

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COURTHOUSE ANNEX – COMMISSION MEETING ROOM  
MARCH 15, 2016  
9:00 AM  
MINUTES**

**Commissioners Present: William Massey – Chairman, Joseph Parrish – Vice Chairman, Noah Lockley, Cheryl Sanders, Rick Watson**

**Others Present: Michael Morón – County Coordinator, Michael Shuler – County Attorney, Marcia M. Johnson-Clerk of Court, Lori P. Hines-Deputy Clerk to the Board.**

**Call to Order**

Chairman Massey called the meeting to Order.

**Prayer and Pledge**

There was a prayer followed by the Pledge of Allegiance.

**Approval of the Minutes**

**On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve the minutes of the meeting held on March 1, 2016 at 9:00 a.m.**

**Payment of County Bills**

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

**Department Directors Report**

**Howard Nabors – Superintendent of Public Works**

Mr. Nabors stated Mr. Garry Myers had surgery and his leave time is running out. He asked if the Board would like to extend his medical leave. Commissioner Sanders asked if the County has a policy. Mr. Moron reported Mr. Van Johnson, former Solid Waste Director, extended the leave of Mrs. Link Carroll in the same manner so that basically established a policy for the County. Commissioner Sanders inquired if Mr. Myers is out of time. Mr. Nabors answered yes. Commissioner Sanders asked if the sick pool was used. Mr. Nabors reported they do not

have a sick pool but employees donated time. Commissioner Sanders questioned if this leave would be without pay. Mr. Nabors stated Mr. Myers has not been drawing a check for about 3 months. **On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to extend medical leave for Mr. Garry Myers.** Mr. Nabors said Mr. Myers goes back to the doctor the end of the month so they will know more then. Commissioner Sanders questioned if the Department is short handed. Mr. Nabors stated they are good now but in the next couple of months they will be short-handed. Commissioner Sanders asked Mr. Nabors to keep them informed as they may need to do something in the mean time until Mr. Myers can return.

#### **Mr. Fonda Davis-Solid Waste Director**

Chairman Massey asked Mr. Davis to place a flag on the flagpole at the graveyard in Eastpoint. Mr. Davis agreed to address this request.

Commissioner Watson thanked Mr. Davis for getting everything set up for the St. George Island Chili Cook-Off.

Commissioner Sanders questioned the status of the request by Waste Management as the Board tabled the item until today. Mr. Davis reported justification was received but he did not have his information ready in time for the meeting. **On motion by Commissioner Sanders, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to table this item until the next regular meeting on April 5, 2016.**

#### **Pam Brownell – Emergency Management Director**

Mrs. Brownell appeared before the Board but did not have any action items.

Action Items:  
None

Information Items:

1. Franklin County EOC Staff continue to promote our Re-Entry Tag program and encourage all residents to apply for their Re-Entry Tag.
2. EOC Staff is updating our Special Needs Database to verify current information of our Special Needs Residents.
3. EOC Staff participated in the Special Needs Shelter Drill Down Functional Exercise with Department of Health on 03/04/16.
4. EOC Staff continue to process applications for the RCMP Grant and construction has begun on approved houses.
5. Pamela Brownell attended the Region 2 Meeting in Tallahassee on 03/10/16.
6. EOC Staff hosted the annual MYTEP Meeting on 02/29/16.

**Erik Lovstrand – Extension Office Director**

Mr. Lovstrand appeared before the Board but did not have any action items.

**Franklin County Extension Activities March 2 – March 15, 2016**

UF/IFAS Extension Faculty have been involved in the following Extension activities this period.

**General Extension Activities:**

- Extension Director assisted with a 4-day Florida Master Naturalist “special topics” course along with Leon County Extension Faculty. Topic was on Habitat Evaluation. These are courses that we would like provide here in Franklin County eventually.
- Interviews for new Extension Office Manager/Program Assistant will take place the week of March 14<sup>th</sup>. Eighteen applications were received, 10 have been granted interviews.
- Extension Director assisted local residents with information and field visits related to small pond management.
- Extension Director working to fill vacant Advisory Group seats after annual roll-over of committee membership.

**Sea Grant Extension:**

- Multi-county Dark Skies turtle lighting grant with IFAS is being routed for signatures with FDEP and FWC.

**4-H Youth Development:**

- Franklin County’s Making Strides 4-H club continues to meet. Scholarship funds were provided by the 4-H District team and Farm Credit to assist our local youth with registration fees to attend the recent Teen Leadership Retreat at Camp Cherry Lake.

**Family Consumer Sciences:**

- Family Nutrition Program Assistant continuing to implement in-school curriculum in Franklin County classrooms.

**Agriculture/Horticulture:**

- Extension Staff assisted citizens with soil test kit and information regarding fertilizing.
- Extension Director provided diagnostic assistance for local landscape plant issues.

**Anne Birchwell – County Library Director**

Ms. Birchwell appeared before the Board and presented the following report:

- This week, 14 students between the ages of 10 and 17 will begin their music lessons at both branches of the library. The teachers include Tony Partington, Kevin Hauser, Frank Miceli and me. Each student will have one weekly 30-minute lesson either in acoustic

guitar, electric guitar, bass, drum or voice. We look forward to seeing the progress and will report back on the program's successes.

- Also, AARP Free Tax Assistance has been happening at both branches of the library from 1:00 pm to 5:00 pm. For those who have not filed their tax returns, please consider going to their local libraries to receive free tax assistance. They can either call the Eastpoint or Carrabelle Branch for details.
- On Tuesday, April 19<sup>th</sup>, Les Harrison from the Wakulla Extension Agency will be offering a workshop on Troubleshooting Tomato Gardens and Growing Herbs at the Eastpoint Branch at 1:30 pm. This will be a free workshop to anyone who needs to learn more about backyard gardening.
- From, April 10<sup>th</sup> – 16<sup>th</sup> we will be celebrating National Library Week at FCPL! The slogan this year is “Libraries – We Do MORE Than Books”
- The Eastpoint Branch offers a program to youth ages 8 to 12 on Thursday afternoons that promotes fun and challenges in the Science, Art, Technology, Engineering, and Math. For the next few weeks, the participants will be working in both performing arts and creative arts. The programs are free and begin at 3:30pm.

**On motion by Commissioner Sanders, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to recognize April 10<sup>th</sup> -16<sup>th</sup> as National Library Week and adopt a Resolution to that affect.**

Chairman Massey asked Ms. Birchwell to write a letter of appreciation to Mr. Dave to thank him for all the work he has done at the Library. Mrs. Birchwell agreed to write this letter.

#### **Amy Anderson – Eastpoint Medical Center – Update**

Ms. Anderson, Center Manager, appeared before the Board to provide an update on the Eastpoint Medical Center. She explained the goal of the Center is to provide primary care services to the whole community. She reported Ms. Diane Napier, Nurse Practitioner, treats infants to adults and she is accepting new patients. Ms. Anderson stated they complete vaccines for children for the State of Florida. She reported they accept most insurance including CHP, Medicaid, Medicare and Florida Blue plans. She explained they also have a discounted fee for services for patients who are underinsured or do not have insurance. She said the Center is holding a smoke cessation class Thursday from 5:00 p.m. to 7:00 p.m. She introduced Ms. Pauline Hoffman, Case Manager, for the Center. Ms. Hoffman stated she manages high risk patients with high blood pressure, high cholesterol, diabetes and obesity. She stated the patients are managed through meal planning, diet, exercise and change of lifestyle. Ms. Hoffman said in the future they will be holding some diabetic classes for free.

### **Jason Puckett – Airport Manager – Update**

Mr. Puckett appeared before the Board and presented the following report:

#### **Rehabilitate Airfield Pavement Project**

1. The contractor is currently working on the joint sealant replacement for the north and south half of Runway 14-32 and Taxiway A; pipe replacement under Taxiway B3; and the west apron concrete slab replacement. They are 90% complete with all improvements on the north half of Runway 14-32 and Taxiway A. The contractor is in the process of removing the existing joint sealant on the south half of Runway 14-32 and will begin sealing these joints this week.

He explained they are trying to mitigate inconvenience to the air traffic by closing the runways in phases instead of the whole runway.

2. We received a proposal from the contractor to replace the rotating beacon. We are reviewing the construction submittal and will authorize the contractor to replace the beacon as soon as possible utilizing current lighting grant funds.

#### **Upgrade Airfield Lighting System**

1. The 90% design is complete and AVCON is preparing the 100% design documents.
2. The project is anticipated to be released for bid in May.
3. Construction is anticipated to started late-July.

#### **Commercial Access Road and Infrastructure Development/Drainage Improvements**

1. AVCON is working on the grading and storm water improvements associated with the road and industrial park and airfield drainage replacement and should have a 60% set ready for our review in mid-April.
2. AVCON has been coordinating with the City of Apalachicola regarding the two storm water treatment ponds north of the water treatment plant. They feel they would be able to provide a more efficient road alignment if they can modify the corner of the northwest pond to accommodate the new access road.

#### **Economic Development Study**

1. The FDOT grant is anticipated to be issued around July 1.

#### **Potential Paint Hangar Tenant**

1. I am currently negotiating with a prospective manufacturing tenant on a multi-year lease.

Mr. Puckett explained the gentleman has a manufacturing interest that will provide some jobs. He said they are trying to accommodate the individual. Commissioner Sanders suggested Mr. Puckett meet with Attorney Shuler and Mr. Moron and see if there are some tax credits that may be offered. Mr. Puckett reported he has been in contact with Mr. Pierce but will also contact Attorney Shuler. Commissioner Sanders stated at the last TDC Board meeting they were talking about ways to promote the area and they are discussing a "Fly in Get Away" to promote some air traffic coming in. Mr. Puckett said he is interested in this proposal. Commissioner Sanders reported they will get in touch with him later as they are only in the design phase now. Commissioner Sanders reported the Board is trying to find ways to promote the airport and bring in jobs. Mr. Puckett stated the potential tenant also has a plane and would like to base his plane here also. He reported this company would provide 5 jobs initially and they have already contacted the Workforce representative.

### **Mike Cooper – CEO – Weems Hospital – Report**

Mr. Moron said Mr. Cooper will not be here today as he is sick. Mr. Moron stated Mr. Jared Wester, EMS Director, is present to request removing two ambulances from the inventory. Mr. Moron reported Mr. Cooper may appear at the next meeting to present the financial report. Mr. Wester requested a Resolution to remove some ambulances from the fleet. He stated they will use Midway Machinery & Auctions to sell the ambulances. Chairman Massey asked if they will take everything that can be used out of the ambulance. Mr. Wester answered yes and said one truck is pretty functional so the lights and equipment can be removed and basically they will have an entire back-up unit in parts. Commissioner Sanders asked which models will be removed. Mr. Moron stated a 2007 Chevrolet and a 2009 Ford. Mr. Wester said the 2009 is not functional and is beyond repair. Mr. Wester reported the 2007 unit has a suspension issue and is not safe anymore. Mr. Wester said the new ambulance will be coming on line soon. He informed the Board he spoke with Frazer this week and the ambulance is still in production at this time and looks great. **On motion by Commissioner Sanders, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to allow EMS to pull the two ambulances (a 2007 Chevrolet, VIN 1GBJC34668E139762 and a 2009 Ford F-450, VIN 1FDXE45P89DA56086) off of inventory.** Mr. Wester informed the Board he will be back next month to provide a full update on EMS. He stated there have been almost 290 calls since January 1<sup>st</sup> and they have not hit the busy season yet. Mr. Wester explained the Chili Cook-off weekend is usually the beginning of the season. Commissioner Watson reported someone at the Chili Cook-off had a stroke and EMS was right there and able to deal with the emergency. Mr. Wester stated that is one of the reasons it is great to have the resources they have at this time. He said the chase vehicle/director vehicle is up and running now and has a full ALS package in it. He reported they are trying to upgrade services across the board which is one of the reasons he wants to talk with the Board. He said the individual at the Chili Cook-off had a neurological event and they were right there and able to take care of the person. He explained the ambulance was able to transport the person and another ambulance was moved in place to cover the event. Commissioner Sanders said she is looking forward to hearing the report on EMS. Mr. Wester said he is always available if there are any questions.

Mr. Moron read the following item from his report:

11. At the last meeting the Board directed me to provide the top 3 ranked firms for the Construction Manager at Risk for the Weems Memorial project as recommended by the Evaluation and Selection Committee and to schedule a date for Board interviews of these firms. Ranked #1 is Ajax Construction, #2 is Culpepper, & #3 is Robin & Morton. Due to scheduling, the earliest date available for the interviews will be March 22<sup>nd</sup> at 10am.

**On motion by Commissioner Lockley, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to schedule the interviews for March 22, 2016 at 10:00 a.m.**

**Recessed at 9:20 a.m.**

**Reconvened at 9:30 a.m.**

**Planning and Zoning – Report**

Mr. Moron stated #4 and #5 were tabled because no one was present to represent the applicant. He presented the following report:

**CRITICAL SHORELINE APPLICATION:**

- 1- Consideration of a request to construct a Single Family Private Dock at 249 Rio Vista Drive, Northeast of St. James, Franklin County, Florida. The dock parallel to the water will be 4' x 28' and have (1) 26' x 8' finger pier along with (2) 4' x 26' finger piers and (2) 12' x 26' covered boat slips. DEP and Corps Permits have been applied for and this request will be contingent upon receiving both state and federal permits. Request submitted by Fred Bradford, agent for David and Diana Dampier, owners. (There is a house on the property and an existing dock that will be replaced if approved). **APPROVED AS REQUESTED**

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

- 2- Consideration of a request to construct a Single Family Private Dock at 1831 Bayview Drive Ivy Way, Lot 8, Bayview Village, St. George Island, Franklin County, Florida. The boardwalk over wetlands leading to the dock will be 240' x 4' and have another 52' x 4' boardwalk with a 10' x 10' observation platform leading to another 82' x 4' walkway with a 20' x 6' terminal platform and (1) un-covered 12' x 20 boatlift. Request submitted by Garlick Environmental Associates, Inc., agent for Douglas Dehaan, applicant. (No House-Site Plan for future dwelling) **APPROVED AS REQUESTED**

Mr. Moron said the DEP and Corp. of Engineers permits have been approved. **On motion by Commissioner Watson, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve this request.**

- 3- Consideration of a request to construct a Single Family Private Dock at 555 Highway 98, Eastpoint, Franklin County, Florida. The Dock will be 160' x 4' with an 8' x 20' terminal platform with (2) 12' x 12' un-covered boatlifts. Request submitted by Larry Joe Colson, agent for Larry Sawyers, applicant. (House on the north side of highway 98) **APPROVED AS REQUESTED**

**On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to approve this request. Mr. Moron said the permits have already been received.**

- 4- Consideration of a request to construct a Single Family Private Dock at 1529 Alligator Drive, Alligator Point, Franklin County, Florida. The Dock will be 225' x 5' with a 5' x 16' walkway and a 6' x 6' terminal platform, a 5' x 8' jet ski platform, a 15' x 8' floating platform and a 12' x 25' un-covered boatlift. (House on the gulf side of Alligator Drive) **TABLED – NO ONE IN ATTENDANCE TO PRESENT REQUEST**
- 5- Consideration of a request to construct a Single Family Private Dock at Lot 9, New River Forest, 31 White Way, Carrabelle, Franklin County Florida. The walkway will be 26' x 4' with a 17' x 22' covered platform with (1) 28' x 2' covered finger pier, and (1) 28' x 3' covered finger pier, with a 12' x 28' covered boat lift and (2) mooring pilings. Request submitted by Ben Withers, agent for Cole Neill, applicant. (Site Plan shows future home site) **TABLED – NO ONE IN ATTENDANCE TO PRESENT REQUEST**

#### **RE-ZONING APPLICATION:**

- 6- Consideration of a request to re-zone lots 10-21, Block 1 East, Unit 1, St. George Island Gulf Beaches from C-2 Commercial Business to C-3 Commercial Recreational. Request submitted by Walter J. Armistead, applicant. **APPROVED AS REQUESTED**

**On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to authorize the public hearing to consider this rezoning request.**

#### **ZONING ADMINSTRATOR'S REPORT**

Consideration of a request to change the land use and re-zone 7 acres of land east of Carrabelle at the former Island View and El's Court Motel site from C-3 Commercial Recreational to P-2 Recreational. Five acres located on the north of Highway 98 and two acres is located south of the highway. The Franklin County Board of Commissioners owns the property. **This item was approved by unanimous vote.**

**On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to authorize the public hearing for this request.**

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

Mrs. Johnson did not have a report at this time.

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



Mr. Moron presented the report as follows:

- 1- Inform the Board that Alan did not write the letter about TRIUMPH as discussed by the Board at the last meeting, because House Speaker Corcoran said he was misquoted and misunderstood. The Speaker said in several newspaper articles that he fully supports TRIUMPH funds going to the Panhandle. His opposition was to the timing. He said that the Legislature could not appropriate funds that did not exist, and at this time the BP funds have not been delivered to the state so there is nothing to appropriate. Since it appears there is no conflict there did not appear to be any need to write the Governor.

Commissioner Watson stated when the information became available Mr. Pierce asked him to check with Representative Trumbull from Panama City because they had some discussion. Commissioner Watson said Representative Trumbull confirmed this was true so it is a positive development.

2- At the Feb. 16 RESTORE workshop, the Board asked Dewberry to provide a summary of all the projects that are going on in and around Franklin County with funds generated from the BP oil spill settlement. The 5 page report is attached. Table 1 of the report is a list of all the projects currently funded in Franklin County. Table 1 is shown below. At this time over \$23M of projects have been funded in Franklin County. At this time both of the oyster restoration projects have been completed, but Alan has been told that the state agencies are developing additional oyster restoration projects. None of the other projects in the list have started yet, but the state is in control of the construction phase as the state has the money from BP.

**Table 1. Summary of Specific Efforts in Franklin County**

Project	Source	Amount
Florida Cat Point Living Shoreline Project	NRDA	\$775,605
Enhancement of Franklin County Parks and Boat Ramps	NRDA	\$1,477,135
Bald Point State Park Recreation Areas	NRDA	\$470,800
Apalachicola River Wildlife and Environmental Area Fishing and Wildlife Viewing Access Improvements, Cash Bayou and Sand Beach	NRDA	\$262,989
Island View Park	NRDA	\$3,600,000
Apalachicola Bay Oyster Restoration	NFWF	\$4,189,400
Apalachicola Watershed Agriculture Water Quality Improvements	GCERC	\$2,219,856
Tate's Hell Strategy 1	GCERC	\$7,000,000
Apalachicola Bay Oyster Restoration	GCERC	\$3,978,000
<b>Total</b>	<b>All Sources</b>	<b>\$23,973,785</b>

The Board has a legitimate right to ask how these projects were approved in the county. The federal and state governments have acted as decision makers on all of the projects listed because BP funds went directly to state and federal agencies as a result of negotiations between the state and federal governments and BP. As far as Alan knows, all counties are being treated the same. The BP oil spill was a federal disaster, and the feds and the five states were in the position to

negotiate what and how the damages would be compensated.

The only projects that Franklin County will have control over are the ones funded by the county's RESTORE funds.

Commissioner Watson asked if the County knows when the projects are being considered and does the County have an opportunity for input at the time. Mr. Moron said some projects they know about but others they can look into. He explained, for example, they want to add a turning lane for the Island View property but they do not know how much DOT will submit for the turning lane. Mr. Moron reported Mr. Pierce can tell the Board what projects have been completed and which ones are pending. He agreed to get the information for the Board. Commissioner Sanders expressed concern that the Board needs to know what is going on with these projects and what they plan on doing. She referenced the \$7 million for the Tate's Hell Strategy 1 and questioned what is being done on this project. Commissioner Sanders reminded the Board she asked this question before about whether the Board could comment before these projects were put in place. Chairman Massey stated they will almost have to straighten the road at the Island View property to put in a turning lane. Commissioner Sanders reported they are looking at another option right now. Commissioner Watson said the Board also needs to know so when they spend the BP money, they can supplement and not conflict. Commissioner Watson asked if Mr. Pierce as Restore Coordinator can monitor these projects for the Board. Commissioner Sanders answered yes and said Dewberry Consultants also needs to know. Commissioner Watson said it is great the money is being spent here but the Commission should have some input.

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

1. Inform the Board that Governor Scott signed into law the bill to remove and replace only General Edmund Kirby Smith's statue in the National Statuary Hall Collection in the U. S. Capitol, therefore leaving Dr. John Gorrie's statue in place.
2. At the last meeting I got Board approval to bid the Carrabelle Beach Park Bathroom Project. However at that time Doug Shuler, the project's architect, didn't submit his proposal for amending the plans to include the roof and electrical engineering. Board action to authorize TDC to pay Mr. Doug Shuler's fee of \$2,300. A copy of his proposal is attached.

**On motion by Commissioner Parrish, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to authorize TDC to pay Mr. Doug Shuler's fees of \$2,300.00.**

3. Board action to submit 3 roads for Small County Outreach Program (SCOP) & County Incentive Grant Program (CIGP) Projects. Clay Smallwood (Preble-Rish) is of the opinion that the roads submitted last year, Hickory Dip, the first few miles of C-30, and an area

on Highway 67, were good projects so if the Board has no other recommendations, I support re-submitting those projects.

**On motion by Commissioner Parrish, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to re-submit the projects from last year: Hickory Dip, the first few miles of C-30, and an area on Highway 67.**

4. Board action to authorize the Chairman's signature on a contract amendment for the Fort Coombs Armory Rehabilitation project. This amendment doesn't increase the contract amount but instead moves funds from one line item to another based on needs.

Mr. Moron explained there was an overage on the windows and doors but they were under budget with Americans with Disabilities Act (ADA) compliance so they wanted to move the money within the line items. He reported as it is 20% then the State and Board have to approve the change. **On motion by Commissioner Sanders, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to authorize the Chairman's signature on a contract amendment for the Fort Coombs Armory Rehabilitation Project.** Commissioner Lockley asked if the County received any more grant money for the next phase. Commissioner Watson stated the County received \$180,000. Commissioner Sanders said once the County got in the cycle with the historic grants then they are getting funds. She stated the Convention Center will be something to look at when it is finished.

5. The Gulf Coast State College TRiO Program is pursuing a grant to establish an Educational Opportunity Center (EOC) to serve Bay, Franklin, and Gulf counties. The EOC is a federally funded program that assists low-and modest-income individuals who will enroll in a post-secondary institution for the first time, or return to high school or post-secondary education. The goal of the EOC is to work with the participants to encourage and help them become successful in either pursuing a GED certificate, or enrolling in a college, university or technical school. The TRiO program is seeking a letter of support from the Board for this project. A letter addressed to Commissioner Watson with additional information is attached. Board action.

**On motion by Commissioner Lockley, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to send a letter of support for this project.**

6. Inform the Board that the Legislature provided \$500,000, through Appropriation 1792, in nonrecurring funds from the State Game Trust fund to be distributed to counties or local governments to cost-share the purchase of bear-resistance garbage containers. Counties or local governments with a bear attractants and garbage ordinance in place will get 60% of the funds. Currently, Franklin County doesn't have an ordinance of this type in place but, based on a discussion with FWC, if we enact one as soon as possible we might be placed in the 60% group. FWC suggested Seminole County Ordinance as a template for Franklin County. If the Board is interested, Board action is needed to have Attorney

Shuler start the ordinance adoption process. A copy of the Seminole County Ordinance is attached.

Mr. Moron reported there is also \$300,000 from the Save the Wildlife tags that could also be accessed for these containers. **Commissioner Sanders made a motion to direct Attorney Shuler to start the Ordinance process. Commissioner Watson seconded the motion.** Commissioner Watson said he looked at Seminole County's Ordinance and their county is much different than Franklin County so an ordinance needs to be drafted that fits our county. He explained there is money available but there are always strings and this string is the ordinance. Commissioner Watson stated the grant is not 100% so the County may need to look at other alternatives. He suggested an FWC Representative appear before the Board and talk about what is available before the ordinance is adopted. Commissioner Parrish agreed the County would have to contribute funds and should review what their cost share would be since it is not fully funded. Commissioner Parrish reported the County would have to allocate funds and this is not a budgeted item. Commissioner Lockley expressed concern that once this starts, it may become mandatory. Attorney Shuler reported he has not reviewed the Ordinance yet but he presumes the Ordinance will require them to become mandatory at least in the unincorporated areas. Commissioner Sanders stated the motion is to have Attorney Shuler start the ordinance process. She explained then the Board will have all the facts, the ordinance, and the costs. She explained if it becomes mandatory, then someone will have to assume the costs. Commissioner Sanders reported some of the elderly individuals are not able to open the bear proof containers. Chairman Massey said the last time they looked at the bear proof cans; the County had to provide a lot of money. **Motion carried; 5-0.**

7. On March 1<sup>st</sup> during a workshop to discuss senior services in the County, the Board directed me to schedule a workshop to allow Area Agency on Aging to provide information to potential agencies that might be interested in providing senior services in the County. The workshop is scheduled for Monday April 4<sup>th</sup> at 10 am in the Senior Citizen Center in Carrabelle. I will provide an update on the workshop at the Board's April 5<sup>th</sup> meeting.

Mr. Moron said he will represent the Board at this meeting. He questioned if the Board's priority for the three agencies they fund is services not activities. Commissioner Sanders agreed the Board's priority is services. Commissioner Watson inquired as to the difference between services and activities. Mr. Moron stated services are meals, home care, etc. and activities are movie night, dances, etc. Mr. Moron said the Board's intentions are to provide services.

8. Board action to amend the language in the current SHIP LHAP to state *"Due to the County receiving a CDBG Grant which only works on homes in the unincorporated areas of the county, when the program is taking new applications, first priority will be given to applicants in the City of Apalachicola and the City of Carrabelle, then on a first come, first qualified basis if they meet the selection criteria."* This language will allow the SHIP

administrator to give the City of Apalachicola and the City of Carrabelle priority since the CDBG grant is restricted to the unincorporated areas of the County. The State has approved the language. The Board discussed this matter at the last meeting.

**Commissioner Lockley made a motion to amend the language in the current SHIP LHAP to state “Due to the County receiving a CDBG Grant which only works on homes in the unincorporated areas of the county, when the program is taking new applications, first priority will be given to applicants in the City of Apalachicola and the City of Carrabelle, then on a first come, first qualified basis if they meet the selection criteria.” Commissioner Sanders seconded the motion.** Commissioner Sanders explained the City of Apalachicola and the City of Carrabelle will be addressed by SHIP and CDBG will take care of the unincorporated areas. She asked if this addresses Commissioner Lockley’s concerns. Commissioner Lockley answered yes. Mr. Moron stated this language is only for the current LHAP grant. He stated at some point Ms. Lori Switzer, SHIP Administrator, will be bringing the new SHIP LHAP and this language has not been included so the Board will need to make a decision of whether or not to include this language. He said the Board can make a decision based on how Ms. Belcher reports the current CDBG program is working. Mr. Moron informed the Board the current SHIP grant will end on 6/30/16 and then Ms. Switzer will come back with the new application and the Board can determine if this same language will be used. Commissioner Parrish inquired if this action will cause new applicants to move ahead of people already in line for funds. Mr. Moron stated it will only address new applicants. Commissioner Parrish reported people already waiting in line should still have a place in line. Mr. Moron said this is his understanding but he will emphasize this item to Ms. Switzer. Commissioner Lockley said he likes this because now the whole county is covered. **Motion carried; 5-0.**

9. Board action to renew the SHIP administrator’s contract. This is one of the State’s required actions before the new LHAP can be submitted for approval.

Mr. Moron explained the last SHIP review stated a new contract was needed for the administrator before they could consider submitting the new LHAP. **On motion by Commissioner Lockley, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to renew the SHIP Administrator’s contract.**

10. Board action to approve the purchase of a used truck for the Building Official. The current truck is experiencing engine, suspension, and other issues. Funding for the purchase will come from unused funds in the new software purchase Building Department budget line item.

Mr. Moron stated the truck is a 2007, has 90,000 miles and on cold days it will not start. He said a truck was located at the same place the ambulances are being taken to auction. He reported several people have looked at the truck, driven it and think it is a good deal. Mr. Moron said it can be purchased for \$5,500. **On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to purchase the used truck in the amount of \$5,500 for the Building Official.**

This item was addressed earlier in the meeting.

Chairman Massey requested a couple of lights be put up on Otter Slide Road. He explained there are no street lights near the graveyard and someone has been run over. Mr. Moron asked who owns the property. Chairman Massey reported the County has maintained the property. Attorney Shuler stated the County does not own the graveyard. He inquired if the lights would be placed on the right-of-way. Chairman Massey said the lights would be placed down Otter Slide Road and at the graveyard as the person was run over behind the graveyard. Attorney Shuler said the lights can be placed on the right-of-way. Mr. Moron agreed to contact Duke Energy.

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

### **1. County Court Probation Services**

On March 1, 2016, the board appointed a committee to rank the three firms which submitted proposals to provide county court probation services. Panhandle Probation Services, L.L.C., was the highest ranked firm. Judge Russell approves. The score sheets are attached.

#### **Board Action Recommended:**

Motion to approve a three year contract with Panhandle Probation Services, L.L.C. to provide county court probation services.

**Alternative:** Other action as determined by the Board.

Attorney Shuler explained Judge Russell approved the firm and it is a requirement under the statute that whoever the Board selects and sends to him is subject to his approval. He recommended the Board authorize him to negotiate and draft a contract for a three year term with similar terms and authorize the Chairman to sign the contract. Attorney Shuler informed the Board the other contract terminates today so it does require Board action today. **On motion by Commissioner Parrish, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to authorize Attorney Shuler to negotiate the contract for three years with similar terms and authorize the Chairman to sign the contract.**

### **2. Amended Litter Control Ordinance — Public hearing at 11:00 a.m. (ET)**

The amended litter control ordinance is attached. A public hearing has been scheduled for 11:00 a.m. (ET). The additions to the ordinance are underlined and the deletions are stricken through.

If the Board approves of the amended ordinance, the principal amendment will be to change the penalty for violation of the ordinance from a criminal prosecution to a system of civil citations. Repeat offenders will be prosecuted for misdemeanors under the

new ordinance. However, a third degree felony is committed for a 5<sup>th</sup> repeat offender and for any offense of dumping 500 pounds, or more, of litter or dumping human waste from a commercial vehicle.

3. Amended Animal Control Ordinance — Public Hearing at 11:15 a.m. (ET)

The amended Animal Control Ordinance is attached. A public hearing is scheduled for 11:15 a.m. (ET). The additions to the ordinance are underlined and the deletions are stricken through.

The amendments update the ordinance to be compliant with current state law.

Non-Action Items

4. A draft ordinance banning possession of alcohol on the gulf beaches of St. George Island, Florida is attached for your consideration,
5. Two draft ordinances banning nudity and regulating adult entertainment are attached for your consideration. I have provided copies to Michael Stephenson, the attorney mentioned to you by Sheriff Mock, and requested his comments.

**Public Hearing – Adopt Litter Control Ordinance**

**Public Hearing – Adopt Animal Control Ordinance**

Attorney Shuler discussed the public hearings for the Litter Control Ordinance and the Animal Control Ordinance being scheduled at 11:00 a.m. He suggested, due to the time, tabling the hearings to a date and time so everyone does not have to wait for the hearings. He explained if citizens have traveled to this meeting then the Board can let them speak but the Board is not able to take action. He explained then any concerns with the ordinance can be addressed. He inquired how the Board wants to proceed. Commissioner Sanders said if the citizens have problems coming back then maybe this could be addressed at the 2<sup>nd</sup> meeting in April which is in Carrabelle. **Commissioner Sanders made a motion to table the public hearings for the Animal Control Ordinance and the Littering Ordinance to 11:00 a.m. on April 19, 2016 in Carrabelle.** Mr. Jim McCloy, President of the Alligator Point, Bay North, St. Theresa Association, said they have serious problems in relation to both ordinances. He stated the Association is in favor of both of these proposed ordinances. He reported they had a problem with construction and demolition debris being placed on the side of the road around the 10<sup>th</sup> of the month and then not being collected until the 1st of the next month. Mr. McCloy pointed out in the current ordinance it is against the law to place construction debris out but nothing is being done about it. He stated he wrote a letter to the 815 property owners at Alligator Point which included the ordinance and explained what can be put out and when the debris should be put out. He said because the public was informed, the litter collected by the county was reduced by about 70%. Mr. McCloy reported they have done their part in reducing the trash on the side of the road. Mr. McCloy stated there is a serious problem at Alligator Point with

dogs running off of leashes. He explained 3 days ago his dog was attacked in his yard by a dog running loose. He reported sometimes 6-7 dogs are running loose on the beach, fighting and jumping on people. He stated they also have an issue with people illegally parking. He reported last summer their Board hired off duty deputies on weekends. He explained last year they spent \$2,160 paying off duty deputies to come to Alligator Point for Saturdays, Sundays and holidays to enforce all of the ordinances but primarily illegal parking and dogs off of leashes. He reported the proposed ordinance is confusing and unclear on whether Sheriff's deputies working at Alligator Point can enforce the ordinance. He discussed the section in the ordinance defining an animal control officer. He questioned if they hire a deputy who is a certified law enforcement officer, must the officer have animal control as part of his duties. He referenced Page 20, Section 25-Officers Authority to Issue Citations and said it does not say law enforcement officers. He explained law enforcement officers, duly certified and working for the Sheriff, should be allowed to enforce this ordinance but only for writing citations not to the point of taking the animals. Attorney Shuler said the Sheriff's Department did enforce this ordinance but that changed years ago and the Franklin County Animal Control took over enforcement of the ordinance. He reported if the Board and the public are inclined to change the enforcement, then he can make the correction. Commissioner Watson stated this is a good point and he supports the ordinances as they have the same issues on St. George Island. He reported it is not good to pass the ordinance if the County can't enforce it so he would also like some clarification. Commissioner Parrish stated the Sheriff's Department needs to be contacted for their input. He said the off duty officers could be appointed by the Animal Control Authority to enforce the ordinance but they need to discuss this matter with the Sheriff. Commissioner Lockley expressed concern that law enforcement may be needed somewhere else when they are tending to an animal problem. He said there are two Animal Control Officers and if they are not working on the weekends, then their schedules can be changed to address the issue. Chairman Massey asked if the dogs are running on the beach every day. Mr. McCloy answered yes, but said the biggest problem is on the weekends. He stated they pay the officers and the officers are on the beach. He explained they do not know until the Thursday before the weekend which officers are going to show up as it is only on a voluntary basis. He said if the deputies are going to be deputized to enforce this ordinance, all of them would need to be deputized. He said all they want the officers to do is write the citations. He reported other items which require gathering animals should be left to the Animal Control Officers. Mr. McCloy explained all they are asking for is that the officers be included in this ordinance. Attorney Shuler agreed to contact the Sheriff about this matter. Mr. McCloy reported he talked with Captain Brad Segree and they have no problem enforcing the ordinance but he wanted to talk with the Sheriff and the County. Mr. Richard Frogle, a resident of Lanark Village, thanked the Board for addressing this twice as it needs to be well covered and well advertised. He presented a handout being given out by the landfill as the regulations for Franklin County. He read the description of what items are eligible for the County to pick up. He discussed trash being placed on the County right-of-way and being collected once a month by the County. He went on to say trash is not allowed on a state route



so they simply find a county route. He expressed concern that visitors and tourists add their garbage to these piles and do not leave any identifying information. He said he fails to see the economics of the current collection policy. Mr. Frogle stated if you want to dispose of yard trash, household goods or garbage, you must travel to the landfill, pay for the disposal based on weight or hire someone to collect it and legally dispose of it. He explained some people just dump it on the side of the road. He said these piles attract weekenders, commercial businesses, pickers and animals. Mr. Frogle stated the residents of Lanark Village are put at risk as they are stuck with the trash for over a month. He reported sometimes the County does not find the piles of garbage. He said the landfill spends money collecting the trash and does not collect any revenue. He presented a picture taken at Highway 98 and Gulf Avenue and said the garbage has been there for close to 1 month. Chairman Massey reported this garbage was supposed to be picked up yesterday. Commissioner Sanders stated Mr. Jim Bailey lives there and the limbs were already there but the chairs were just added this week. Mr. Frogle reported the pile started over a month ago and they have continued to add to it. Chairman Massey said garbage was collected for a couple of days on Highway 98 but Transfield has to be with them when it is collected. Commissioner Sanders reported the garbage is not supposed to be placed on the Highway 98 right-of-way and the County has to pick it up because no one will pick it up. Commissioner Sanders stated her concern is the trash gets in the ditches and then flows out to the bay. Mr. Frogle stated there is a pile in St. Teresa that still needs to be picked up. Commissioner Sanders reported it is not that the County is not doing a good job but the people are not complying. She explained individuals are supposed to call for pick up on certain items but they do not call. Mr. Frogle stated the policy is a failure because not only do residents want to get rid of the garbage but other people from other areas add their garbage. He reported there is a large commercial pile on Oak Street right up the street from him. Mr. Frogle suggested the County develop an eastern site to receive residential garbage at no cost. He reminded the Board the County is already picking up the garbage at no charge. He stated the County should consider mandatory trash service or more frequent pick up times. Mr. Frogle reported the County could pick up garbage once a week at designated multiple drop off sites out of view of the residential areas. He stated stiffer penalties will be addressed in the new ordinance. He suggested educational literature be distributed to schools, civic associations and churches urging a cleaner future that can enhance the standard of living. Mr. Frogle stated this littering has become acceptable, normal and changes need to be made.

Attorney Shuler clarified that the action the Board has taken on the Planning & Zoning report was to authorize public hearings for the rezoning and land use requests. The Board agreed the action was to schedule public hearings.

Mr. Bob Flowers, C.W. Roberts Contracting, said he appeared before the Board last month and passed out a schedule of their activities with respect to the County Road Paving Project as the County was concerned about the progress. He stated the Board was misinformed as the crew from Panama City was a week late and the crew from Tallahassee was early arriving in Carrabelle. He said due to the good weather and plans coming together, the resources they had scheduled are now available. Mr. Flowers stated he received a letter from Attorney Shuler

and simultaneously the resources were on site and the boat ramp is being paved today. He explained the paving crew will be here all week and are moving to Carrabelle later in the week. He reported there are two base crews on the west end and a paving crew working today. He said there is one base crew on the east end in Carrabelle and soon will be moving to Lanark Village. Mr. Flowers said the milling crew will hopefully be coming in at the end of the week and will be moving into Carrabelle to do some milling. He stated the milling crew will probably leave and then come back to do the rest of the milling. Mr. Flowers stated, based on what has been done the last two weeks and what will be done the next couple of weeks, the project should be on schedule and they should be finished about a month early. He reported they are working in all districts except St. George Island and he has talked with Commissioner Watson about that issue. Commissioner Lockley said no work is going on in District 3. Mr. Flowers introduced Mr. Billy Powell, Operations Manager from Panama City, and Mr. Michael Smith, Superintendent over the crews in Carrabelle. Mr. Flowers asked Mr. Powell to discuss the roads being addressed in District 3. Mr. Powell stated when they leave Carrabelle they are coming back to work on Pogy, Moses and Magnolia. Commissioner Parrish said these roads are in District 4. Commissioner Sanders stated very little has been done in District 2 except for grading some roads. Commissioner Sanders reported she is sure the work will be done as Mr. Flowers has a contract to go by. Commissioner Sanders asked Mr. Clay Smallwood, Preble-Rish, if milling is part of the bid as they are seeing a lot of milling take place on some of the roads. Mr. Smallwood answered yes and said the County is getting all of the milled asphalt. Chairman Massey stated some of the milled asphalt was used as base. Commissioner Sanders reported the base of some of the roads in Carrabelle was gravel and oyster shells as some of the roads have not been paved for 40 years.

**Attorney Shuler explained the Board does not have a second or a vote on the rescheduling of the two public hearings. Commissioner Watson seconded the motion. Motion carried; 5-0.**

### **Commissioners' & Public Comments**

Mr. David Butler, a resident of Lanark Village, appeared before the Board and introduced Mr. Max Davis, a junior at Franklin County School, who the American Legion Post #82 is sending to Boys State on June 19th-26th. He reported Mr. Davis attended the meeting today to see how local government operates so he will have a good impression when he talks with youth from around the state. He explained American Legion sponsors Boys State and the young men go to The Capitol for intensive instruction on civics, duty and responsibility. He said they are given a fictitious county and state; they decide their own representation and elect their own officers. Mr. Butler stated Mr. Davis will be taking an initiative forward from this County and the one he indicated was fracking and the possible ramifications. Chairman Massey congratulated him for attending Boys State. Commissioner Sanders reported she was surprised to see fracking show up in the national debate but it is a serious problem. She congratulated him for going to Boys State. Mr. Butler stated he explained they are thinking of passing something on the national level that will come in conflict with the states. He reported Mr. Davis will be learning about federal mandates and how they sometimes encroach on state and local governments. Mr.

Butler stated this Board deals with this issue on a constant basis.

Mr. Butler said he planned to attend earlier to discuss the Lanark Village garbage problem but he will address this matter at the next public hearing.

**Adjourn**

There being no further business to come before the Board, the meeting was adjourned at 10:30 a.m.

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William Massey - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts