time to make any changes to their bids once the final specifications are set. **Motion carried; 5-0.**

Solid Waste Director – Fonda Davis

Mr. Davis said he has one action item on his report and another item that came up late so he did not get it on his report. He read the following item for the Board:

3. Report
Action Items:
AIR CURTAIN INCINERATOR REFURBISH:
FOR BOARD ACTION: At the February 4, 2020 board meeting I left some information with you all showing what it would cost to refurbish the incinerator, I also included the price of a new incinerator. The quote for refurbish is from two different individuals.
Attached Proposals:
Wilkinson Industrial Services, LLC \$34,180.00
2Mile Welding Services, \$29,334.32

REQUESTED ACTION: For board approval to have the air curtain incinerator refurbished.

Mr. Davis said he left the information for a new incinerator in the Board's packet last meeting and the cost is over \$100,000. Chairman Lockley asked if 2Mile Welding Services is a local business. Mr. Davis answered yes. Commissioner Boldt stated the incinerator has a lot of rust and asked if there is any rust that will impair the welding. Mr. Davis reported they will replace the panels. Attorney Shuler asked if they are asking to approve this now because it exceeds the local bid policy. He explained this item would require bids unless it is an emergency situation. Mr. Davis stated he did not realize a repair would have to go out for bids. Attorney Shuler questioned if the circumstances justify an emergency. Mr. Davis answered yes, as the incinerator must be inspected and they must have an annual emissions test by the Department of Environmental Protection (DEP). He said they are trying to keep up with the yard trash as they are only permitted to hold a certain amount of debris on site. He stated the incinerator helps with this process and they need it. Attorney Shuler said it sounds like there is a factual basis to declare an emergency and bypass the local bid policy. **Commissioner Boldt made a motion to proceed with the amendment that they have an emergency process.** Commissioner Boldt explained they are exceeding the actual landfill capacities in certain areas and they have to look forward to more land acquisition. Chairman Lockley stated they had an overflow of debris due to the storm and that caused a lot of the problem. He explained normally it would not have happened this quick. The Board discussed the equipment at the landfill. Mr. Davis explained the tub grinder is for bigger trees and the incinerator is for smaller brush. Commissioner Jones asked Commissioner Boldt to clarify his motion. **Commissioner Boldt stated the motion is to approve the proposal for 2Mile Welding and recognize that they have an emergency situation in the landfill capacity status to get this approval accelerated. Commissioner Jones seconded the motion. Motion carried; 5-0.**

Mr. Davis stated a 2008 recycling truck is in the shop and it is the newest recycling truck. He reported it will cost \$21,000 to get the truck on the road and the in-house mechanics cannot take care of this repair. Mr. Davis asked that the county suspend recycling for a little bit until the recycling market comes back. Chairman Lockley reported they can buy a truck for the cost of the repair. Mr. Davis answered yes, because they can go to a smaller truck and use the mobile unit. He explained right now they are using a 2000 truck and it is bound to break down soon. Mrs. Griffith reported Mr. Davis does have an aging fleet. She stated the truck they are paying off is 5 years old and is heading toward a major expense in the near future. She said this is unfortunate because they are making the final payment on it but that is the reality of it with Hurricane Michael and the amount of debris the trucks pick up. Chairman Lockley questioned if Mr. Davis is getting any of his money back from FEMA. Mrs. Griffith said she talked with Mrs. Jennifer Daniels, Emergency Management Department, and the money has not come in yet. She explained they are not sure of the amount but anticipate maybe \$100,000-\$150,000. She stated they might be able to use these funds to purchase another knuckle boom truck. Chairman Lockley stated Mr. Davis recommends they suspend recycling. Commissioner Boldt inquired if they will suspend recycling pickup countywide. Mr. Davis answered yes. Commissioner Boldt explained this is not the termination and Mr. Davis has published an amnesty schedule for 2 years as a backup and they will look at mobile recycling next year when they address the budget. He stated the public needs to understand that this is not over and

they just need to stand-by due to the current circumstances. Mr. Pierce said he is a supporter of recycling but he understands the position the county is in because the market is not there and they are stockpiling recyclables and cannot sell them. Commissioner Boldt reported the public needs to know they are not terminating recycling but the market is depressed and the truck is impaired. He stated they have a plan going forward for mobile recycling. Chairman Lockley said the county cannot keep taking the loss. **Commissioner Jones made a motion to approve the request of Mr. Fonda Davis to suspend recycling until the market comes back.** Commissioner Boldt questioned if they are just saying suspend with the possibility of opening recycling back up. Mr. Moron clarified they did not say they were terminating recycling. He said they are asking to suspend so they can look at the program and equipment. Commissioner Boldt asked if they can say temporarily suspend. **Commissioner Jones amended his motion to include the word temporarily. Commissioner Boldt seconded the motion. Motion carried 5-0.**

Mr. Moron presented the following item from his report:

27. Light Poles & Scoreboard: Mr. Fonda Davis (Parks and Rec Director) has reached out to Mrs. Traci Yoder (Superintendent of Schools) about the possible use of the light poles and scoreboard at the old Apalachicola High School (AHS) fields. Mrs. Yoder explained that the AHS field property is now under contract with Denton Cove. If the Board is interested a formal written request, which should include pictures, a plan stating how and when the lights would be removed and how would the property be restored as far as filling holes and any other disturbance, from the County to Denton Cove is needed. If the Board interested in proceeding with this request it would require the efforts of Mr. Davis and Attorney Shuler conferring.

Request: Board discussion and possible action on a request to Denton Cove for the light poles and scoreboard at the Apalachicola High School fields.

Mr. Moron explained they are asking for a letter to Denton Cove's attorney stating all these items. He reported Mr. Mike Cates, Cates Electrical, said the poles are in excellent condition and could serve the county well. He explained they will need a crane to move and set the poles the same day. Commissioner Parrish asked where the poles are going. Mr. Moron responded they are going to the soccer field. Mr. Moron asked about the scoreboard. Mr. Davis said they can use the score board at any of the fields. Chairman Lockley questioned the number of poles they are talking about. Mr. Davis replied 5 poles. He explained these are concrete poles with sleeves over them. Commissioner Boldt asked if there is a cost benefit and if they are still money ahead moving the poles. Mr. Moron answered yes, the county will not have to buy new poles. Commissioner Boldt asked if the scoreboard is also working and functional. Mr. Davis said they would need an electrician to check out the scoreboard. Mr. Moron reported one of the local electricians said if they can get the poles it will be good for the county. **On motion by Commissioner Massey, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to send a request to Denton Cove for the light poles and scoreboard at the Apalachicola High School fields.** Commissioner Jones said he has had this discussion with Superintendent Moses for a year. **On motion by Commissioner Jones,**

seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to ask the School Board and do whatever they need to do to get the scoreboard from the old Carrabelle Field and move it to Kendrick Park so they have a football scoreboard at the football field instead of a baseball scoreboard.

Mr. Davis stated they have started work on the basketball court at St. George Island.

Chairman Lockley asked if there is anything else on the Denton Cove property that they can use. Mr. Davis stated that is all that is left on the property that the county can use. Chairman Lockley asked about the Carrabelle property. Mr. Davis reported there is nothing else on that property either. He said there is only the scoreboard on the property at Carrabelle and the poles on the property in Apalachicola. Commissioner Boldt asked Mr. Davis to have the EMT's stage one of their ambulances as time permits at these public events so they can be readily available. Mr. Davis answered yes. Commissioner Jones clarified they can do that but there is no possible way they can be at all 3 parks at one time because the county only has 3 ambulances on the road.

Information Items:

Right of Way Debris Pickup/Recycle Material Hauled

Emergency Management Director – Pam Brownell

Mrs. Brownell said she has no action items. The Board did not have any items for Mrs. Brownell.

5. Report

Action Items:

None

Information Items:

EOC Staff worked on updating the LMS (Local Mitigation Strategy).

FCEM Staff attended FEPA Conference and Training in Daytona on February 3-7 where Tress Dameron was pinned with her FPEM Certification and Jennifer Daniels was voted into the Certification Commission and elected as Region 2 alternate Area Governor.

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.

FCEM has gone out for bids for the Architectural and Engineering Planning and Design Services.

FEMA Projects worksheet is attached (agenda packet) of all projects

Extension Office Director – Erik Lovestrand

Mr. Lovestrand said he does not have anything in addition to his report. Commissioner Boldt asked about the new facility. Mr. Lovestrand responded they are working on getting the phone and internet connected but all of their office items have been moved to the building. He reported he is working from the new building but the Office Manager is still at the Courthouse where she has a computer and telephone. Mr. Lovestrand said he has a contract with Mediacom and as soon as the connection is in they can install the telephones because it will be a voice over internet phone system through the University of Florida's (UF) zoom package.

6. Report

Action Items:

None

Information Items:

County Extension Activities February 5 – February 18, 2020

General Extension Activities:

- Extension office assisted clientele with issues related to citrus health, soil samples, poultry pests, fruit trees in the landscape and more.
- Work continues on readying the new Extension Office location for a public opening.

Sea Grant Extension:

- Extension Director participated in conference call with ACF Stakeholders (Apalachicola Caucus) call regarding planning for hosting the upcoming ACFS Governing Board meeting in Eastpoint/Apalachicola on March 2-3.
- Extension Director working with Bay and Gulf County CEDs to submit proposal for Hurricane Michael marine debris cleanup.

4-H Youth Development:

- Extension Director and local 4-H youth participated in the quarterly District III Council meeting in Wakulla County. Planning is underway for the District Teen Retreat that will be held at Camp Timpooshee.
- The Extension office hosted the County contest for the Tropicana Public Speaking Competition at the new office location. Winners from the 4/5 grade and 6th grade divisions will move on to the District contest which will be held at the Wakulla County Extension office on April 25.

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.

Horticulture/Agricultures:

- Extension Director visited the Wildflower garden area at the Apalachicola Reserve to serve as an expert on a grant application for funding to do more work.

TDC Administrator – John Solomon – Report

Mr. Solomon said he does not have any action items but did provide informational items. Commissioner Jones asked Mr. Solomon to explain about the meeting in April because some people may want to attend. Mr. Solomon reported the TDC Board voted to cancel their April meeting because it falls on the same day of the Visit Florida Adventure Tourism Conference in Apalachicola. He explained they did this so the TDC Board and vendors can attend. He invited the Board to also attend this event. Mr. Solomon said they had someone attend one of these conferences and it was really educational about the new age of tourism. He explained it is what the middle aged individual is interested in and what advertising works for this group. Mr. Solomon reported Franklin County has some of these interests and that is part of the reason why they choose Franklin County for the conference location. Commissioner Boldt asked when and where the conference will be. Mr. Solomon replied April 7th-8th at Fort Coombs Armory. He said the cost is \$25-\$30 to attend and lunch is provided.

7. Report

Collections Report: The November (2019) collections were \$57,067.01 a 35% decrease over November 2018 which is understandable. After the hurricane the month of November was very high and we consider an anomaly. November 2017 collections were \$49,440.74 which was the highest ever collected in the month of November until November 2018's number of \$87,784.31. Using the 2017 collections numbers in true tourism numbers November 2019 was \$7,726.27 a 9% Increase more and we consider it to be the highest collected in tourism collection for the month of November.

Web Site Activity: We had 35,290 web hits in the month of January (2020) an increase of 5% over last January.

Visitor Center Numbers: The Visitor Centers welcomed 2,768 visitors in the month of January.

Meeting Cancellation: The TDC Board voted to cancel the April 2020 meeting so that all TDC Board members and Vendors have the opportunity to attend the Visit Florida Adventure Tourism Conference being held in Apalachicola on April 7th & 8th

Meetings: The next scheduled board meeting is March 11th 2020 @ 2:00pm at the Eastpoint Visitor Center.

Mr. Moron asked the Board to allow Mr. Pierce to present his report at this time. He said Mr. Pierce will also address item #28 on his report. The Board agreed to the change in the Agenda.

RESTORE Coordinator – Alan Pierce – Report

Mr. Pierce provided his report as follows:

Action Item

21. Board Action to sign Grant Agreement with FDOT for \$600K to "Rehabilitate Airfield Pavements." This project will involve sealing as many cracks in the joints on the runways and taxiways as possible. The grant will pay 100% of the costs. Sealing the joints between the concrete slabs is important because it keeps weeds from growing up

and it helps keep the concrete from chipping which is a major issue if props and jets blow bits of concrete and other materials into engines.

On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to sign the Grant Agreement with FDOT for \$600,000 to Rehabilitate Airfield Pavements.

22. Board Action for Mr. Moron to prepare a letter for the Chairman's signature requesting FDOT study CR 370 (Alligator Drive) to re-evaluate the roadway's Functional Classification. The ultimate aim of the study would be to provide FDOT with the justification that Alligator Dive should become part of the Federal Highway Administration (FHWA) aid to highway program. Such a step would mean the road would still be a county road, but the road would be eligible for federal funds under the terms of FHWA. If the FDOT study is accepted by FHWA it would be a big step forward in getting additional funding for Alligator Drive, but it would not mean automatic funding. FHWA would still need to have funds available. FDOT has said that the study will take between 6 months and a year, and the start date will depend on when FDOT gets the study funded.

The pathway to get on the FHWA eligibility list came from the meeting that Commissioner Boldt and I attended in Rep. Shoaf's office back in December.

Mr. Pierce said they are not taking this action to help make this a state road. **On motion by Commissioner Boldt, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to direct Mr. Moron to prepare a letter for the Chairman's signature requesting FDOT study C.R. 370 (Alligator Drive) to re-evaluate the roadway's Functional Classification.** Commissioner Boldt thanked Mr. Pierce and said this adds another layer to help facilitate it. Mr. Pierce said this came from the meeting he and Commissioner Boldt attended in Representative Jason Shoaf's Office in December and he appreciates that FDOT followed through providing guidance on how to help get on the federal list. He reported the county will write the letter to FDOT and then FDOT has to find funding and that will take 6 months to a year so this is not a short term process.

Information Items

23. Alligator Drive Update

A) At the last meeting I reported the County Emergency Management Office received a form from FEMA for the county to sign agreeing to the Hazard Mitigation proposal for Alligator Drive, and the proposal had an error in it regarding the sheetpile. The FEMA form listed the materials to be used as only vinyl for the vertical seawalls, when the plans developed by the county show steel sheetpile on the south side of the road. As I informed the Board I did not sign the form and sent FEMA staff an email explaining the reason. On Monday, Feb. 10, I met with FEMA staff at the county EOC and they acknowledged that FEMA had made the error. On Friday, Feb. 14, I reviewed a revised form and did authorize the County EM Office to sign the form, which now includes steel sheet pile on the south side of the Alligator Drive. The revised form increased the estimated cost of the Mitigation to \$2.5M, an increase of some \$800K over the initial FEMA estimate.

B) I also received notification that the State of Florida was "obligating" PW 228 for some \$2.6M worth of repairs to Alligator Drive. PW 228 is the PW from Hurricane Hermine that I

thought we were “de-obligating.” The issue was clarified on Monday, Feb, 10, when the state informed me that they use the term “obligating” for any action that changes funds. In this case the state was obligating a version of PW 228 that actually de-obligates the funds. The summary of the situation is that the county and the state are on the same page in rolling the \$2.6M of Hurricane Hermine funds into a future Hurricane Michael PW. I am telling the Board this because I had made an incomplete report to APTA at their Saturday meeting, so hopefully this full story will get back to Alligator Point.

24. Inform the Board that Commissioner Jones and I attended a Dept. of Economic Opportunity (DEO) workshop at the Apalachicola Community Center on Feb. 13 regarding the state’s plan for spending \$735M of CDBG Disaster Recovery (DR) funds that will come to Florida because of Hurricane Michael. The state is the early stages of drafting their plan. The plan will have to be approved by the federal HUD Agency before the funds will be sent to the state. The state will be the administrator of the funds, but Franklin County would be eligible to compete for some of the funds. Based upon the meeting, I would estimate the window for applying for funds will not actually open until fall, 2020.

Just like with other CDBG programs I believe it is going to be in the county’s best interest to hire a CDBG grant writer and administrator. While Ms. Belcher has been utilized by the county on many occasions, because this is a special CDBG program if the county wants to utilize a grant writer and administrator it will need to advertise and select one specifically for CDBG DR Programs. Board discussion.

Mr. Pierce said he is not ready to advertise as they need more guidance from the state on what their interest is.

At this time DEO did not think the state would be reserving any minimum amount for each county, so Franklin County would be competing against projects in other hurricane impacted counties, such as Bay and Gulf. Further, whatever the county applies for must have some connection to damage associated with Hurricane Michael, and must serve some portion of low and moderate income households.

Mr. Pierce reported the big battle will be housing because Bay County and Gulf County need housing. He explained they are not allocating a certain amount for each county so Franklin County is not guaranteed any money. He said this money will also have to serve low to moderate income households and he does not know if they have that many low and moderate income households damaged by Hurricane Michael. He stated they need to know the rules before they seek this money. He reported the money received has to be associated with Hurricane Michael damage and cannot be for an unrelated program.

Commissioner Jones asked about applying to build a new EOC, and the answer was EOCs were not an eligible expense.

Chairman Lockley asked if the Governor also provided some money. Commissioner Jones said this is that money. Mr. Pierce clarified the Governor announced this money was being received from the federal government. He said the state conducted a meeting here and are going to have some more meetings in different counties to get public input about how best to utilize the money. Mr. Pierce explained this will include all the counties that were impacted by Hurricane

Michael including inland counties. Chairman Lockley stated if they do not award the small counties some money then they are not going to receive any money. Mr. Pierce agreed he was hoping they would award a certain amount to each county but they didn't. Chairman Lockley reported the big counties will get all the money and the little counties will go without and it is wrong but that is what happens. Mr. Pierce explained they will know more in a couple of weeks when they provide a draft plan.

25. Inform the Board that I received an email from FDEM that said the county should expect the \$226K of FDEM funds requested for Weems Hospital should be received by the county by the end of the month.

Mr. Pierce read the following item from Mr. Moron's report:

28. AP Multi-Use Path Survey: Before construction can begin on the Alligator Point Multi-Use Path the County needs to apply for a permit to build seaward of the Coastal Construction Control Line. The application requirements include a survey of the Gulf shoreline along the length of the pathway, which will cost up to \$12,000. This survey cannot be paid for out of the grant funds; therefore it will be paid from professional services budget.

Request: Board discussion and possible action to authorize the required survey at a cost of \$12,000 that will be paid from professional services budget.

Mr. Pierce explained DOT is paying for all the design and construction costs. He reported the permit is not part of their fee. He said this path has already been designed and the first phase is going from the marina to the old KOA. Mr. Pierce explained most of this is south of the Coastal Construction Line so DEP requires a permit. He reported the county needs to spend \$12,000 to benefit several hundred thousand dollars of DOT money that is already allocated for this project. **On motion by Commissioner Boldt, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to authorize the required survey at a cost of \$12,000 to be paid from the professional services budget.** Mr. Pierce reported this bike path is part of the Capital of the Sea Bike Path. He explained the St. Marks Trail has been built for a number of years and they are extending the paths in Wakulla County and ultimately it will go to Carrabelle. He explained this will be a spur off that trail to Alligator Point and ultimately Alligator Point will have a bike path all the way to Highway 319. Mr. Pierce stated this is all being paid with state and federal dollars. Commissioner Jones reported ultimately the path will go through Pensacola to Alabama.

The meeting recessed at 9:58 a.m.

The meeting reconvened at 10:11 a.m.

Board of Adjustment – Amy Ham-Kelly – Report

Mrs. Ham-Kelly read the following report:

8. Consideration of a request to construct a 1,628 square foot house 13 feet into the Critical Habitat Zone on property described as Lots 7, 8 & 9, Unrecorded Pine Log Creek Subdivision, 130 Pine Log Drive, lying in Section 22, Township 6 South, Range 4 West, Carrabelle, Franklin County, Florida. Request submitted by Charles Oxendine, agent for Deborah Clifford, applicant. (This item was tabled at the December 2019 BOA Meeting and has resubmitted the same site plan)

BOA Recommendation: (2/2 Vote) Motion to Approve- Motion Died

BCC Request- Motion to Approve, Table or Deny.

Mrs. Ham-Kelly explained according to an August, 2002 policy if you request a variance into the critical habitat zone (CHZ) then they are limited to a 1,000 sq. ft. footprint of anything that has a roof over it. She stated this proposed house has more than a 1,000 sq. ft. of roof so because of the policy they are asking for the request to be denied. **On motion by Commissioner Parrish, seconded by Commissioner Boldt, and by the following vote of the Board present, it was agreed to deny this request:**

AYE: PARRISH, BOLDT, LOCKLEY, JONES

NAY: MASSEY

Attorney Shuler said one of the issues is the application should not have been processed by the Planning & Zoning staff. He stated he has talked with Mrs. Ham-Kelly about this request. He requested the Board direct the Planning & Zoning staff not to accept and process applications that are inconsistent with prior established Board policies. He explained the roofed over area for a variance requested into the CHZ is 1,000 square ft. and the applicants should not be submitting applications that are inconsistent with that policy. **Commissioner Parrish made a motion directing the Planning & Zoning Department not to accept or process applications that are inconsistent with prior established Board policies.** Commissioner Parrish stated this policy has been in place for a long time and if they can show a hardship then the county will allow 1,000 sq. ft. He explained this should have been relayed to the person representing the applicant before it got this far. He reported this request should never have gone to the Board of Adjustment and it is in direct conflict with county policy. **Commissioner Parrish made a motion that if anything like this ever happens again if it is over 1,000 sq. ft. it not come to this Board based on present county policy. Commissioner Jones seconded the motion.**

Commissioner Jones asked if the 1,600 sq. ft. they denied is living space or just the roof line. Mrs. Ham-Kelly answered the roof line. She stated they had several discussions about the policy before this request went to the Board of Adjustment so the individuals involved were aware of the situation. Chairman Lockley reported the Board has policies and procedures and that is what they follow. Commissioner Boldt stated it is important that the public knows when they plan on building in Franklin County they along with their real estate agent should come to the Planning & Building Department to learn the rules and guidelines on the property they are planning to build on. Mr. Charles Oxendine, Oxendine Construction, explained the applicant bought 3.34 acres that had 3 mobile homes and 3 permitted septic tanks. He reported he has a letter from the state that the septic tanks can be used and the applicant combined the lots and

his understanding is if they do not put a roof on the structure they can do this. He said if there is a problem with the runoff they can gutter the house and run the water into a septic tank because they have 2 extra ones they do not need. He reported when this policy went into effect houses did not have to be 20 ft. in the air. Mr. Oxendine said if the reason is ecological they should know the sun and wind can still go under the house. He stated the house is only 13 ft. into the CHZ which is not the high water area. He said they have tried to reconfigure the house and Mrs. Ham-Kelly has been very helpful. Mr. Oxendine reported if there has ever been a hardship case this is it. Commissioner Boldt stated he thinks of standard operating procedure and quality control and something the people can depend on. He reported they have many standards from state and federal agencies and it is not okay to disregard these standards. He explained when the county is applying for grants now and in the future they are able to say Franklin County adheres to a quality assurance standard of practice. **Motion carried; 5-0.**

9. Consideration of a request to extend an existing seawall an additional 33 feet towards the east and 28 feet into the Critical Habitat Zone on property described as Lot 17, Block U, Lanark Beach, Unit 1, 2284 US Highway 98 East, Lanark, Franklin County, Florida. Request submitted by Pamela Brown.

BOA Action: Unanimous Vote in favor.

BCC Request: Approve, Table or Deny

Mrs. Ham-Kelly said the county received a letter from the adjoining property owner stating they have concerns about the seawall eroding their property but they did not state they were in total opposition to it. Chairman Lockley reported the Board of Adjustment voted in favor of this request. Mrs. Ham-Kelly answered yes. Commissioner Boldt said they are moving 28 ft. into the CHZ again and it is breaching a standard of practice. **Commissioner Boldt made a motion to deny this request. The motion failed for lack of a second.** Commissioner Parrish asked if this is something they typically do. Mrs. Ham-Kelly answered yes, and said this is rock. Commissioner Parrish said he understands the concern of the adjoining property owner because typically when they construct a seawall it does erode at both ends. He explained unlike the previous situation there is no county policy on the extension or building a sea wall because they are two different things. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by the following vote of the Board present, it was agreed to approve this request:**

AYE: PARRISH, JONES, LOCKLEY, MASSEY

NAY: BOLDT

Planning and Zoning – Amy Ham-Kelly – Report

Mrs. Ham-Kelly reported the following report:

10. Consideration of a request to construct a Single Family Private Dock located at Lot 5, Alligator Harbor Un-Recorded, 143 Harbor Circle, Alligator Point, Franklin County, Florida. The dock will be 210' x 4' with a 13' x 28' covered boatlift and a 3.5' x 13' terminus. The applicant has all state and federal permits. Request submitted by Larry Joe Colson, agent for Alan and Karen Davis, applicants. (Existing House)
PZ Recommendation: (Unanimous) Recommended approval.
BCC Action: Approve, Table or Deny

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

11. Consideration of a request to construct a Single Family Private Dock located at Lot 11, Block 5, Carrabelle River Subdivision, 309 River Road, Carrabelle, Franklin County, Florida. The dock walkway will be 6' x 4' with a 3' x 18' finger pier, and (2) 3' x 35' finger piers and a 12' x 32' covered boatlift. Applicant has State Permits and will be contingent upon receiving the Federal permit. Request submitted by Garlick Environmental Associates, agent for Jimmy Maige, applicant. (Existing House)
PZ Recommendation: (Unanimous) Recommendation to approve the dock with the submittal of a professional survey showing the riparian lines not being crossed since the proposed dock is within 25 feet of the riparian line and obtaining the Army Corps permit. (applicant has supplied a letter authorizing the 13 foot distance from riparian line)
BCC Action: Approve, Table or Deny

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

12. Consideration of a request to construct a Single Family Private Dock located at Lot 8, Block 65, Unit 5, 709 Randolph Street, St George Island, Franklin County, Florida. The dock walkway will be 15' x 5' and have a 60' x 10' parallel dock. The applicant has the DEP Self Certification. Request submitted by Lee Chapin, applicant. (Proposed Site Plan- No House. This is an after the fact request, dock is already been constructed.)
PZ Recommendation: (4/1 Vote) Recommend approval contingent upon applying for a DEP Exemption and obtaining the Federal Permit.
BCC Action: Approve, Table or Deny

Commissioner Parrish asked how this happened when everyone knows you must have a permit to build a dock. Mrs. Ham-Kelly stated they received a complaint and then the applicant contacted them for power and they told him they had a complaint and could not issue a power pole permit. She reported the applicant was told he must apply for a DEP permit and he brought that in with a survey showing he did not cross over the riparian lines. She stated he is 8 ft. over the canal so he does not exceed the 25% requirement. Mrs. Ham-Kelly explained the self-certification is the first step in starting the process and she contacted DEP and they said it was basically good faith that they will build what they say they will build but since it is after the fact DEP will require them to apply for an exemption. She reported the Corp of Engineers (COE) will not automatically issue a permit so they will have to apply for a COE permit. Mrs. Ham-Kelly reported he will have to complete these steps before the county will issue a permit.

Commissioner Jones asked what is next if they have trouble obtaining these permits. Mrs. Ham-Kelly explained DEP and the COE have their own teams so if the permits are not approved more than likely he would have to remove the dock. Commissioner Jones asked if this matter would still come back to the Board. Mrs. Ham-Kelly replied it is a possibility. Commissioner Parrish reported if the county approves it then he could tell the DEP and COE that the county approve the request when he did not come to the county before he built the dock. Commissioner Boldt stated the process is backwards. Commissioner Parrish agreed the applicant could use the county permit as supporting documentation when he applies to DEP and the COE. Commissioner Boldt questioned if they should table this request for further action on the part of the applicant. He explained the county does not want to approve the request with the inference that they are affirming this until DEP comes in with their standards. Mrs. Ham-Kelly stated she can contact the applicant and let him know he must be approved for the exemption and COE permit first before he comes back for final approval. She explained this will also be a double permit fee because it is after the fact. Commissioner Parrish said he is going to make a motion for the applicant to come back with the DEP and COE permits and questioned if that is the current process they use or if approval is contingent. Mrs. Ham-Kelly agreed normally they come in before they start building. She explained if the Board approves the request today it would be contingent on these items. She reported if the Board wants to table this request and require him to bring the exemption and COE permit that would be fine. Attorney Shuler suggested tabling this item. He said the in the past the county did not give local permits until all other permits were obtained but the Legislature took that authority away a long time ago. He stated the county does have the authority to table this matter for more information and come back at a later date. He said they will probably not be able to condition the local permit on first receiving the state and federal permit because the law was changed. Commissioner Jones questioned if the motion is to table. Commissioner Parrish said he did not make a motion. He stated they used to issue permits contingent upon DEP and COE permits but in this case when the dock is already built he is in favor of tabling the request.

Commissioner Jones made a motion to table this request. Commissioner Parrish seconded the motion. Chairman Lockley reported there is a process and they have to set this in stone because people cannot just do things. Attorney Shuler stated he would like to know who built the dock. Mrs. Ham-Kelly agreed to provide this information. She explained these items are contingent because they cannot hold up the process but they do hold the local permit until they have the other items. **Motion carried; 5-0.**

13. Consideration of a request to construct a Single Family Private Dock located at Lot 3, Block 62, Unit 5, 331 Land Street, St. George Island, Franklin County, Florida. The dock walkway will be 5' x 20', with a 4' x 33' finger pier with (2) 4' x 28' finger piers and a 8' x 35' finger pier and (1) 13' x 28' covered boatlift and (1) 13' x 28' un-covered boatlift. The applicant has the DEP Exemption. Request submitted by Alan Anderson, applicant. (Has site plan for proposed house)

PZ Recommendation: (Unanimous) Recommend approval contingent upon Federal Permit.

BCC Action: Approve, Table or Deny

Commissioner Jones asked if this is in the bay. Mrs. Ham-Kelly answered it is in a canal. **On motion by Commissioner Jones, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to approve this request.**

Building Department - Amy Ham-Kelly – Report

14. 2020 Building Permit Fee and Fine Schedule

Mrs. Ham-Kelly stated they have been requested to review their permitting fee and fine schedule and she presented a narrative concerning the proposal so the public would understand the new schedule.

Chairman Lockley questioned if there is a special time for the public hearings. Attorney Shuler explained they can stop and go on to the public hearings or allow Mrs. Ham-Kelly to finish her report and then go to the public hearings.

Mrs. Ham-Kelly read the narrative for the Board. She requested the Board adopt the Resolution setting the 2020 Building Permit Fee and Fine Schedule. Chairman Lockley explained the goal is to have these departments be self-sufficient. **On motion by Commissioner Boldt, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to adopt the Resolution adopting the 2020 Building Permit Fee and Fine Schedule.** Commissioner Boldt stated the Board by this action began to save taxpayers money by having people that use services pay for these services and they do not take it away from tax money.

Public Hearings

At this time the Board conducted a public hearing. Mrs. Ham-Kelly read the request, as follows:

15. Consideration of a request for a Land Use change of 1.23 acres from Residential to Commercial on property lying in Section 2, Township 9 South, Range 8 West and Section 35, Township 8 South, Range 8 West, Apalachicola, Franklin County, Florida. Request submitted by Charles and Faye Thompson, applicant.
Board Action: Approve, Table or Deny

Chairman Lockley asked for public comment. There was no public comment. Attorney Shuler requested Mrs. Ham-Kelly read the caption of the Ordinance. Mrs. Ham-Kelly read the caption of the Ordinance addressing the land use change. Chairman Lockley asked for public comment. There was no public comment. Commissioner Boldt asked how this property shows on the map relative to residential around it. Mrs. Ham-Kelly presented a land use map and identified the land use on the surrounding properties. Commissioner Parrish explained this is a rental storage facility that has been here for a long time and has been under home industry and the owner is ready to sell the property. He inquired if they have received any comments from the adjoining property owners. Mrs. Ham-Kelly replied they have received no opposition, comments or telephone calls. Commissioner Parrish stated the owners are interested in selling and they are not really changing the property as the use has already been there. He said the facility was

built over 20 years ago. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to adopt the Ordinance changing the land use on this property.**

16. Consideration of a request to Re-Zone 1.23 acres from R-4 Single Family Home Industry to C-2 Commercial Business on property lying in Section 2, Township 9 South, Range 8 West and Section 35, Township 8 South, Range 8 West, Apalachicola, Franklin County, Florida. Request submitted by Charles and Faye Thompson, applicant.

Board Action: Approve, Table or Deny

Mrs. Ham-Kelly read the caption of the Ordinance addressing the rezoning of the property. Chairman Lockley asked for public comment. There was no public comment. **On motion by Commissioner Parrish, seconded by Commissioner Jones, and by unanimous vote of the Board present, it was agreed to adopt the Ordinance rezoning the property.**

The Board conducted a public hearing. Mrs. Ham-Kelly read the following request:

17. Consideration of a request for Re-Zoning of a 22.77 from R-1A Single Family Subdivision to R-1 Single Family Residential on property lying in Section 35, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida. Request submitted by Dan Garlick, Garlick Environmental Associates, agent for Williams Simmons, applicant.

Board Action: Approve, Table or Deny

Commissioner Massey asked if they have received any calls about this request. Mrs. Ham-Kelly answered she has not received any telephone calls or emails. Chairman Lockley asked for public comment. There was no public comment. **On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to adopt the Ordinance rezoning the property.**

18. Consideration of a request for a Land Use change from Residential to Commercial of a 5.88 acre parcel lying in Section 7, Township 7 South, Range 3 West, Lanark, Franklin County, Florida. Request submitted by Clayton Studstill, agent for Timothy Saunders and Christina Saunders, applicant.

Board Action: Approve, Table or Deny

Commissioner Parrish left the meeting. Mrs. Ham-Kelly read the caption of the Ordinance changing the land use and the caption of the Ordinance rezoning the property. Chairman Lockley asked for public comment. Mr. Studstill stated they have requested this be conducted as a quasi-judicial hearing and there is a court reporter present. He reported Attorney Chris West and Mr. Mark Davis would also like to present in addition to a planner and engineer. Attorney Shuler explained typically the Board would take public comment at the beginning before testimony and the presentation from the applicant. He stated he has talked with Mr. Mark Curenton, County Planner, and the county is present to respond to questions from the Board and the public. He reported the county does not have a presentation. Attorney Shuler

asked how the Board would like to proceed. Chairman Lockley said they should start with public comment. Attorney Shuler agreed that would be his recommendation. Chairman Lockley asked for public comment.

Mr. Mike McLoad, a resident of Lanark Village, said he has appeared before the Board and written to the Board before and he presented a handout to the Board. He stated he is totally against this land use change. He stated the change is user driven and represents defacto spot zoning and a spot land use change for a user. He explained the user proposed for this property is 5 miles away from a brand new store. Mr. McLoad referenced a photograph in his handout that showed the condition of the present store last Saturday. He reported this will open up zoning creep from Putnal Road east to the St. James Subdivision and this is what tourists will see when they enter the county from the east. He explained east Franklin County is the most pristine part of the county and they are about to trash it. Mr. McLoad questioned what will be done with the excess property that is not under site plan approval for the Dollar General Store. He stated the fix is in anyway but if they are willing to restrict it and say this rezoning and land use is just for this user that might be something they would look at.

Mr. Mark Hopkins, property owner at 2626 Highway 98 East, Carrabelle, said his property is right across the street from the property in this request. He reported their house has been there since 2003 and they are against this request. He explained they have gone before the Planning & Zoning Commission and they did not recommend approval of this proposal. He said the developer testified that corporate officers selected this area. Mr. Hopkins stated they did not consider adjacent property owners. He explained they did not know that there is a neighborhood there that the property owners are trying to protect. Mr. Hopkins discussed the parameters used to select this site. He stated it is easy to predict if this proposal for a land use change is voted for by the Commissioners Dollar General is not the only issue. He explained as a landowner he is worried about what comes later such as an RV park or other high density land users. Mr. Hopkins reported they will have a strip mall after 5-10 years along Highway 98 if they approve it. He stated he hopes the Board will join with their neighborhood in being against this request.

Mrs. Tonya Putnal, a resident of Lanark Village, said she is here on behalf of her husband Jeremy and their children. She explained they own the property at Putnal Lanark Station and she has resided there for 20 years and her husband has been there for 43 years. Mrs. Putnal reported they do not want any commercial development in Gulf Terrace or St. James. She stated the people in these areas do not want any commercial development in their community either. Mrs. Putnal said they would like to continue to keep their peace, tranquility and the patina that scenic Highway 98 currently holds. She asked the Board to honor their wishes and keep their community as peaceful as they can.

Mr. Greg Broughton, a resident of Carrabelle, said they moved here and did their due diligence and did not know about Dollar General coming in. He reported they just retired to come here and he asked if they would like a Dollar General next to their home or do they want

peacefulness. He reported this should be up to the residents to make the decision because they live there. He discussed the noise pollution and said they also have a store 5 miles away. He asked the Board to look at this and think like them when they make the decision.

Ms. Deborah Scanlin, manager of the Lanark Market, stated other local businesses will be hurt by this store. She said other people from businesses and the community would be here but they are working. Ms. Scanlin reported a lot of the information she is presenting was found on the internet. She said she is using the U.S. Government Archives website and Dollar General is owned by KKR Goldman Sachs and China. She explained their number one sources office is in China and they have over 1,000 factories in China. Ms. Scanlin reported the working conditions are bad and the employees are treated badly in the factories. She pointed out there is already a new store close by. She explained at the meeting at St. James Bay they said they counted roof tops to justify the location and the new dollar store also counted those roof tops. Ms. Scanlin said approximately 1/3 of the homes sit open all the time and another 20% are vacation homes so they are not justifying correctly. She stated they will claim to bring jobs and she reviewed what they pay and it is less than their little store pays. Ms. Scanlin explained what it will be like for the neighbors living near a dollar store. She said this is near the flats which is a very sensitive environmental area. She stated they said they would have to raise the elevation 5 ft. to build the store in this location and if they do that there are underwater aquifer and creeks that run there that will be affected by the compression and buildup of the property. Ms. Scanlin listed the wildlife that is present and said some of that will be lost. She reported they know what affect building can have on the natural environment there.

Mr. Bill Mickler, a resident at 2606 Highway 98 east, said his property is across the street from the subject property. He reported their neighborhood is very pristine and peaceful and full of wildlife. He said they are 5 miles away from town and go into town and shop. Mr. Mickler said they have existed this long in Gulf Terrace/Lanark Village without the existence of commercial property in their neighborhood. Mr. Mickler stated commercial property is only being proposed because there was a commercial spot not deliberately or through this process that was grandfathered. He explained that property has not operated as a commercial establishment and there are no plans that he knows of to resume commercial operations on that site in the near future. Mr. Mickler said he has collected signatures and given them to Mrs. Ham-Kelly. He explained there are signatures of people that have signed petitions and letters in protest. He reported there are some people for this proposal. Mr. Mickler stated they are here without an attorney because they could not obtain all the files for this request. He reported they are a neighborhood and have a gulf side and inland properties. Mr. Mickler said this meets the definition in his mind of spot zoning because they are putting a commercial zone in a neighborhood. He reported they would not have bought property here if the Dollar General had been there. Mr. Mickler stated they will need to go to the Board of Adjustment because their property will be devalued. He explained taxes may be gained in a commercial district but offset because they expect they will not get what they have put into their home for the purchase and repairs from the hurricane.

Mr. George Baldwin, a resident of 134 Craig Street, said he owns an adjacent property. He explained when he came here to purchase property he looked at the county planning documents and they told him it was a homeowner's kind of place and he would like them to keep it that way. He asked the Board not to change the current zoning because it impacts people who looked at the zoning, made a choice to purchase and depended on the county's good faith to maintain that environment. He requested the Board deny this change.

Attorney Shuler said ordinarily they would have an organized group sometimes represented by an attorney or one person but he is not aware of anyone in this situation presenting data and analysis to the Board in opposition. He reported the applicant has some experts that they want to provide information, data and analysis to the Board and now is that time. He said the county's policy is not to take sworn testimony during the quasi-judicial hearings. He went on to say public comment is unsworn and the data and analysis coming from the applicant's experts will also be unsworn. Attorney Shuler stated they have 20 minutes to present. Mrs. Saunders said since they moved to the area in 1985 they have seen many changes and noticed the decline of businesses in the area. She provided a list of businesses that have closed or are gone starting from the east working west. She reported they are asking to change the zoning from residential to commercial so the proposed building Dollar General can provide jobs in the community and support the citizens in the eastern part of the community. She explained the property west of their property is commercial so she would not consider this spot zoning. She said they own 1½ acres across from the proposed Dollar General Store in the area. She reported this business will provide a good tax base and revenue for Carrabelle's water department. Mrs. Saunders stated it will be beneficial to have the proposed Dollar General Store in the area. She said 11 businesses that were commercial on Highway 98 have never been replaced and it is time to see a commercial business come in to replace what they have lost. Mr. Chris West, Teramore Development, Thomasville, stated they have worked to determine what the code is, meet the code, and meet with residents to see if they can have a project that meets their concerns and fulfills the needs of the shoppers in the area. He reported the project will provide 10 jobs and 4 will be full time jobs. He explained that might not affect people that are retired but it is important to someone that needs a job. He discussed the rights of not on the citizens but also Mrs. Saunders as a property owner. Mr. West said the Board has determined the code and if they meet the code then they have the opportunity to exercise their rights with their property. Mr. West stated they mentioned that this is a neighborhood but he reminded the Board that Highway 98 is very business highway. He reported according to FDOT records in front of their site a little over 3,400 vehicles a day cross Highway 98. He said the existing zoning on the property adjacent to them is commercial. He presented a photograph of what their property looks like now. Mr. West said what they are proposing is to build about a \$1 million investment. He stated certain upgrades were made to the building including lights facing downward and shutters. Mr. West reported they are expending dollars to be a good neighbor. He explained as a benefit to the county the project will drive extensive tax benefits and will provide services throughout the county. He said a store this size should generate about \$8,000 a year in taxable revenue and that does not include the increase in ad valorem taxes. Mr. Mark Davis, an attorney with Clark Partington,

introduced Ms. Alara Mills Gutcher, planner, and said they are going to tender her as an expert. He said he has tendered her resume and she has testified as an expert before multiple County and City Commissions regarding land use. Mr. Davis asked Attorney Shuler to recommend Chairman Lockley accept her as an expert. Ms. Gutcher offered to go over her credentials for the record. Attorney Shuler agreed she should provide this information. Ms. Gutcher provided her credentials for the Board. Attorney Shuler reported Ms. Mills also works for Mr. David Theriaque outside counsel for the county. Ms. Gutcher agreed and asked the Board to accept her as an expert witness. Attorney Shuler recommended the Board accept Ms. Gutcher as an expert witness. Chairman Lockley accepted Ms. Gutcher as an expert witness. Ms. Gutcher said in their packets is an analysis she submitted for the future land use and zoning change requested for this parcel. She reviewed this report for the Board. Mr. Davis asked if her opinion is the requested zoning and comprehensive plan change meets all the requirements of the Franklin County Land Development Code and Comprehensive Plan. Ms. Gutcher stated it does meet the requirements and is consistent with all the policies of the Comprehensive Plan and the Zoning Code. He questioned whether the proposal is spot zoning. Ms. Gutcher answered no, primarily because there is commercial property on the map already to the west of the subject parcel. She explained spot zoning also has to do with compatibility which she discussed in her presentation. Mr. Davis asked if it meets the statutory definition for compatibility. Ms. Gutcher responded yes. Mr. Davis inquired in both the land use and the comprehensive plan. Ms. Gutcher replied yes, and the plan for development. Mr. Davis explained there is no Franklin County definition of compatibility in the Land Development Code in Franklin County. Ms. Gutcher reported there is not one in the Comprehensive Plan or the Zoning Code. Mr. Davis clarified they had to rely on the statutory definition. Ms. Gutcher answered yes. Mr. Davis reported their engineer is also present. Mr. Joseph Alday, Alday Howell Engineering, Marianna, said since 2006 his company has been doing the Dollar General projects. He stated they met with DOT and at a pre-submittal meeting they received conceptual approval for a driveway connection. He reported GeoTech Engineers have already been on the property and done soil borings and the material is suitable for the development of a Dollar General Store. He said they have also had a biologist do wetlands and look for endangered species and the only thing that was discovered was the ditch on the west side of the property as Ms. Gutcher mentioned. Mr. Davis asked Mr. Alday to provide his educational background and license. Mr. Alday presented his educational background and license. Mr. Davis stated Mr. Alday looked at the stormwater runoff issues because there were some concerns about this site polluting the waterways or wetlands and asked if he had any concerns. Mr. Alday replied no, especially with the size of the site. He explained they will be able to meet the water quality and quantity rate control requirements of the state and local requirements. Mr. Davis asked if the stormwater requirements will be met for this project. Mr. Alday replied yes. Mr. Davis requested the Commission accept Mr. Alday as an expert. Attorney Shuler stated that is appropriate. Chairman Lockley accepted Mr. Alday as an expert. Mr. Davis said they have done projects for these individuals in various parts of Northwest Florida and people that support these projects never show up at the meetings. He stated these people are good citizens and neighbors and work to mitigate concerns. Mr. Davis reported Mr. West has done that with design of the building. He said in quasi-judicial hearings the most important thing

they heard today is the experts' opinions that this proposed project and change in the land use and comprehensive plan meets the requirements of the code and the comprehensive code and that is the determination they should make and if they make that determination then they should approve the land use change and the comprehensive plan change. Attorney Shuler said that concludes the applicant's presentation and Mr. Curenton does not have anything to add to the presentation. He reported the recommendation is not coming from staff. Attorney Shuler explained now is the time if the Board has any questions of the applicant or of Mr. Curenton. He stated if there are no questions then they can discussion this matter or ask him questions. Commissioner Boldt reported on Page 6 of 24 they reference the ditch is on the eastern side and it is not it is on the eastern side. He explained this ditch is located next to the Putnal Market property and that site was involved with petroleum products as part of a commercial business and he is worried if petroleum has seeped from the site into the water in the ditch and if the property is polluted since the ditch was reported in the wrong location. Mr. West reported they did environmental studies on the front end and they got a clean report that there site was clear of environmental contaminants. Commissioner Boldt asked if they are speaking of geotechnical soil and dirt studies. Mr. West answered yes and petroleum is also included in the contaminants they look for. Commissioner Boldt questioned if they sampled the area that borders the Putnal property. Mr. West was not sure where the samples were taken but explained they have a report certifying the entire property as clean. Commissioner Boldt expressed concern that the surveying company had this report with an error in it. Mr. West reported they would not have had this report but simply done an environmental survey of the entire property. Commissioner Boldt said when he walked on the property it also has a manhole type construction item on the property and questioned if they know what it is. Mr. Alday responded DOT has a storm drain stubbed into that ditch and it is part of their drainage system. Commissioner Boldt inquired if the applicant has done due diligence in working with the Putnal family to procure the existing property that is zoned commercial. Mr. James Lawrence, Teramore Development, explained when they looked at property in this area that parcel was the number 1 property because it is already zoned commercial but the owner was not interested in selling. He explained when they were not interested in selling they moved to the property in question today and they agreed. He reported after looking at the proposed site it made more sense due to the acreage and the question of contamination of the Putnal site. He stated there is a history with the Putnal family and they did approach them in the past. Commissioner Boldt reported he is looking for documentation that they approached the Putnal family and they refused. Mr. Lawrence stated they had a local real estate agent approach the family and they said no. Commissioner Boldt asked if they are here to consider all the property which is 7.4 acres and includes 2.8 acres across the street. He questioned if the 2.8 acres stands alone and will remain residential. Attorney Shuler stated the proposed Ordinances references a 5.88 acre parcel more or less and the maps attached show the parcel is north of Highway 98. Commissioner Boldt asked about traffic studies and said there appears to be no plans for managing traffic in this area. Mr. Alday presented an email from DOT stating turn lanes are not warranted. He explained as part of the pre-submittal meeting with DOT they submit right and left turn lane warrant analysis and DOT confirmed the turn lanes are not warranted. He said they will have a typical driveway connection which is what is needed for

this project. Commissioner Boldt questioned if DOT considered seasonal traffic. Mr. Alday reported DOT has count stations all over the county and also have peaking factors that are applied to the data. Commissioner Boldt stated the parking lot in front of the store shows the headlights facing the residences across the street. He inquired if these can be buffered with a dense hedge. He also expressed concern about how the commercial vehicles serving the Dollar General at the other store were parked on private property east of the store. He asked if they have planned for flows of their trucks. Mr. Lawrence stated they are not the developers on the Carrabelle store. He explained this store will be curb and gutter and the trucks will not encroach on adjacent property. He reported they also have extensive acreage on this site. He explained the driveway is longer as requested by DOT so the trucks will be able to get in easier. He said boat traffic will also be able to access the site. He stated the loading zone is also on the side of the store. Mr. West said they will have their engineers and landscapers work with county staff to make sure they adhere to code and that everything is done appropriately. Mr. Lawrence stated they can address this issue but must make sure they do not hinder the visibility of the store. He reported these items can be addressed during site plan approval when they are moving forward. **Commissioner Jones made a motion to approve.** Attorney Shuler stated procedurally the Board must consider the land use change and then the request for rezoning. **Commissioner Jones amended his motion to approve the land use change. The motion failed for lack of a second. Commissioner Boldt made a motion to deny the land use change. The motion failed for lack of a second.** Commissioner Parrish left the meeting. Commissioner Jones clarified he made the motion to approve the land use change request because in the past Franklin County had a black eye where businesses were concerned and the best place for businesses to be located in the county is adjacent to a state highway system. He explained there are a lot of property owners through the county but there is no way the entire county can be residences only. He reported if they do that then all talk about economic development is a waste of time. Commissioner Jones said all their tax dollars are being spent in Leon County and Bay County and not staying here and that is a fundamental problem. Commissioner Parrish returned to the meeting. Commissioner Jones said they were 30 miles away from no industry with Hurricane Michael. He stated tourism is the only industry the county has and they need to diversify. Commissioner Boldt reported he made a motion to deny because of cascade zoning and creeping zoning. He said he is looking for consistency. Commissioner Boldt reported the shopping destination is west and that is where it was planned and figured. He stated he is trying to avoid different pieces of property and checkboard zoning. He explained he would like to see consistency and compliment what Commissioner Jones said in relation to the economy. Chairman Lockley stated when they move to a place it is not going to stay that way forever. He said people did not buy the land to look at it and they want to develop their land and have a right to. Chairman Lockley reported the property next door is zoned commercial and they are going to turn this applicant down and it is not right. Commissioner Boldt stated the Board had a healthy process regardless of the outcome. He clarified everything went neutral and there is no change and questioned if that is the outcome. Commissioner Parrish explained the Board has to approve or deny the request so it is not done. Commissioner Massey said they are not leaving until they make a decision. Chairman Lockley relinquished the Chair to Vice-Chairman Jones. **Chairman Lockley made a motion to approve the land use change. The motion failed**

for lack of a second. Vice-Chairman Jones asked Attorney Shuler where the Board is procedurally. Attorney Shuler stated there is a third option that has not been discussed. He clarified for the public that the Chairman does have the authority to pass the gavel to the Vice-Chairman and make a motion. He stated the comment that no decision has been made is also correct. Attorney Shuler reported there have been 3 different motions but no seconds. He explained the third option is to table this matter and reschedule a public hearing on this matter at a future date or the Board makes a decision today. He stated the Board must either approve, deny or table. **Chairman Lockley made a motion to table this matter until the next regular meeting.** Attorney Shuler reported they need to table to a specific time but the Board needs to be aware that he always re-advertises the public hearing. He explained if they table until the March 3rd meeting the Board already has 2 other public hearings that day. Attorney Shuler said the first public hearing is for the St. George Island Overlay District and consideration of whether to remove the prohibition on residential uses on the first floor of C-4 zoned properties. He stated the second public hearing is for the Board to consider a prohibition of overnight camping in public parks, boat ramps and places of this nature. Attorney Shuler suggested tabling the public hearing until March 3rd at 1:30 p.m. **Commissioner Parrish seconded the motion.** Mr. Davis asked to move Ms. Gutcher's report into evidence so it will be part of the record. Vice-Chairman Jones agreed to move the record into evidence. Chairman Lockley agreed to table the public hearing until March 3rd at 1:30 p.m. Commissioner Boldt asked if they have a crowded schedule that day. Commissioner Jones agreed they are crowding their schedule but said he is good with 1:30 p.m. Commissioner Boldt said everyone now has a chance to enhance their position. **Motion carried; 5-0.** Mr. McLoad had a question about the process. Attorney Shuler agreed to speak with him during the lunch break.

19. Consideration of a request to Re-Zone a 5.88 acre parcel from R-1 Single Family Residential to C-4 Mixed Use Residential on property lying in Section 7, Township 7 South, Range 3 West, Lanark, Franklin County, Florida. Request submitted by Clayton Studstill, agent for Timothy Saunders and Christina Saunders, applicant.

Board Action: Approve, Table or Deny

CDBG Administrator – Report (Deborah Belcher)

Mrs. Belcher said she has been unable to reach Ms. Hill so she will not address Item #3. She provided the following report:

20. Report

Action Items:

I am continuing to coordinate mobile home purchases for the Eastpoint fire victims.

Bid Approval:

At the January 21, 2020 meeting, the Board approved the application for mobile home replacement for Mary C. and James Alvin Banks, 754 Ridge Road, subject to environmental clearance and final verifications.

We are now ready to proceed. Anticipating potential CDBG projects that were not specifically identified in October 2019, a generic 3 bedroom 2 bathroom mobile home replacement was included in the second CDBG mobile home bid package. We received bids from 3 vendors. Titan Factory Direct/Champion Homes submitted a bid that is considerably higher than the other 2 vendors, Clayton Homes of Panama City and Ironwood Homes of Perry. The Banks selected the Ironwood Homes proposed model, priced at \$70,835.50, which is slightly less than the price of the comparable Clayton model. The generic bids do not include **demolition of the existing home**, which will be added to the initial price. The existing **necessary handicap ramp** and covered porch might be salvageable, but some funds will be required for modifications. **The total price will be approximately \$76,475.**

Requested Action: Approve up to **\$76,475** in CDBG funding for Mary and Alvin Banks for the mobile home replacement contract with Ironwood Homes of Perry, plus up to \$500 for change orders if necessary, and additional funds for the CDBG mortgage recording.

Mrs. Belcher explained they will modify the existing ramp and front porch to go with the new mobile home and that is why the price is higher than the limit. Chairman Lockley asked about Ms. Hill's property. Mrs. Belcher reported they talked about doing an approval for her and Mr. Moron to get a proposal for a 3 bedroom mobile home instead of a 2 bedroom for her and approval to negotiate the contract. She stated the minutes showed that the motion was to get proposals but not for them to approve the contract. Mrs. Belcher said she has been unable to reach her for a few days and her taxes have not been paid so they will delay that request. Chairman Lockley asked if she knew this was coming up. Mrs. Belcher stated she did not know the exact date and she has tried to contact her but her phone is not working. She explained she has not been able to contact her about the taxes but she never asks the Board to approve a request if the taxes have not been paid. Chairman Lockley asked if Ms. Hill knows all this is happening. Mrs. Belcher answered yes. She said she is not asking the Board to approve the third item as she will bring it back another day. **Commissioner Massey made a motion to do the first 2 items on her report and hold off on number 3.** Mr. Moron clarified they are approving Mary and Alvin Banks for \$76,475 and Ms. Mary Thomas in the amount of \$70,835.50 plus \$500 for change orders if required but at this time they are not approving Ms. Hill's request. Chairman Lockley said he is just trying to make sure Ms. Hill is not out of the program. Mr. Moron stated her request is just being delayed. Mrs. Belcher reported they are working on that request. **Chairman Lockley seconded the motion. Motion carried; 5-0.**

Bid Approval:

At the January 21, 2020 meeting, the Board approved the application for mobile home replacement for Mary Thomas, 633/645 Ridge Road, subject to environmental clearance and final verifications. We are now ready to proceed. Anticipating potential CDBG projects that were not specifically identified in October 2019, a generic 3 bedroom 2 bathroom mobile home replacement was included in the second CDBG mobile home bid package. We received bids from 3 vendors. Titan Factory Direct/Champion Homes submitted a bid that is considerably higher than the other 2 vendors, Clayton Homes of Panama City and Ironwood Homes of Perry. **Mrs. Thomas selected the Ironwood home priced at \$70,835.50.**

Requested Action: Approve CDBG funding for Mary Thomas for the mobile home replacement contract of **\$70,835.50**, plus up to \$500 for change orders if required.

Bid Approval:

At the January 21, 2020 meeting, the Board approved getting resubmittals of proposals for Kathy Hill's mobile home replacement, 773 Buck Street, not to exceed \$80,000. Ironwood Homes of Perry submitted a proposal for a home that meets specifications in the amount of \$75,393, including demolition of the existing home, tree removal if required, and higher elevation for the floodplain. Clayton Homes of Panama City submitted a proposal for a comparable product, for \$83,200. Ms. Hill is agreeing to the Ironwood Homes proposal, which is just \$393 more than the County's normal \$75,000 limit. We are still trying to determine whether septic system work will be required, which is not included in the proposals.

Requested Action: Approve \$75,393 in CDBG funding for Kathy Hill's mobile home replacement contract, plus up to \$500 for change orders if required, and funds for the CDBG mortgage recording.

Mr. Moron said the Board can break for lunch. He stated the Clerk has no report so when they return it will be for his report. The Board agreed to return at 1:30 p.m.

The meeting was recessed at 12:18 p.m.

The meeting reconvened at 1: 30 p.m.

Clerk of Courts – Marcia M. Johnson – Report

Clerk Johnson did not have a report for the Board.

County Coordinator – Michael Morón – Report

Mr. Moron offered his report, as follows:

Action Items

26. This item was addressed earlier in the meeting.
27. The Board approved this item during the Solid Waste Report.
28. Mr. Pierce addressed this item during his report
29. Beautification Grant: County staff and the St. George Island Civic Club has partnered on an application for the Florida Department of Transportation Beautification grant. This grant will improve the landscape from the southern end of the Bryant Patton Bridge to West Bayshore Drive on SR 300 located on St. George Island. The grant, ranked number one statewide, was approved and sent to the county. The Grant packet includes the Landscape Construction, and Maintenance Memorandum of Agreement from FDOT for the Chairman's signature.
Request: Board action to authorize the Chairman's signature on FDOT's Beautification Grant Memorandum of Agreement.

On motion by Commissioner Massey, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to authorize the Chairman's signature on FDOT's Beautification Grant Memorandum of Agreement.

30. SHIP Inspections: At your last meeting the Board asked that I present a scenario that would involve the county's building inspector as part of the SHIP program inspections. After discussing this matter with Mrs. Lori Switzer-Mills (SHIP Administrator) and Mr. Steve Patterson (County Inspector), I recommend that when the SHIP project contractor submits his request for his final draw, the SHIP inspector or administrator contacts Mr. Patterson for the final project inspection approval. The contractor will not receive his final pay-out until the final inspection is approved by Mr. Patterson.

Request: Board action to change the SHIP program's policy that would require the county inspector or building official to do the final inspection on all SHIP projects.

Commissioner Parrish made a motion to change the SHIP program's policy that would require the county inspector or building official to do the final inspection on all SHIP Projects.

Commissioner Massey seconded the motion. Vice-Chairman Jones asked if these have anything to do with quality of work. Mr. Moron said he will be approving both code and workmanship. Chairman Lockley asked if they are inspecting everything. Mr. Moron answered just the final inspection. He explained if there are any issues then the Building Inspector will contact the SHIP Inspector. Mr. Moron stated there will be no final payment until the Building Inspector signs off. Commissioner Boldt questioned if the county SHIP Program pays for county permitting. Mr. Moron reported no, a long time ago the Board passed a procedure to have no charge for SHIP permits but they do have to pull a permit. He stated if they want to change that then they can let him know and he will add it to his report. Commissioner Boldt asked if the SHIP program should reimburse the County Inspector. Mr. Moron said he did not ask for reimbursement since it was just the final inspection. He explained it this becomes a situation that demands too much of Mr. Patterson's time then he will bring it back to the Board. Commissioner Parrish reported it was a consensus of the Board that they would rather the money be spent on the homes than on permit fees and since it was a county function they waived the permit fees. Mr. Moron pointed out the money for inspections comes out of the program funds and not the administration funds. **Motion carried; 5-0.**

31. USDA Loan: On Friday (2/14) the Board met in special session to discuss and take action on a request from United States Department of Agriculture to continue the obligation of a \$10,000,000 loan for the Hospital Improvement Project. By unanimous motion, the Board authorized me to engage Mr. Joe Bynum (project architect) to assist with creating the proposal to proceed that would be submitted to USDA for the continued obligation of the loan. I spoke to Mr. Bynum after the meeting on Friday and he agreed to immediately start working on this proposal and then contact USDA first thing this morning to discuss any additional information that would be required. Mr. Bynum stated that if USDA requires information that is already created and is accessible there will be no charge to the county for his time. If USDA is requiring additional information, he will send me an estimate proposal for approval before proceeding. *(By the time I present this item to the Board during this morning's meeting there may be additional information or a request for Board action).*

Mr. Moron said he has received a request from Mr. Bynum and USDA to call them after the meeting so it looks like they have been in contact. He stated he has nothing else to report until he speaks with both of them. Vice-Chairman Jones reported people have questions about the

money and the county is trying to retain the money. He explained there are 2 proposals and 1 is to build a new hospital and the other 1 is to build a free standing emergency room. Vice-Chairman Jones asked if the funds will be hindered by either one of the proposals. Mr. Moron said he will ask. **Chairman Lockley made a motion to start building a hospital.** Commissioner Boldt stated if they enter into a management contract what interest does USDA have in the contract. **The motion failed for lack of a second.** Mr. Moron said he will ask if the money can be used for both proposals and if a management agreement affects the funding. Mr. Moron said this morning someone at the podium stated that Commissioner Massey said that if Sacred Heart came here the clinics would close. Mr. Moron reported he will check the record but he is not quite sure that is what he said. He stated they discussed if the Interlocal Agreements were challenged the Carrabelle Clinic would close and he said while Mr. Roger Hall, Sacred Heart, was here they asked if he would be reducing the days or hours of the clinic and hours and Mr. Hall stated they would open for so many days and based on clientele they would decide if they would extend the hours or days or not. Mr. Moron pointed out they were criticized for holding the meeting last Friday but if they were having the discussion today the meeting would have been much longer based on the number of public comments they had today. He stated they were criticized but they are doing the best they can. He said they can imagine the criticism if today people spoke at 9:00 a.m. and then the subject was not discussed until 2:15 p.m.

32. Sacred Heart/Ascension Presentation: On February 5, based on a request from Mr. Jim Coleman (Alliant CEO), the Board heard from Mr. Mark O'Bryant (CEO TMH) and Mr. Coleman regarding their proposal to partner with Franklin County for healthcare. Commissioner Boldt suggested that I contact Mr. Roger Hall (Sacred Heart/Ascension Regional President) to inquire if he had any changes to Sacred Heart's healthcare proposal and if he would like another opportunity to appear before the Board to discuss the changes to the proposal. The earliest Mr. Hall is available to meet with the Board is Thursday, March 5, 2020. There is county court in this meeting room on that day so the meeting will probably be held at the Fort Coombs Armory. Would the Board prefer that I get a date later in March when this room is available, or should I schedule the March 5 meeting?

Request: Board discussion and direction on a meeting date.

Chairman Lockley reported they can use the Armory or the Chapman Auditorium. Commissioner Boldt asked where the acoustics are better. Mr. Moron explained they have to move the recording software to record the meeting properly and the logistics are a little touchy but they will do what the Board wants to do. Commissioner Boldt reported this is a sensitive item and they need good records. Mr. Moron expressed concern that the Board will get complaints if they change the location of the meeting. He said he will work out another date with Mr. Hall. Commissioner Boldt agreed they need to have the meeting in this room. Chairman Lockley said as long as it does not take too much time. Mr. Moron stated he will try to schedule something the following week when Mr. Hall and the room are available.

33. Hours of sale of alcoholic beverages: Mr. Patrick Kelly of Harry A's on St. George Island would like the Board to consider changing the county's hours of sale of alcoholic beverages in any place holding a license under the Beverage Law of the State of Florida from midnight

to 1:00 a.m. year-round. Currently, the county allows the sale of alcohol until 1:00 a.m. from May 30 – September 5, considered the peak tourists season, and specific holidays as stated in Ordinance 2016 - 05 (attached/agenda packet) that was approved at your July 5, 2016 regular meeting. Mr. Kelly states in his request “tourist traffic has increased during fall and winter months. I think this time change will have a positive effect on economy, especially during Holiday season.” This action would require an ordinance; therefore, Attorney Shuler would need direction. The Sheriff is aware of this proposed change.

Request: Board discussion and possible action directing Attorney Shuler to start the ordinance process for a change to the hours of sale of alcoholic beverages.

Commissioner Jones asked if this will be all of unincorporated Franklin County. Attorney Shuler said he thinks that is how the ordinance is written. Commissioner Boldt asked if the Sheriff has any opinion about this. Commissioner Jones said he is fine with it. He explained they talked to him before they brought this matter forward. **On motion by Commissioner Lockley, seconded by Commissioner Massey, and by unanimous vote of the Board present, it was agreed to direct Attorney Shuler to start the process to change the ordinance.**

34. RAO Designation: Opportunity Florida has requested that the Board renew our Rural Area of Opportunity designation. This re-designation must be renewed every five years and the last renewal was in 2015. Attached (agenda packet) is a draft version of the resolution for your review.

Request: Board action to authorize the Chairman’s signature on the Rural Area of Opportunity designation resolution.

Mr. Moron stated Mr. Curenton made some changes and is good with this. He apologized because he forgot to attach the draft. **On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to authorize the Chairman’s signature on the Rural Area of Opportunity designation Resolution.** Chairman Lockley asked if there is a deadline. Mr. Moron said the state wants the Resolution by April 1st.

Information Items

35. Graham Creek Bridge: Inform the Board that the Florida Department of Transportation project to replace the Graham Creek Bridge on SR65 will begin during the first or second week in March 2020. The low-level bridge, including piles and slopes protection, will be replaced along with roadway approach reconstruction using asphalt pavement, shoulder gutter, and guardrail. There will be a temporary bridge and onsite diversion utilized to maintain traffic while the existing bridge is replaced.
36. Four-Mile AUZ: The county received notice from Ms. Portia Sapp (Director – Division of Aquaculture) that the Board of Trustees approved the establishment of the Four-Mile Aquaculture Use Zone (AUZ). Over the last several months there have been numerous meetings and emails regarding this AUZ, especially the required preferences for anyone interested in a lease. The division “is working on a public notice ad to announce the application window (March) and the pre-application meetings which are tentatively

planned for March 4 & 5. Let me know if you have any questions or comments that you would like relayed to the Division of Aquaculture.

Chairman Lockley said people need access to the leases. He reported the state has land and needs to give people a boat ramp and parking space. He explained the state is creating this problem and it is going to get bigger as they add more people. Commissioner Boldt agreed they are already seeing this problem at Alligator Harbor. He explained they have aquaculture leases and it is crowded and they are parking on people's residential lawns. **Commissioner Lockley made a motion to tell the state to do something about the parking and boat ramp access because the state is over that program.** Commissioner Boldt asked if they want to do something about a boat ramp. Chairman Lockley answered yes, since it is a dirt road. Commissioner Massey reported it is a street. Chairman Lockley reported they need to do a boat ramp. Mr. Moron asked if they will also load up the Buddy Ward boat ramp to get to the 4 Mile lease. Commissioner Parrish answered yes. Chairman Lockley stated they still have problems in the county on the east end. Mr. Moron reminded the Board letters have been sent to the Board of Trustees, the Department of Agriculture and Consumer Services (DACs) and their senator and representative but there has been no response. Commissioner Boldt said since they are not getting a response they should send the letter saying second request and keep being persistent. **Commissioner Boldt seconded the motion. Motion carried; 5-0.** Commissioner Boldt said Chairman Lockley taught him each boat ramp needs a hitching post. Chairman Lockley agreed because some people launch their boats alone.

37. ARPC: Commissioner Jones asked that I attach the Apalachee Regional Planning Council February 2020 Board Notes to my report (agenda packet) for your review.

Vice-Chairman Jones brought into discussion a street off Highway 98 that goes to the old Carrabelle Beach. He explained there is a beach turn around and it is horrible and he was told by county staff that the last time the county tried to do something the adjacent property owners called the City of Carrabelle police and tried to tell them they could not touch the road. Commissioner Jones stated they need to resolve this issue because the road needs to be fixed and the road belongs to the county. He reported the county has maintained the road for 40 years and it is not someone else's property and he has a problem with it. Attorney Shuler stated he will look into this matter and come back with a recommendation for the Board on March 3rd. He explained if they want more prompt attention they can authorize him and he will investigate it and contact whoever he needs to in Carrabelle to move this process forward and if they think this road is theirs they need to say why. Commissioner Massey reported there is a battle with the City too about who owns the road. Attorney Shuler explained he remembers a management plan that was brought before this Commission by the state for the management of some state lands down there 7-8 years ago and the county said they are not taking on the management role and the City of Carrabelle took on that management plan. He was not sure how that plan interplays with the road. Attorney Shuler said they can authorize him to look into this item and he can contact the City of Carrabelle attorney. Chairman Lockley said whatever it takes to resolve it. Vice-Chairman Jones agreed he is fine with that. Attorney Shuler said he will contact the city attorney.

Chairman Lockley asked Mr. Moron to get a timer for public comments so there will not be any confusion. The Board agreed this is a good idea.

Mr. Moron asked Chairman Lockley if he still wants to talk about doing something at the end of Alligator Point to help. Chairman Lockley said the county needs to do something because it is the county's road and a homemade boat ramp. He stated someone told him they needed 2 trucks to pull them out of the boat ramp and it will be worse on a low tide. Commissioner Parrish reported the state put the pressure on the ramp and they need to buy land and build a boat ramp because they issued the permits. Mr. Moron said they tried to use the Florida State University boat ramp. Commissioner Parrish reported the state needs to solve this problem. Mr. Moron agreed to take the letter and renew the request. Commissioner Boldt suggested sending the letter certified mail. Chairman Lockley stated the Governor and the county's representatives need a copy of the letter. Mr. Moron agreed he will send the letter. Commissioner Boldt said they also wrote a letter asking for access to the old F.S.U. Marine lab and they have not gotten an answer and need to make a second request. Commissioner Parrish said the people at Alligator Point didn't want the boats coming down there so they got with the state and quashed this matter and that is why the county did not get a response. Mr. Moron said people made calls and quashed that request. Chairman Lockley reported the state created this issue.

County Attorney – Michael Shuler – Report

Attorney Shuler offered his report for the Board:

Action Items

1. Humane Society Contract

At your last meeting, Mr. Bud Hayes appeared and stated that the Humane Society has reopened the road to the gun range and does not intend to close it.

Therefore, I have prepared the attached contract for the board's consideration which confirms in writing that the Humane Society will leave the road open and that the board would authorize release of their funds. Each party reserves its claims and defenses concerning the road, which means that the Humane Society could choose to ask a court to issue a ruling whether it can or cannot close the road.

Board Action Requested: Approval of the contract and release funds in the ordinary course, which is quarterly in arrears following written request from the Humane Society.

Attorney Shuler stated Mr. Hayes has a few changes but nothing substantive to what he is about to explain will be changed. He explained the agreement provides that each party maintains their legal position and the county's position is it is a public road accessing a public gun range and the Humane Society's view is it is not a public road but a private driveway and it is not a gun range but something else. He explained the access along the road would not be

closed by the Humane Society but they did reserve the right to go to a judge for a decision on the road. He stated the road will stay open in the same configuration as it is shown on the map. Attorney Shuler reported the aerial is Exhibit A to the proposed contract. He presented the map to the Board and explained where the access is located. Attorney Shuler said the agreement will maintain the status quo and the Humane Society will reserve the right to go to court and seek a court order but will not close off the public's right to pass over the property to get from Highway 65 to the gun range. He reported if the Board approves this agreement then the Humane Society would be entitled to receive their funding in ordinary course. He explained what the Board does with this funding and future funding is based on how the facts develop. Attorney Shuler recommended approval of the agreement and authorization of the Chairman's signature. He stated if any of the changes the Humane Society proposes change the agreement he will bring it back to the Board for further discussions. **Chairman Lockley made a motion to do this with the condition if they get this check and block the road then the Board will block the second check.** He explained he is not against them but wants them to be fair. Chairman Lockley reported if they want to go to court and get a decision then they need to go to court but not block the road. He said all of this is county money and county money is going to the gun range too. Attorney Shuler explained the Agreement is written to preserve everyone's rights but he does not think they are going to court. He suggested they allow the progression of a potential new gun range in another location to play out and then when that is concluded they might want to do something different in the future but they have not represented that to him. Commissioner Parrish left the meeting. **Commissioner Boldt seconded the motion. Motion carried; 4-0.**

2. Victoria Schwatka Fence Request

Attached is a proposed contract which will conditionally allow Ms. Victoria Schwatka to place a non-permanent fence across an unopened and unused dead-end of Angus Morrison Road at Alligator Point. The dead-end is approximately 50 feet wide and 130 feet long. Ms. Schwatka owns all of the lots surrounding the dead-end.

I have consulted with Mr. Curenton, the county planner, and he is without objection to the request because the county will still own the road and it is not currently being used by the public, provided that I prepare a document which protects the county's interests.

- a. The county will always own the property for the benefit of the public.
- b. The fence will be a non-permanent structure.
- c. The property will be left in its natural state.
- d. She will indemnify and hold the county harmless from liability.
- e. The county can remove the fence at anytime at her expense, if she does not remove it promptly when asked.
- f. She acknowledges that she has no contractual rights to the property.
- g. The county can open the road to the public at any time.

Board Action Requested: Approval of the proposed conditional permission for a fence.

Attorney Shuler said he is removing this item from his report as there have been some new developments that impact this request and he did not have sufficient time to look into this matter.

3. Bay City Workcamp Directive That No County Employee Provide Services There While On-Duty for Franklin County

Recently, the Board instructed me that it did not approve of the use any on-duty county employee providing services for the construction, maintenance or operation of the rehabilitation center proposed for the Bay City Work Camp site. Included in this directive was that no county equipment was to be used either. Tony Smith, the President of the Bay City Wellness Center, Inc., states that he has no objections to this directive, except that as Sheriff he does plan to use inmate supervisors at the site when inmate work crews are present working, as he does for other non-profit organizations

Board Action Requested: Discussion by the Board on the use of county equipment and county employees supervising inmates during the construction, maintenance, and operation of the rehabilitation center proposed for the Bay City Work Camp site.

Attorney Shuler questioned if the Board would like to table this matter and let him get some clarification from the Sheriff on what he intends to use the work crews for. He explained having work crews on site being supervised by employees that are on duty using county equipment would be a violation of what the Board's directions are. He suggested it might be worthwhile to contact the Sheriff and clarify what he intends with using the work crews. He asked for Board direction. Commissioner Jones said he understood that the Board has expressed the entire time about the work camp is that they have the land but do not have the funding available to do this project. He explained in his mind all the discussions they have had about people being used as a resource at the work camp is not that they are going to have a natural flow of people that are county employees that are now working at the work camp so now they have to increase the Sheriff's budget because they need more law officers. He reported that was not to prevent them from using the inmate crews to mow the grass but they cannot increase the Sheriff's budget by 10 people because they have a rehabilitation center. Commissioner Jones said he is fine with Attorney Shuler clarifying this matter. **On motion by Commissioner Massey, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to direct Attorney Shuler to check with the Sheriff and see what he says about this item.**

Informational Items

4. School Board Emergency Escape Road Request

A copy of a draft agreement delivered to Ms. Donna Duncan late February 14, 2020, is attached.

I have also sent a copy to the county's outside engineering firm, Dewberry Engineers, for comment.

5. St. George Island Overlay District

The advertisement for the public hearing on the ordinance proposing to amend the St. George Island Overlay District by allowing residential uses on the first floor of all C4 zoned properties was approved and is scheduled to publish on February 20, 2020. The public hearing is scheduled for March 3, 2020.

Commissioner Parrish returned to the meeting.

6. George Norman (Alligator Drive intersection with Tom Roberts Road)

Attorney Ron Mowrey called me February 14, 2020, and indicated that his client, the Alligator Point Water District, continued to work with Mr. Norman for the possible purchase of a part of Mr. Norman's property in order to soften the intersection of Alligator Drive and Tom Roberts Road. I explained that I had previously provided to Mr. Mowrey our engineer's drawing of the area needed. Mr. Mowrey is going to seek a written request from Mr. Norman to Franklin County for a possible voluntary sale of property.

Attorney Shuler reported last night after hours he received a call from Mr. Mowrey that Mr. Norman is interested in selling 1,500 sq. ft. as opposed to the 4,000 sq. ft. the engineer talked about. He explained before he discusses this matter with Mr. Mowrey or Mr. Norman or brings the matter back to the Board he wants to talk with the engineer to determine if 1,500 sq. ft. is sufficient from an engineering standpoint.

7. Ordinance Prohibiting Overnight Parking

The proposed ordinance prohibiting overnight parking in public places is scheduled for hearing on March 3, 2020.

Chairman Lockley said he would like to hear from a family that is here trying to get a trailer. Mrs. Anna Creamer, a resident of Eastpoint, discussed their situation after the Limerock Fire and the process they are going through to try and get a trailer. She said things are not getting any better and there is a list of things they have to do to get a trailer and they have not gotten any help in 2 years. She stated after doing another application they have been promises given and nothing received. She said they do not know what to do but they have 3 children at home and their house is full of mold. Mrs. Creamer reported she has pictures of the whole process over the last 2 years and they need help. Mrs. Creamer explained her daughter is sick and she

cannot have her children in this home and they have nowhere else to go. She asked what they can do to help this situation. Vice-Chairman Jones thanked Mrs. Creamer for being present and said the Board has not tried to prevent anything. Mrs. Creamer said the Board has been helpful but she does not know what the next step is. Vice-Chairman Jones reported they are waiting for Mrs. Belcher to bring the paperwork for approval and that is the Board's job in this process. Vice-Chairman Jones asked Mr. Moron to contact Mrs. Belcher about this request. Vice-Chairman explained the state did not declare this an emergency so the county went and did something they should not have done and applied for funds to try and help the residents. He said they have done all they can to secure the funding. He stated there is a process this must go through and the Board cannot circumvent the process. He explained the Board has not tried to delay this matter but their whole part was to get the funds and let the program be run and they approve what is submitted. Mrs. Creamer said according to Mrs. Belcher this request was supposed to be presented to the Board today which is why she is present. She said she has talked with the Commissioners and they have been helpful and they are thankful for what the Board is trying to do. Commissioner Massey stated Mrs. Belcher said it would be ready for the next meeting. Mr. Devin Creamer, a resident of Eastpoint, said she has told them this several times and that they would have a home for Christmas. He stated they have never received any help. He expressed concern that his family has been neglected because of his past. He went on to say his family did not receive a camper, motel stay, \$5,000 or food vouchers. He said \$5,000 was sent for everyone affected by the fire and they did not receive any money. Vice-Chairman Jones reported that money was from the state and they had to do paperwork to get the money. Vice-Chairman Jones said that money came from the state not the county. Mr. Creamer reported the county received grants of \$700,000 and then \$2.6 million more and he questioned where the money is. He said there is a lack of communication going on. He stated they have to fill out things to qualify but he did not have to do anything because they burned their home. Vice-Chairman Jones said he lived through his home burning too and they are not trying to block them from getting help. Mr. Creamer explained no one in here has but other people have intervened. He said this Board has helped and he thanked them for their help. Vice-Chairman Jones clarified there are qualifications for the grant that this Board cannot change. He reported the money is federal money from HUD to the state. Vice-Chairman Jones said they are trying to move this forward but it is not their fault it did not happen today. Mr. Creamer stated there are conversations the Board is not aware and he suggested they talk with Ms. Angela Webster, Capital Area Community Action Agency. Vice-Chairman Jones reported there will be some discussions but administration of the grant is not the Board's job. Mr. Creamer asked why they had to wait so long. Vice-Chairman Jones said there are other people waiting too. He stated there are more and more things to do but they are doing them. The Board agreed they are going to help them.

Commissioners' Comments

Vice Chairman Jones said they are playing basketball in Vernon on Thursday at 8:00 p.m. He stated if they win they will have the opportunity to host the regional final next Tuesday.

Adjournment

There being no further business to come before the Board the meeting was adjourned at 2:25 p.m.

Noah Lockley - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts