

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COURTHOUSE ANNEX – COMMISSION MEETING ROOM  
MAY 3, 2016  
9:00 AM  
MINUTES**

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

**Others Present:** Alan Pierce – Director of Administrative Services, 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 Minutes**

**On motion by Commissioner Lockley, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to approve the minutes of the meeting held on April 19, 2016.**

**Payment of County Bills**

Commissioner Parrish stated he would like to hold off paying Emo Architects until the next Board meeting. **On motion by Commissioner Parrish, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to hold off paying Emo Architects until the next Board meeting.**

**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 appeared before the Board but did not have a report. Chairman Massey said he appreciated all the good work.

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

Mr. Davis appeared before the Board and said everything is running good at this time.

#### **\*\*\*Allyson Speed - Basketball Program Update**

Mr. Speed thanked the Board for the funds provided for the basketball program. He stated the basketball team has traveled to Tallahassee, Panama City, Orlando and last weekend they were in Pensacola. Chairman Massey asked if the team is winning. Mr. Speed said they have won some but had a tough weekend in Pensacola. He reported they are getting a chance to travel and getting some good experience. He stated the ladies team went to Tallahassee last weekend to play. Commissioner Lockley asked if they won in Orlando. Mr. Speed stated they won a championship in Orlando. Commissioner Sanders asked if the City of Apalachicola provided any funds. Mr. Speed reported the City of Apalachicola paid for their lodging in Pensacola and in Orlando. He explained instead of asking for a lump sum they are getting funds to pay for the expenses and he will keep track so they match the County's contribution. Commissioner Sanders asked if they have matched the amount the County contributed yet. Mr. Speed answered no, but he is keeping up with it.

#### **Pam Brownell - Emergency Management Director**

Mrs. Brownell appeared before the Board and presented the following report:

1. Request the Board approval and signing of the new RCMP grant for \$194,000.

Mrs. Brownell requested the Board waive the permit fees and approve and sign the grant. **On motion by Commissioner Parrish, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to waive the permit fees and approve and sign the new RCMP grant for \$194,000.**

Mrs. Brownell requested the Board approve signing the 2015 RCMP Amendment for \$8,000. **On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to approve signing the 2015 RCMP Amendment for \$8,000.**

Commissioner Watson inquired where Duke Energy will be planting sea oats on St. George Island. Mrs. Brownell reported Ms. Tress Daniels, Emergency Management, met with Duke Energy and the sea oats will be planted on the walk thru areas of the public access. She reported the sea oats will not be planted in front of anyone's home. She stated they will figure where it is eroding and will plant the sea oats in those areas. Mrs. Brownell reported the first

day they will plant on St. George Island and the second day they will plant in Carrabelle. Commissioner Watson inquired about the number of sea oats to be planted. Mrs. Brownell said Duke Energy gave \$9,000 but she is not sure how many seedlings can be purchased as they also have to purchase special soil. She explained there is a sea oat harvester in the County and they are actually buying back sea oats harvested from this county. She reported they will plant on St. George Island on May 20<sup>th</sup> and in Carrabelle on May 21<sup>st</sup>. Mrs. Brownell said they will start getting the order together to get the best price. Commissioner Watson asked if they need volunteers. Mrs. Brownell answered yes, and said Duke Energy will bring about 100 of their people. She reported Duke Energy will also cook food and provide water for the volunteers that day. Mrs. Brownell invited the Commissioners to attend. She went on to say the press will be there to take pictures so everyone understands Duke Energy is giving back to the community. She stated the times scheduled for the planting are 9:00 a.m.-12:00 a.m. Mr. Pierce said several years ago the County planted sea oats on St. George Island and Carrabelle Beach and it worked very well and there is now an established plot they can extend. He explained Rotary Club and Soil Conservation donated the money and Reverend Sink led the project. He reported a hurricane occurred after the planting and the plot still survived.

Information Items:

1. CDR McGuire has offered to review all the Emergency Managements RFQ/RFP to make sure we are in compliance with CFR 200 at no cost to the County.
2. Pamela Brownell and Jennifer Daniels will be attending the Governor's Hurricane Conference in Orlando from May 8-13.
3. Franklin County Emergency Management will be hosting our 2<sup>nd</sup> Annual Disaster Expo on June 4<sup>th</sup> at the EOC from 10am-3pm. We would like to invite everyone to attend and participate.
4. FCEM and Duke Energy will be planting Sea Oats on May 20 on St. George Island and on May 21 in Carrabelle. This is a grant from Duke Energy as a LMS Project.
5. Emergency Management will be re-advertising for the RFQ for the SHSGP grant. There was some wording in our RFQ that met with CFR44 but not CFR200 guidelines.
6. FCEM will be holding an Exercise in conjunction with the State Hurricane Exercise on May 16.

**Erik Lovstrand - Extension Office Director**

Mr. Lovstrand appeared before the Board but did not have any additional items. Commissioner Lockley asked the status of the new building. Mr. Lovstrand said contractors are coming out to look at the building and provide final pricing. He reported the 100% architectural drawings are complete.

**Franklin County Extension Activities April 20 – May 3, 2016**

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

[General Extension Activities:](#)

- Extension Director recruited new members to the Extension Advisory Committee. There are currently 10 members who will work with Extension Faculty and Staff to provide input from a community perspective to guide development of Extension programming. The Advisory Committee met at the Courthouse for its first meeting of this year.
- Extension staff have provided assistance to community members in the areas of turf grass, soils tests, bees, injured wildlife, sea turtle lighting issues, FDACS invasive cogon grass cost-share program, the leave no trace ordinance, butterfly larval host plants and relic dune restoration 4-H programming, well water testing, .
- Extension Director attended the Carrabelle Riverfront Festival and provided a booth on various topics related to Extension work and the process of collecting tupelo honey. Children were able to assist with the honey extraction process.
- Extension Director participated in a meeting as a sitting member of the Apalachicola NERR's Reserve Advisory Council.

#### Sea Grant Extension:

- Extension staff has begun drafting the scope of work and budget for year-3 of the Franklin County sea turtle lighting grant with FWC. Work continues with distribution of equipment for this year and follow-up with property owners who are installing the lighting retrofits.
- Extension Faculty and Staff met at the Estuarine Research Reserve with other stakeholders from the area who are interested in sea turtle issues in Franklin County to share about the work we are involved with.
- Extension Director attended a Sea Grant "Seafood Work Action Group" meeting with other UF Faculty to discuss needs related to the public and the industry that may be a good fit for Extension Faculty to work on.
- Extension Director provided a luncheon presentation to the PHILACO club of Apalachicola. The topic was "The State of the Bay."
- Extension Director provided an interview for News Channel 13 of Panama City, also on the topic of "The state of the Bay."

#### 4-H Youth Development:

- Franklin County's Making Strides 4-H club continues to meet.

#### Family Consumer Sciences:

- Family Nutrition Program Assistant continuing to implement in-school curriculum in 2<sup>nd</sup>-4<sup>th</sup> grade Franklin County classrooms.

#### Agriculture/Horticulture:

- Wakulla County Extension Director provided a program at both branches of the Franklin County Library on the topic of Gardening.

### **Sheriff Mike Mock - Inmate Medical - Discussion**

Mrs. Ginger Coulter, Sheriff's Department, presented each Commissioner with proposals for inmate medical costs. She reported they are trying to provide a few proposals as there have been some high costs related to the inmates over the last few years. She stated they are looking at ways to cut costs. Mrs. Coulter said the figure looks high when you first look at it but over time they will save money. She inquired if the Board would like to go over the proposals now or take the proposals and read over them. She stated they know there will not be a decision today but they just want to work together to come to a viable solution to meet everyone's needs. Commissioner Parrish reported he would like time to read over the proposals before considering anything. He reported this is a problem for the County and the taxpayers but it is mandated by the state. He stated they need to select the best option for the County and the taxpayers. Mrs. Coulter agreed the Board should take time to review the proposal and offered to answer any questions. Commissioner Parrish asked who they should call if they have questions. Mrs. Coulter answered her or Sheriff Mock. Mrs. Coulter agreed to get back on the agenda in a few weeks to discuss the proposal. Commissioner Parrish suggested the Board establish a workshop to discuss this issue. Commissioner Parrish suggested the first meeting in June at 1:00 p.m. and said he would like the Sheriff to be present. The Board agreed to conduct a workshop. Chairman Massey suggested Mrs. Erin Griffith, Finance Department, review this proposal. Mr. Moron said the workshop can be scheduled for June 7<sup>th</sup> at 1:30 p.m. **Commissioner Parrish made a motion to set a workshop for June 7, 2016 at 1:30 p.m. to address inmate medical costs. Commissioner Watson seconded the motion. Motion carried; 5-0.** Commissioner Lockley asked if the Sheriff's Office can hold out until the end of the year. Mrs. Coulter was not sure as they have another inmate on dialysis coming in and two life flight bills. She explained the claims are being submitted to insurance but they do not know when the reimbursement will occur and they have a \$15,000 deductible for each claim. She said they also have a third party company they work with who negotiates with vendors to try and reduce the costs. Commissioner Lockley asked Mrs. Coulter to keep them informed about this situation. Commissioner Watson asked about the time frame for a decision. Mrs. Coulter explained there is not a time frame but they are just trying to come up with a solution before the next fiscal year. Mr. Pierce stated budget time is when a decision needs to be made. Mrs. Coulter said they are trying to establish a procedure before they get into budget time so they don't spend all their time on this one subject. Chairman Massey agreed they will clear up this issue at the workshop.

### **Mike Cooper - Weems' CEO – Report**

Mr. Cooper appeared before the Board and discussed the \$390,000 meaningful use reimbursement from Medicare. He explained the IT attorney and IT Company are in agreement that these items are reimbursable and are ready to proceed. He said the cost accountant, who does the cost report, has also looked favorably upon this item. He reported

they are now speaking with the County Auditors as they do not have experience with this item and they need to make sure everyone is in agreement. He explained if the Cost Accountants classify an item as an asset, reopen the cost report and get the reimbursement and then the auditors say it is not an asset and reclassify it, then Medicare will take the money back. Mr. Cooper stated yesterday he was at Tallahassee Memorial Hospital (TMH) and spoke with their CFO and their accountants, Price Waterhouse, and they are providing an opinion letter which he is waiting to receive. He explained when they receive the letter; he will forward it to the Auditors. He reported they hoped to file the report earlier but it has not been done.

Mr. Cooper said, in reference to the building program, today or tomorrow they should get the first budget from Culpepper Construction which will contain the guaranteed maximum price (GMP). He said they will then know if it is in budget or out of budget.

Mr. Cooper stated he does not have any more information about the patient involved in the EMS accident. He reported she suffered a shattered femur and was already frail so she did spend some time in critical care but he is not sure where she is located now. He said they are thankful everyone came through okay. Mr. Cooper reported the vehicle involved in the accident was the brand new ambulance. He explained this leaves the County with three fully functioning vehicles. He said the question is what they do for a backup. He reported an email was sent to the Board last Friday about this matter. He stated the salvage company wanted \$25,000 for a used unit. He reported Mr. Jarod Wester, EMS Director, assessed the unit and thought the box was good but the engine is prone to have problems and would only cost money. Mr. Cooper said Mr. Wester proposed spending \$10,000 and getting the two existing ambulances fully up to speed. He reported they were scheduled for maintenance in the next few months but they want to accelerate the maintenance. He said Mr. Wester is present and has worked up a formal recommendation. Mr. Wester presented the proposal to the Board. Mr. Cooper said that will be their plan unless the Board feels differently about this matter. He explained this will bring them up to a fully functioning fleet with two back up units. Mr. Cooper said they do not know when the insurance settlement will be received but the claim will be substantial since the ambulance was new. He discussed the length of time before ordering a new ambulance and receiving the ambulance. He requested permission to order the new ambulance while waiting for the insurance settlement. Chairman Massey asked if the unit can be repaired. Mr. Cooper reported there is no way to repair this unit. Mr. Wester said they have been in contact with the insurance company but the insurance adjuster just looked at the unit yesterday. Mr. Wester stated DOT put a hold on everything as this was a government vehicle and an ambulance and they have to do a full DOT inspection. He said this kind of hold is at least 5 days. He reported, according to the DOT Supervisor, they were hoping to have the inspection completed by this Wednesday. He stated the insurance adjuster is aware of all of their needs and he made sure the paperwork they reviewed had the full purchase price along with all the equipment costs for the items that were damaged. Mr. Wester said they hope to hear something back by the end of the week. Mr. Wester stated he talked with Mrs. Erin

Griffith, Finance Department, but it will depend on what the insurance adjuster finds and what they include in the claim. Commissioner Sanders reported the County must have another ambulance. She stated there is a report from Mrs. Griffith on how much money is in the trust fund. **Commissioner Sanders made a motion to let them start the process of purchasing another ambulance and take the cost out of the healthcare tax.** Commissioner Watson asked if the Board needs more information. Mr. Cooper explained they need to order another ambulance right away because of the time frame involved with receiving the unit. Mr. Cooper reported Mr. Wester can attend the meeting again in two weeks and hopefully will have more information from the insurance adjuster. Commissioner Sanders stated it will take a while after ordering to get the ambulance. She said she does not want any part of the County not covered because they do not have an ambulance. **Commissioner Sanders withdrew her motion.** Commissioner Parrish questioned if the insurance settlement will buy a new unit since the unit that was involved was new. Mr. Cooper agreed they should receive the full reimbursement but said sometimes insurance adjusters depreciate the vehicles. Commissioner Parrish said it should not be depreciated much as the ambulance was new. He reported they can go ahead and order the unit and if they need a little extra then they can let the Board know. Commissioner Parrish asked when this unit was received. Mr. Cooper answered September. Commissioner Sanders reported the County will not be out any money until the ambulance is delivered. Mr. Cooper stated the insurance settlement will go back in the trust fund. **On motion by Commissioner Sanders, seconded by Commissioner Parrish, and by unanimous vote of the Board present, it was agreed to give the Hospital the authority to order the ambulance.** Mr. Cooper said since April 1<sup>st</sup> the truck in Apalachicola was moved to a full time ALS truck and there have been no instances without a truck or any delay in getting to a scene. Mr. Cooper stated they are funding this out of existing funds but it is getting tight and will be a problem in the next month or so. Chairman Massey asked Mr. Wester to go by City Hall in Carrabelle and get a card to get into the Carrabelle Airport as they had an emergency and he had to let EMS in. Mr. Wester agreed to pick up the card today. Commissioner Lockley asked how many ambulances they have now. Mr. Cooper said they have five ambulances in the fleet, another one that should arrive in June and with this one which will be received in November there will be 7. He suggested the County get in a routine of rotating ambulances out of service as they are spending between \$30,000- \$50,000 a year on service and they could purchase a new ambulance for \$200,000. He said some of the ambulances have 200,000-300,000 miles. Mr. Cooper reported they will get the new ambulance in June and the replacement ambulance in November so they need to see where the fleet is at that point. Commissioner Lockley asked how long it will take to get the ambulance once it is ordered. Mr. Cooper answered about 6 months on average. Commissioner Lockley questioned if any units are ready for purchase. Mr. Cooper explained the units are custom built based on what specifications are included. Commissioner Lockley inquired if there is nothing left for emergency use. Mr. Wester said there is nothing right now.

Mr. Cooper stated, in relation to LIP funding, the State increased the funding and now it has been sent to Washington for CMS to approve or disapprove. He explained yesterday he talked with Mr. Mark O'Bryant, Tallahassee Memorial Hospital, and he thinks the funding formula has changed and it reduced the money for the big safety net (indigent) hospitals such as the one in Miami and Shands in Jacksonville. He went on to say other hospitals have seen an increase and one hospital in Tampa got a \$50 million increase according to this formula. He explained there are questions about the distribution formula so there may be some negotiations. Mr. Cooper said the formula for Weems increases the funding from \$300,000 to \$900,000. He stated it would be good for Weems but does not seem to be a good thing for the safety net (indigent) hospitals across the state. Commissioner Watson questioned the time frame for a decision from CMS. Mr. Cooper reported they do not have to make a decision until September but the funding begins July 1<sup>st</sup>. Mr. Cooper stated Mr. O'Bryant did not think CMS will take until September. Commissioner Watson asked if the funds come in the form of a lump sum or a reimbursement. Mr. Cooper stated the funds will come in throughout the year. Commissioner Parrish said CMS is looking for a more equitable distribution. He stated the more indigent people the hospitals sees, the more financial help they need but it sounds like the State has a whole different program. Mr. Cooper explained they ranked the Hospitals by tiers and the tiers are tied to the funding. He reported tier 1 gets almost no funding and tier 4 is the highest percentage. He stated Weems is not a safety net hospital but is in tier 4, which is the tier with the highest indigent populations.

Mr. Cooper said, in reference to cash, they are getting by but things are not back to normal. He explained the normal billing is going through but glitches are holding up claims. He said they fix one problem and another one comes up. He reported they are managing now but he is concerned about how this month will go.

Mr. Cooper said last month at the Hospital Board meeting, Mr. O'Bryant asked to see the Hospital Board about some ideas. He reported he met with him yesterday and Mr. O'Bryant is preparing a proposal and would like to meet with the County in the next month. He stated it will take 2-3 weeks to put the proposal together and Mr. O'Bryant is waiting for some additional information. Mr. Cooper reported the proposal is to become a financial partner and take the risk out of the hospital operations but the County would still maintain the risk for the building itself. He reported Mr. O'Bryant would like to bring in a third partner that has a lot of critical access hospital experience as Mr. O'Bryant has no experience in this area. Mr. Cooper said this could be a very positive thing but will involve a lot of details and negotiations. He reported Mr. O'Bryant would like to schedule a workshop in the next month to discuss his ideas. Commissioner Parrish asked Mr. Cooper to monitor this over the next two weeks and let them know at the next Board meeting so they can try and schedule a workshop at the next meeting. Mr. Cooper estimated it will probably be the first meeting in June before he is ready to come down. Commissioner Parrish asked Mr. Cooper to send something in the Board's packet but he does not have to attend the meeting. The Board agreed this is a good idea.



Commissioner Watson said this would be a very positive development. He explained when he was on the Hospital Board, they thought Weems needed a partner and TMH may be able to provide this partnership. He stated he is looking forward to this visit from Mr. O'Bryant and the workshop. Commissioner Lockley reported this is a good thing but the problem is when the Board and the public hear something then they are looking for it to happen. He stated the contract with IT should have been reimbursed and then it did not happen and that is not showing good faith. He said the Board expects it to be what Mr. Cooper says. Mr. Cooper stated he thinks they will be reimbursed but the County auditors are unfamiliar with this issue as they don't have experience with meaningful use programs. Mr. Cooper reported he and Mr. Graham will be on the telephone again this afternoon to try and work this out. Commissioner Lockley expressed concern that when the system was purchased they said it would be reimbursed and now it has not happened. Mr. Cooper stated he thinks they will receive reimbursement. Mr. John Graham, Weems Memorial Hospital, appeared before the Board to present the March financials. He reported they did have a break even month with a \$5,000 profit overall.

At this time the Board stopped the discussion to begin the public hearings.

#### **Public Hearing - Rezoning & Land Use Change (Walter Armistead)**

Mr. Moron reported this rezoning is for Mr. Walter Armistead. He explained the public hearing is for the rezoning only and not a commercial site plan. He stated emails have been received from individuals who are concerned about the Board approving the site plan but this public hearing is only for the rezoning. He reported the Planning & Zoning Commission looked at this request and found it sufficient enough to send it to the Board for a public hearing. Commissioner Sanders asked if the Planning & Zoning Commission voted on this request. Mr. Moron explained they do not vote on the request just found it sufficient to send forward to the Board for a public hearing. Commissioner Parrish read the proposed Ordinance stating Planning & Zoning recommends this rezoning. Mr. Moron agreed they recommended sending it forward for a public hearing. Mr. Armistead appeared before the Board and offered to answer any questions. He said there may be some people present who are opposed to this request and would like to speak to the Board. Commissioner Parrish agreed these individuals should be allowed to speak and then Mr. Armistead can address the concerns. Dr. Tom Adams, a resident of St. George Island, stated his concern is the location of the trailer park. He said this location is on the only access to the evacuation route. He stated this area is a bottleneck and adjacent to the large settling pools that receive runoff from the bridge. He went on to say there are wetlands on this site which indicate there is seepage from the pools in addition to rain and other conditions that cause water to be there. He explained when septic tanks are sitting and dry they are inert but when it rains it destroys the filtration and moves those pollutants to the bay. Dr. Adams reported this property is adjacent to two of the largest oyster areas, Cat Point and East Bay, and this proposal threatens those areas. He informed the Board he is opposed to this request at this location. He explained he has no problem with the trailer park just the location as it will affect the seafood areas. Dr. Adams reported there is a good

deal of activity and traffic in this area and it could be dangerous. He presented a printed page which listed his 14 reasons for objecting to this request. He stated there have been previous attempts to change the zoning in this area. He reported this is a small request on the east side but then the Board will receive pressure from the developers on the west site also. He read and discussed his reasons for opposing this request. He thanked the Board for this time to speak and ask for them to vote to deny this request. Attorney Shuler explained the procedure for this quasi judicial public hearing. He explained everyone has a right to speak for or against this request and Mr. Armistead has the right to cross examine these individuals and they have a right to cross examine him. Mr. Armistead said he will let everyone speak and then he will address the concerns at the end. Mr. Mark Hillis, a homeowner on St. George Island, expressed concern about the environmental stress on the Island. He reported aesthetically it would be a detriment for people coming to the Island to rent homes to have to pass an RV park. Mr. Hillis stated a RV park will not generate revenue and could cause reduced property values. He reported one RV park in the Julian Bruce State Park is sufficient and it is rarely filled. Mr. Hillis said there is no need for this RV Park especially at this location. Mr. Armistead said he appreciates the comments but they have different opinions. Mr. Armistead stated when he went before the Planning & Zoning Commission; they did talk about what the RV Park would do. He said the consensus was unanimous but he did present a plan showing what he wanted to do. He reported he has obtained the approval from HRS for his septic system. He stated his system meets all the qualifications and his property is adjacent to the marsh. He said his neighbor does not have any objection to this proposal. He reported most of the retail businesses are in favor of this proposal. He explained this location will only have 13 or less spots. He stated they will not build in the marsh and the area will be skirted on the outside edges with vegetation. Mr. Armistead reported he lives on the Island and does not think this would devalue the Island. He stated he would not do anything to hurt the Island. He stated Planning & Zoning said it was a low density operation as people will be there and then they will be gone. He stated this is about as low impact as you can do on the property. Mr. Armistead explained he does not want to build skinny minis and they do not need another restaurant or real estate office so he tried to do something that will help the Island. Mr. Armistead reported if a hurricane comes, they can evacuate this area. He listed the businesses supporting this request. He explained the County built a sidewalk in front of his property for access for people to use. He explained this is an ideal location for this business, within walking distance of attractions, and will be done correctly. He explained even if the rezoning is approved, he will still have to go back to Planning & Zoning to have them approve the runoff. He went on to say HRS still has to look at the lot layout. He reported this is just the first step and the plan will come back before this Board again. He said in relation to polluting the bay, he has his County septic tank permit and this can be done properly and will be a very low impact project. He said the property adjacent to his on the west side of Franklin Blvd. is already zoned C-3 so he is in close proximity with current zoning that is across the street. Mr. Armistead offered to answer any questions. Chairman Massey asked if there will be a holding tank for the sewer system. Mr. Armistead answered no; he will have complete hookups at each site. Chairman Massey asked if the State Park has a holding tank. Mr. Armistead answered yes, as they do not have hookups to every site. He stated he will put in a holding tank if the Board so desires and

then he can have it pumped out. He reported he has approval for a septic system with hookups to all 13 RV sites. Mr. Armistead reported RV parks are popular and everywhere now. He stated these parks are in Carrabelle and Eastpoint and even where he travels to Key West. He said the RV Parks are not skirted and they have not hurt anyone's property values. He said the motor homes stay a few days and leave so no one will be living here full time. He stated he would not allow anyone to homestead and he is not trying to sell individual lots. Mr. Armistead reported he discussed this with Attorney Shuler as he was concerned about people trying to sell the individual lots. Commissioner Watson questioned the plan in the event of an evacuation. Mr. Armistead said they will be informed to leave immediately and he will be responsible for making sure they leave so that responsibility will not fall on the County. Commissioner Sanders discussed the change from C-2 Commercial Business to C-3 Commercial Recreation. She inquired if the C-2 zoning allows recreation. Mr. Pierce stated C-2 is the standard commercial district and allows for buildings of a lot larger mass than C-3. He explained C-3 is for RV units only. He said you cannot construct a commercial building in C-3 zoning. He stated this change will limit the use of the property to a campground. Mr. Armistead said he understands C-3 is limited but he feels this is a good use for the property and is willing to take the risk. Commissioner Sanders asked if Mr. Armistead has intentions of doing this project himself or does he plan to sell the property. Mr. Armistead reported he has a for sale sign but has been unsuccessful selling the property, so he came up with this idea of rezoning. He said he would like to do the park himself. Commissioner Sanders reported this is a pretty piece of property just the way it is but she is not going to tell him what to do with his property. Commissioner Sanders reported they have received about 50 emails and all of them have requested the letters be added to the record. **Commissioner Sanders made a motion to direct Mr. Moron take off the email list all the letters and include these letters in the record so the people know their voice counted.** She noted that most of the letters are opposed to this rezoning. Mr. Armistead reported most people want nothing built on the property but he tried to find something that will fit and be the best use for the Island. He stated he lives on the Island and has been there a long time. He reported he is in the real estate business and will not do anything to harm the Island. **Commissioner Watson seconded the motion. Motion carried; 5-0.** Attorney Shuler asked if anyone had any questions for Mr. Armistead. Ms. Pandora Schlitt, a resident of St. George Island, asked how many RV pads can be allowed if this rezoning occurs. Mr. Armistead said the maximum is 13. Mr. Pierce pointed out the State of Florida sets the criteria for the density for RV Parks so this is the state standard. Mr. Armistead reported Roddenberry planned the maximum that could be on this site, according to state law, and they came up with 13 but there may be less than 13. Ms. Schlitt asked if RV's and mobile homes have to move every 10 days or 2 weeks. Mr. Armistead said the State Park has a rule that no one can stay but 2 weeks. He explained they can move out 1 day and then move back in. He stated someone told him, due to demand, spaces must be reserved for 1 year in advance. Mr. Pierce added the flood ordinance considers a structure permanent when it stays in place more than 180 days. He explained if a structure is present less than 180 days then it is considered a temporary structure that does not have to meet the flood requirements. Ms. Schlitt asked about RV's that have become permanent on single family lots around the county. Mr. Pierce said individuals are allowed to store unoccupied RV's on property because the RV's are not

acting as a structure. Attorney Shuler reported the camper ordinance allows 14 days if you can hook up to a system but only 7 if you have an internal tank. He reported this Ordinance is different than the regulations that govern this kind of project. Mr. Pierce agreed the camper ordinance is for individuals using residential property. Mr. Moron said C-3 references limited stay facilities. Commissioner Parrish reported some people are concerned about how long they stay and that they will not rent a home. He said some of the problems will be addressed through the site plan approval process. He explained there will be some contingencies but that is another process. He stated he has heard some issues but they can be worked through and addressed during the next process. Commissioner Parrish reported this is only for the rezoning not site plan approval. Mr. Armistead explained he did not have to bring the site plan to the Planning & Zoning Commission meeting but he felt it was a good thing to do so they would see what his intent was, the maximum number of units and the lot layout. Commissioner Parrish stated this will not have a holding tank but an aerobic system. Mr. Armistead said it will not be any different than any other commercial business. Commissioner Parrish stated people do not want a lot of things in the commercial property but the property owner is then limited by how they can use their property. He stated the property owner has a right to use their property. Ms. Schlitt inquired about the C-3 zoning. Mr. Moron read the section addressing C-3 and agreed to email it to Ms. Schlitt. Commissioner Parrish reported marinas are a no since they would shut down oyster harvesting. Mr. Armistead explained this property is not on the water. Attorney Shuler read the district intent of C-3 which limits what can be done. Mr. Billy Shultz, a resident of St. George Island, said this will be a down zoning, will have less impact and he thinks Mr. Armistead is doing something that will be good for the Island. Ms. Lisa Ray, a resident of St. George Island, asked about the septic tank approval. Mr. Armistead reported he has the approval from the state. Mr. Pierce explained the Health Department is the state approval. Ms. Ray inquired if there are any other RV parks on barrier islands in Florida except the ones operated by the State. Mr. Armistead stated there are plenty in the Keys. Ms. Ray asked if a commercial structure can be placed in a C-3 designation. Mr. Pierce said they cannot build a large commercial building in C-3 because it is for campgrounds and RV parks. Ms. Ray asked about the bath structure on the plan. Mr. Armistead explained it is a bathroom for the facility and will be hooked into the septic system. Ms. Ray asked if there will be a fence. Mr. Armistead said there will be vegetation placed on Franklin Blvd. and Pine Street. Ms. Ray inquired if there will be an office responsible for maintaining this park. Mr. Armistead said his office is across the street. Mr. Armistead stated he has no plans for another office. Ms. Ray reported this rezoning is a prelude to something else. She said she is opposed to it, as are her neighbors who submitted letters. Mr. Armistead asked if these individuals have commercial businesses. Ms. Ray answered no. Mr. Hillis expressed his opinion that skinny mini housing is more attractive than a lot of RV's or motor homes. He said aesthetically this will be detrimental to homeowners on the Island. He stated, as a homeowner, he does not want to see an RV park at the entrance to the Island and he is opposed to this rezoning as it is a prelude to getting it approved. He said this will hurt the Island with reduced values and tax base. Mrs. Martha Hodge, a resident on St. George Island, expressed concern that there will only be one person who is solely responsible for this park. She reported there is no failsafe to this septic system. She stated she believes in property rights but this is distasteful for residents of the Island. She

said there is a lot of commercial property left on the Island because it is not profitable to develop the property. Mrs. Hodge reported this will set a precedent and the Board may see more requests for this kind of facility.

The meeting was recessed at 10:35 a.m.

The meeting reconvened at 10:48 a.m.

Mr. Armistead stated people in motor homes would not rent homes on the Island. He explained most people in motor homes travel and do not rent homes so this will not take away from rentals. Mr. Rusty Tucker, a resident of Franklin County, questioned what kind of screens will be placed to block the view of the RV's when someone enters the Island. He stated they do not want the commercialization of the Island. Mr. Gordon Atkins, a homeowner on St. George Island, advised the Board to be cautious about this change and said he is not in favor of this project. He said the business owners are in favor but the homeowners are not necessarily in favor of it. Mr. Atkins reported he is a property right advocate and thinks a person should be able to do something with his property but there may be other alternatives for this land. Mrs. Nancy Hillis, a homeowner on St. George Island, said she has worked in the banking industry for 40 years and has yet to see an inclusion of an RV Park enhance the property values. She estimated 50% of the tax base comes from the Island and this will cause a reduction of the tax base. She said when a significant change happens in an area; the banks will re-value the properties to see if they are under collateralized which will devalue the tax base. She reported there are other uses for this property. Mr. Armistead disagreed and said there will not be devaluation of property due to 13 RV slips. He said when people come onto the Island; there are people selling seafood and other items out of trailers. He reported there has been no devaluation of the property in Carrabelle where one of the biggest RV parks is located. He said the RV Park in Carrabelle was nicely done and so was the one in Eastpoint and probably helps the values. He went on to say they are being built because there is a need. He explained the State Park stays full and people would like to have access in the middle of the island where they can walk to restaurants and shop in stores. Mr. Don Murray, a resident of St. George Island, said he has worked a lot with valuations and the business people want this because they want more customers but the homeowners do not because they have a longer term view. He explained as homeowners they are opposed as it will change the look of the Island. He stated St. George Island is a unique place and they need to protect the aesthetics or it will change in ways they are not comfortable with. Dr. Larry Murray, a resident of St. George Island, asked if Mr. Armistead already has a sewage permit. Mr. Armistead explained he already has a site evaluation permit. Dr. Murray asked how many people will be on this site at one time. Mr. Armistead answered 13 RV's. Dr. Murray stated there could be as many as 6-8 in each RV. She expressed concern that this will be a lot of people on this property. Mr. Armistead said the calculations were done for 13 sites in accordance with state law. Mr. Davis Bush, a realtor on St. George Island, stated a lot of people contacted him opposing this project. He opposed the

density and the precedent set by this request. He questioned how people will check in and out and where they will park. Mr. Armistead said they can park at the public park and walk back to his office or park in one of the RV sites. Mr. Bush explained this will also set a precedent for what they can have on the west side of the road. Mr. Armistead said he owns a whole block and not many people could do this kind of project as they do not own a whole block. Mr. Bush reported most people do not want an RV park anywhere outside of the state park. Mr. Armistead said Mr. George Floyd has enough property to do this and is already zoned C-3. Commissioner Watson asked for direction from staff on what the process is before the Board. Mr. Moron explained today is the rezoning request. He reported if the rezoning is approved then Mr. Armistead would have to complete a commercial site review. Mr. Moron explained the project would then go back to Planning & Zoning and they would make a recommendation or not make one to the Board. Chairman Massey reported this item has to come back to the Board before an RV park can be built. Attorney Shuler agreed this is a two step process and the Board is at step one. Mr. Moron reported it will go back to the Planning & Zoning Commission before it comes to the Board again. Commissioner Watson questioned if the Department of Health has to issue an approval to the site plan. Mr. Pierce answered yes. Commissioner Watson asked if DEP will be involved if there is a wetland issue. Mr. Moron answered yes, and said there could possibly be a DOT permit needed too. Mr. Pierce agreed a DOT permit would be required if there is a curb cut. Commissioner Watson stated this is a difficult decision for him to make. He said he has had pros and cons on this project, there are many friends and neighbors present and there is disagreement on the project. He thanked the County staff for educating him on the zoning and Ordinances. He reported he is particularly concerned about the commercial area on St. George Island from 3<sup>rd</sup> Street East to 3<sup>rd</sup> Street West. Commissioner Watson said he has been here for 24 years and there has been a gradual encroachment of single family dwellings onto the commercial area. He reported he has not seen the vibrant commercial area they all would like so when a property owner comes with an idea of a project he would like to pursue that involves down zoning; he will take a very hard and serious look at it. He noted, in the last 13 months, there have been 27 building permits issued for St. George Island for single family homes but no permits have been issued for commercial projects. He stated he is a strong proponent for property owners and a strong proponent for protecting the environment. He reported he feels the protections the State of Florida has in place and the County has in place will allow the environmental issues to be resolved. Commissioner Watson stated the aesthetics are part of the site plan review. He reported Mr. Armistead has the right to seek a down grading of his zoning. **Commissioner Watson made a motion to adopt the Ordinance rezoning the property from C-2 to C-3. Commissioner Lockley seconded the motion.** Chairman Massey stated just because you vote for the rezoning does not mean you have to vote for an RV Park as it still has to come back before the Board for an RV Park. Mr. Armistead commented it has to go back to the Planning & Zoning Commission for site plan review before it comes back to the Board. Mr. Hillis stated most of the people do not want the property rezoned as it is a prelude to getting the RV Park. He reported it will not be

aesthetically pleasing and there will not be any control of the type of vehicle that shows up there. He requested the Board not rezone the property for an RV Park as they do not want it in other areas of the Island either. He stated the homeowners will be affected more than anyone and the only ones that will benefit will be a few retailers and Mr. Armistead. Mr. Hillis said if you stop the rezoning, then there will not be a RV Park. Attorney Shuler advised the Board he did some research and the change from C-2 to C-3 has some uses and one of the uses is objectionable to a majority of the people present. He reported according to the case law he reviewed, the Board cannot deny the rezoning just because one of the potential uses allowed in the rezoning might be objectionable or you want to prevent them from being able to put in an RV Park. He explained the consideration of this request for the rezoning must be approved or disapproved for reasons other than just an objection to one of the authorized uses in the category. Attorney Shuler cited the case law on Palmer Trinity Private School, Inc. vs. Village of Palmetto Bay, a 2010 case out of the 3<sup>rd</sup> District Court of Appeals. He read the following from the case law:

(5) The Village's actions were legally impermissible. Palmer Trinity was "entitled to have (its) property zoned based on proper zoning concepts without regard to the one particular use which the owner might then intend to make of the various uses permitted under the zoning classification. A zoning authority's insistence on considering the owner's specific use of a parcel of land constitutes not zoning but direct governmental control of the actual use of each parcel of land which is inconsistent with constitutionally guaranteed private property rights.

Attorney Shuler advised the Board whatever decision the Board makes today should not be made based on approval or disapproval of one of the potential uses that would be allowed or authorized by the zoning category. The motion passed by the following vote:

AYE: WATSON, LOCKLEY, PARRISH, MASSEY

NAY: SANDERS

### **Public Hearing - Rezoning & Land Use Change (Franklin County)**

Mr. Moron said this public hearing is for the rezoning of the property known as El's Court. He explained this change will move the property to preservation. He informed the Board the first change is a land use change and the second is a rezoning. Mr. Pierce said the change will be from commercial to preservation. Mr. Pierce reported the County purchased this property for the purpose of moving it to preservation. Mr. Pierce explained the agency that provided the money for the purchase asked the County to take this action and the County is now following through to make this area a park. Chairman Massey called for public comment. There was no public comment on this item. **On motion by Commissioner Parrish, seconded by Watson, and by unanimous vote of the Board present, it was agreed to adopt the Ordinance changing the land use of this property from C-3 Commercial Recreation to P-1 Preservation.**

Mr. Moron said the second Ordinance addresses the rezoning from C-3 Commercial Recreation to P-1 Preservation. **On motion by Commissioner Lockley, seconded by Commissioner Sanders, and by unanimous vote of the Board present, it was agreed to adopt the Ordinance rezoning the property from C-3 Commercial Recreation to P-1 Preservation.**

Mr. Moron informed the Board Mr. John Graham had to leave to conduct a conference call about the reimbursement and will come back at the next meeting to discuss the Hospital. Commissioner Sanders reported there was information she needed to know for the meeting today. She stated she will put her questions on hold but they will have to answer her questions eventually.

### **Consideration of Resolution Authorizing Bond for Hospital Construction**

Commissioner Sanders questioned how the Board can move forward with the bonds when they do not know the GMP. Attorney Shuler explained he is not bond counsel but Mr. Junious Brown, Nabors, Giblin & Nickerson, is bond counsel and here to make a presentation to the Board. Mr. Brown appeared before the Board. Commissioner Sanders reported until they know the GMP, they do not need to move ahead on the bonds. She explained this is the reason she requested Mr. Graham attend this meeting to answer some questions because some situations have changed in the last month or two. Commissioner Sanders stated Culpepper Construction has not provided the GMP so how can the County know what the bond amount will be. Commissioner Watson asked if they can hear the presentation from bond counsel without making a decision. Commissioner Sanders said she does not have a problem with listening to the presentation but questioned how they can proceed without the GMP. Attorney Shuler stated the County does know the maximum loan commitment amount. Mr. Brown explained the process of authorizing the bonds. He asked for the Board to authorize the issuance of \$10 million of Hospital revenue bonds to pay and reimburse the County for the cost, acquisition, construction, renovation and equipping of Weems Memorial Hospital. He reported upon issuance of the bonds, they will be sold to the U.S. Department of Agriculture, Rural Development, (USDA) as security for the repayment of the bonds. He reported the County will pledge the receipts from its \$.01 sales surtax and the revenues from the operation of the Hospital. He explained under the Resolution the County does not pledge ad valorem tax revenues. He said one provision in the Resolution is also in the bonds that will be sold to Rural Development. Mr. Brown explained this section is titled "Bonds Not to be Indebtedness of the Issuer" and read this section. Mr. Brown stated his understanding is Rural Development has already approved the transaction on their end. He reported after the Board approval, the bonds would be validated which is a 90 day process and will meet all of Rural Development's requirements with respect to construction. He offered to answer any questions. Chairman Massey asked who will be liable if they go over the bond amount for the hospital. Mr. Brown reported the Resolution will only authorize the issuance of \$10 million worth of bonds. He explained if the GMP is greater than \$10 million then the gap would have to be filled with



something other than bond proceeds. Commissioner Sanders stated this is her point and she is upset because she asked for Mr. Graham to be present at this meeting. She reported she has questions that need to be answered about a powerpoint presentation given when they started talking about building the hospital and showed a certain amount of money coming in would be used to pay back a certain amount of money. She explained since then they have been told the Hospital is not getting this money back. She pointed out the most important thing is the company they chose to be the construction manager has not provided the numbers for the GMP. Commissioner Sanders stated she is not comfortable going out with bonds until she has the answers. She reported if the numbers are not there, then she will not move ahead. Commissioner Sanders said she would like to table the bond until the GMP is received from the contractor and Mr. Graham is present to revisit the allocations as some of the money is not coming back. She stated the public needs to be present to hear these answers as all the people will be paying this back. She asked if waiting two weeks will cause a problem. Mr. Brown answered he is not aware of any problem. Commissioner Watson asked if there is a deadline they have to meet or can this matter be postponed. Mr. Brown said there is no deadline so they can get the information they need. Commissioner Lockley explained if this contractor goes over the budget, then they will move to the next contractor. He reported they all know the budget and if they go over then they will follow the process of going to another contractor. Commissioner Watson reported they might come up with a price that will be less than the budget. Commissioner Sanders said during the Hospital Board meetings they have discussed only having 58 patients for 30 days so it is not an inpatient issue as much as emergency room and ambulance. She suggested they look at the GMP as they may not need to do a full hospital just an emergency room. She said there are too many unanswered questions and they need the GMP to know if the price is over or under budget. Commissioner Watson stated he has no problem with delaying for two weeks. **On motion by Commissioner Sanders, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to table this item until the next meeting.** Commissioner Sanders reported Mr. Graham needs to be present at the next meeting. Commissioner Lockley asked why he can't come back today. Mr. Moron stated he is on conference call about the reimbursement for the IT software.

#### **Jason Puckett - Airport Manager – Report**

Mr. Moron stated Mr. Puckett does not have the inspection report yet so he will attend the next meeting when he has the report.

#### **Planning & Zoning Report**

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

#### **CRITICAL SHORELINE APPLICATION:**

- 1- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request to construct a Single Family Private Dock at 1529 Alligator Drive, Alligator Point, Franklin County, Florida. Has all State and Federal Permits and meets local requirements. 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. Request submitted by Ben Withers, agent for Scott Carswell, applicant. (House on the gulf side of Alligator Drive)

Commissioner Sanders said she would like to table this item as there is some concern from people in the Alligator Point area and she would like to allow them time to review this item.

**Commissioner Sanders made a motion to table this request. Commissioner Parrish seconded the request.** Ms. Elva Peppers, Florida Environmental, asked what the concerns are.

Commissioner Sanders was not sure but said the people from Alligator Point, who are present at the meeting, just found out about this request today. Ms. Peppers stated this request had public notice and has been on the agenda for 3 months. She requested the Board not table this item. Commissioner Sanders stated she received a request from people in this area that this affects. Mr. Pierce said the problem is there are a lot of functions requested for one dock. He stated there are concerns from the neighbors that the house is serving as more than a single family residence and becoming more extensive in its uses. Ms. Peppers answered this is absolutely not true as the owner has a handicapped family member and the jet ski platform and floating platform are to accommodate this young man. Mr. Pierce stated he heard this house has been used as a rental house. Ms. Peppers said this house was recently purchased by the current owner and they are making these upgrades to live in the house and use it as a vacation home. She reported they have been on the agenda for so long and have been to the Planning & Zoning Commission. She explained this request has been duly advertised and she does not understand tabling the issue because people do not know about it. Commissioner Sanders reported the people want it tabled because they did not know about it and it will only be 2 more weeks. **Motion carried; 5-0.**

- 2- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request to construct a Single Family Private Dock at Lot 9, New River Forest, 31 White Way, Carrabelle, Franklin County Florida. Has State Self Certification and no further permitting with the Army Corps of Engineers are required, meets local requirements. 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)

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

- 3- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request to construct a Single Family Private Dock on Lot 15, Heron Bay Village, 2209 Seagull Way, St. George Island, Franklin County, Florida. Has State Permits and meets local requirements, contingent upon receiving the Army Corps of Engineers Permit. The dock will be 480' x 4' with a 20' x 6'

terminal platform and a 12' x 20' boatlift. Request submitted by GEA, Inc, agent for Robert Ramsey, applicant. (Site Plan shows future home site)

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

**RE-ZONING APPLICATION:**

- 4- **RECOMMENDED APPROVAL: (Unanimous)** Consideration of a request to re-zone a 10 acre parcel lying in Section 24, Township 7 South, Range 5 West, Carrabelle, Franklin County, Florida from R-1 Single Family Residential to R-2 Single Family Mobile Home. Request submitted by Jeanne Dail, applicant.

Mr. Pierce reported this is just approving the public hearing. **On motion by Commissioner Lockley, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to approve this request for a public hearing.**

**COMMERCIAL SITE PLAN REVIEW:**

- 5- **RECOMMENDED APPROVAL: (Unanimous)** Commercial Site Plan Approval for a 24' x 40' commercial storage building to be placed a 330 US Highway 98, Eastpoint, Franklin County, Florida. Request submitted by Charles "Rex" Pennycuff, applicant.

Mr. Moron stated Mr. Pennycuff is present if the Board has any questions. **On motion by Commissioner Sanders, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to approve this request.**

Mr. Moron presented the following items from his report:

12. Inform the Board the Mr. Dan Rosier is stepping down from his seat on the Planning and Zoning Commission. Mr. Rosier has served on the County's Planning and Zoning Commission for almost 8 years. Mr. Rosier served as an at large member appointed by the District 5 Commissioner. Commissioner Massey is aware and is seeking a replacement.

**Commissioner Lockley made a motion to send Mr. Rosier a plaque or letter thanking him for his service. Commissioner Sanders seconded the motion. Motion carried; 5-0.**

13. Due to this new vacancy on the Planning and Zoning Commission (P&Z) we only have enough members to make a quorum. We have been notified that one of the current members will be out of town on May 10<sup>th</sup>, which is our next scheduled P&Z meeting, so staff has rescheduled the regular meeting to May 17<sup>th</sup>.

Commissioner Watson said several meetings had to be postponed and building permits are up so he asked if the Board has a mechanism to deal with this issue if they do not have a quorum. Mr. Moron reported last month they rescheduled and had a special meeting and this month

they changed the date of the regular meeting. He stated they are trying to fill the slots. Commissioner Watson asked if there are more vacancies. Attorney Shuler answered they only have 5 members out of a 9 member Board. He explained the only answer now is to reschedule the meetings until the Board makes changes to the Ordinance. He stated there was some discussion months ago about amending the Zoning Code provision to reduce the number of members but the majority of the County Commission did not favor this suggestion. Commissioner Watson asked if there are certain categories. Attorney Shuler reported there are 9 categories plus 2 alternates. Mr. Pierce said there are 5 categories for industry and 4 at large positions. He did not have the breakdown with him but felt the at large positions were filled. Mr. Moron stated one Planning & Zoning member asked to add this discussion about membership on the agenda. He reported they want to discuss it and present a recommendation to the Board. Chairman Massey asked if a Commissioner can sit on the Planning & Zoning Commission. Attorney Shuler answered no, and said there is a rule that the Commissioners cannot sit as part of an advisory Board making recommendations that the Board will later make a decision on. Commissioner Lockley said the vacancies created a problem with people waiting a long time for their requests to be processed. He questioned if the requests can come straight to the Board. Attorney Shuler advised the Board there is no provision to do this at this point and it would defeat the purpose of creating the Planning & Zoning Commission. He explained they could amend the Ordinance and bypass the Planning & Zoning Commission but that has not been done. Mr. Pierce reported they could fill the slots, reduce the number of members or reduce the role of Planning & Zoning. He stated the County has a competent staff that could complete some items and the Ordinance could be amended so Planning & Zoning would not have to serve this role. Commissioner Watson suggested the Board wait and see what Planning & Zoning recommends and he asked for Mr. Moron to let them know what the vacancies are. Mr. Moron agreed to email the vacancies to the Commissioners.

#### **Marcia M. Johnson - Clerk of Courts - Report**

Mrs. Johnson was not present and did not have a report

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

Mr. Pierce appeared before the Board and presented this report:

1- Report to the Board that I attended a Water Management District meeting on April 27. While the meeting was advertised to discuss the District's interest in RESTORE projects that discussion was never held. The meeting was spent discussing changes to various other projects the District is working on.

Mr. Pierce said they discussed SWIM (Surface Water Improvement Management) program but Apalachicola Bay SWIM projects were not discussed due to the litigation between Georgia and Florida. He stated the Governor's Office has asked that the NFWFMD withhold any discussion

about Apalachicola Bay SMIM projects or any other improvements. He reported this discussion will be held at another time.

2- Report to the Board that Commissioner Sanders did attend the Consortium meeting on April 27 in Tampa. The Consortium did re-elect Warren Yeager as an officer in the Consortium.

Mr. Pierce said the eight counties still have a membership on the Executive Board. Commissioner Sanders reported there were some people up for the Vice President position and no one challenged Mr. Grover Robinson as Chairman. She explained on the Vice Chairman position there was a Mr. Chris Constance that challenged Mr. Yeager but they voted Mr. Yeager back in. She said the officers for the Consortium are Mr. Grover Robinson, Escambia County, Mr. Warren Yeager, Gulf County, and Mr. George Nugent, Monroe County. She expressed concern about two items that came up and one she voted against. She stated they went into a contract with ESA Consultants, that are doing the plan for the Consortium, for \$1.7 million and now because it is taking more time and energy, they asked to amend the contract to \$2.7 million. She said she voted against this amendment as she felt they should stay with what they voted for. Commissioner Sanders explained they said there were some triggering issues that the money will not go out until it triggers in. She reported Mr. Mike Landon, one of the owners of ESA, said he has completed \$90,000 of work that he will not get paid for. Commissioner Sanders explained the understanding was he would not get paid until the Consortium gets paid. She stated everyone was not present but the general consensus was to let them have the money. Commissioner Sanders said the second issue was the procurement with Leon County. She informed the Board a decision came back that since this item was not let out for bid under a bid policy, they could not just let Leon County have the project. Commissioner Sanders reported the Executive Committee expanded the scope of work for ESA to take over for a little more money. Commissioner Sanders said she was very concerned about them wanting the extra \$1 million for the contract. She discussed an update from a professor at the MOAH Institute about drilling in the Gulf and finding oil on the bottom. She said she will get a copy of the report and have Mr. Moron send it to the Commissioners because it was very interesting. She stated the meeting went good and she will attend the next meeting. Mr. Pierce reported the next meeting is on June 28<sup>th</sup> at the FAC Conference. Commissioner Sanders reported this will be good because the other Commissioners can also attend. Commissioner Lockley said these amounts requested will keep going up. Commissioner Sanders agreed and said there is not going to be a cap as the scope of work and range of work has changed so much it was not what they thought originally. Commissioner Sanders stated the representative from Dewberry Consultants was there and she heard he gave a very good presentation.

3- Board action to approve Change Order for \$40,117.50 to Coastline Clearing to increase the volume of rocks at the Alligator Point revetment and to approve the final pay request for the project.

On the same project, Board action to approve payment of professional services of \$9,447 to Preble-Rish for services associated with getting the permit to repair the revetment. Both these expenses are FEMA eligible and both will be submitted to FEMA for reimbursement. The Change Order closes out

the work to be done on the revetment, and closes out one of the remaining FEMA projects on Alligator Point.

The other remaining project is the relocation of Gulf Shore Blvd. The FEMA review should have been completed by April 30, but the county has not received any notification yet.

**On motion by Commissioner Sanders, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to approve the change order in the amount of \$40,117.50 for Coastline Clearing and approve payment in the amount of \$9,447.00 to Preble-Rish for this project.**

Mr. Pierce said he is very frustrated and does not know what to do on Gulf Shore Blvd. Mr. Pierce said he asked for an extension for Gulf Shore Blvd even though he does not want to but it has been five years and he still does not have an answer from FEMA. Commissioner Sanders asked what the Board can do about this project. Mr. Pierce reported there is nothing the Board can do and he cannot even get a conference call with the people at FEMA. He stated they will continue to try.

Mr. Pierce stated on Thursday he will be on Alligator Point and meet with the Archie Carr Turtle Institute, UF, who are doing a minor beach cleanup at Bald Point State Park. He reported they are the leading turtle institute in the State of Florida and will do this with NERDA or NEFWITH funds. He stated he will be there with them and hopefully they can secure more funds to do additional beach cleanup.

#### **Michael Morón - County Coordinator - Report**

Mr. Moron presented his report, as follows:

1. Inform the Board that the FWC Commission meeting scheduled for June 20<sup>th</sup> – June 24<sup>th</sup> has been moved from the 3<sup>rd</sup> floor courtroom to the Franklin County School in Eastpoint. As the attached letter states FWC is expecting a larger than usual crowd, so a bigger venue with additional parking and staging areas are needed. He pointed out this large crowd is due to the bear hunt.
2. Inform the Board that the Franklin County SHIP 2016 -2019 LHAP has been approved by the State.
3. Inform the Board that the Department of Economic Opportunity has responded to the County's letter requesting assistance for the seafood workers. A copy of the letter is attached.
4. Board action to support and authorize the Chairman's signature on a Letter of Support for the City of Carrabelle and Carrabelle Historical Society's 2017 – 2018 Small Matching

\$60,000 grant application. This grant is Phase Four for the preservation of the Carrabelle Old City Hall.

**On motion by Commissioner Sanders, seconded by Commissioner Lockley, and by unanimous vote of the Board present, it was agreed to support and authorize the Chairman's signature on a letter of support for the City of Carrabelle and the Carrabelle Historical Society's 2017-18 Small Matching \$60,000 grant application.**

5. Board action to support and authorize the Chairman's signature on a Resolution proclaiming May 9, 2016 as Child Welfare Professional Recognition Day. A copy of the resolution and a letter from Congresswoman Frederica S. Wilson is attached.

**On motion by Commissioner Sanders, seconded by Commissioner Watson, and by unanimous vote of the Board present, it was agreed to adopt a Resolution proclaiming May 9, 2016 as Child Welfare Professional Recognition Day; as follows:**

### **RESOLUTION OF PROCLAMATION**

***WHEREAS**, children are our most precious resource and our promise for a bright future;  
and*

***WHEREAS**, "Child Welfare Professionals Recognition Day" was originally approved and signed into law by Governor Charlie Crist in 2008; and*

***WHEREAS**, the Bill, Senate Bill 78, was sponsored by Congresswoman Frederica S. Wilson to ensure the professionals who are entrusted with the well-being of our children get the appreciation and positive recognition they rightfully deserve; and*

***WHEREAS**, the vast majority of child welfare professionals are hardworking, conscientious, and compassionate when it comes to the safety of children and take their responsibilities toward ensuring our children are safe and well taken care of very seriously; and*

***WHEREAS**, child welfare professionals are responsible for ensuring our children live free from maltreatment; enjoy long-term, secure relationships within strong families and communities; are physically and emotionally healthy and socially competent, and that families nurture, protect, and meet the needs of their children; and*

***WHEREAS**, they form supportive partnerships with family members, relative caregivers, and foster and adoptive parents to achieve optimum communication, clear roles and responsibilities, and mutual accountability; and*

***WHEREAS**, these professionals build rapport and trust with families and those who know and support them, and empower family members by identifying their strengths and making them aware of the resources that are available to assist them.*

***NOW, THEREFORE**, the Board of County Commissioners of Franklin County, Florida, hereby proclaims May 9, 2016, to be "Child Welfare Professionals Recognition Day," and offers its gratitude to all who invest their lives into ensuring the lives of our children are safe and happy.*

**This RESOLUTION OF PROCLAMATION adopted this 3<sup>rd</sup> Day of May, 2016 by the FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS.**

s/William Massey

William Massey, Chairman

ATTEST: s/Marcia M. Johnson

*Clerk of the Circuit Court*

6. Inform the Board that the Florida Shore and Beach Preservation Association Annual Conference is on September 14 – 16 in Naples, Florida.
7. Inform the Board that the Finance Office is preparing to send out the budget letters and forms, which will be due by June 1, to all county departments and constitutional offices. Unless the Board has different advice, the letter (a draft copy is attached) will read, “Please keep your request at your current adopted budget. Any increases will need to be justified to the Board.” Also, would the Board like the non-governmental agencies to attend the Budget Workshop or keep funding them at current levels? Board discussion.

Commissioner Lockley said they have a problem with a couple of non-governmental agencies they will need to see. Commissioner Sanders agreed the Board needs to meet with them. Mr. Moron stated he will let Mrs. Griffith know when she presents the two dates to include these. Commissioner Sanders reported the Board needs to look at the three pointed out by elder services. Commissioner Watson asked which ones they need to look at. Commissioner Sanders answered the three non-governmental agencies they provided money to that they need to relook at. Mr. Alan Feifer, Concerned Citizens of Franklin County, said there has been multiple, different letters that go out every year to the Constitutional Officers and County Departments but the one that worked best is the one that says no budgets are to be submitted that exceed last year’s budget but should you need additional money put that on an auxiliary budget as a request to be discussed at the workshop versus exceeding the budget at the beginning. Mr. Moron said he will send this request to the Clerk’s Office and the Clerk will be present at the next meeting to address the specific wording. Commissioner Sanders stated the letters are usually out by May 1<sup>st</sup>. She reported the letters should be done like last year and tell them not to put any increase and if they do, be there and ready to justify why. Mr. Moron stated this is basically what they are saying. Commissioner Watson said this is a new process to him this year and he asked if the requests to non-governmental agencies and department heads say bring the same budget as last year and if you want additional funds it has to be supplemental. Mr. Moron reported they have to justify it. Commissioner Watson asked if this is what was done



last year and it worked well. Mr. Feifer said the letter last year was changed and he did not believe it asked for a supplemental budget. He requested the Board go back to that letter requesting the supplemental. Commissioner Watson stated this sounds like what the letter is saying. Chairman Massey said it is. Mr. Moron explained what the letter is saying is come in with what you had last year and if you have an increase, explain it.

8. Inform the Board that due to a lack of funding, Gulf County Transportation was unable to accept any appointments for Franklin County residents during the last week of April. Gulf County Transportation was designated the County's Community Transportation Coordinator (CTC) in December 2015, which makes them responsible for providing transportation for anyone that qualifies under the Transportation Disadvantage Non-sponsored Program. One of the main causes of the funding shortfall is that the previous County CTC did not qualify for the USDOT 5311 2015 – 2016 Grant, which is approximately \$60,000. In addition, Gulf County Transportation was unaware of the County's match (\$840 per month) for this program. Even though Gulf County was officially designated in December 2015, is the Board interested in authorizing the release of the October and November 2015 match funds along with the funds from December 2015 to April 2016, which is due to them. This might help reduce any further incidents like what happened in April. Board discussion and action.

Commissioner Lockley said the provider should get the money as they ran out of money through no fault of their own. He explained they did not know how the program worked and that the County provides this funding. **Commissioner Lockley made a motion to give the money to the provider. Commissioner Sanders seconded the motion. Motion carried; 5-0.** Commissioner Lockley stated people are suffering without this service. Commissioner Watson asked if this was handled by a county vendor and they lost the contract. Mr. Moron agreed it was a company based in Franklin County. Commissioner Watson asked if, during the budget process, the Board will look into having a local vendor as he would like to have a local vendor if they can. Mr. Moron explained DOT controls who gets this contract. Mr. Pierce pointed out that bids are submitted to the Apalachee Regional Planning Council (ARPC), who gets money from the federal government to provide these services. Mr. Moron said the County has no control over the contract. Mr. Pierce reported the County provides funding to whoever gets the contract. Commissioner Watson asked if the current vendor was not making trips. Mr. Moron reported the last week of the month; they had no funding so they could not provide any trips. Mr. Pierce explained this will release money that was held back from the previous vendor. He said this will provide funds to keep the program going. Commissioner Watson asked if the contract will continue for next year with the same vendor. Mr. Moron answered yes, under ARPC. He explained this is not their fault as they took over in the middle of a contract because the previous contractor was not fulfilling their contract. Commissioner Watson stated he thought it was coming up in the budget cycle. Mr. Moron said only the portion the County provides which is basically a match will be addressed during the budget cycle. He stated on some of the trips they get 50% and others 90% so the match helps make up the difference.

9. Board action to approve Amendment No. 7 for the Armory Renovation project. This amendment increase's Emo Architects, Inc. compensation by \$10,868.10. This amendment includes an additional \$4,268.10 for architectural fees based on the increase in the construction amount for the drainage work on the Avenue D side of the building and kitchen equipment. It also includes civil engineering fees of \$2,400 for the drainage work and a food service consultant fee of \$4,200 for the kitchen equipment.
10. Board action to advertise for the kitchen equipment for the Armory. Berkshire - Johnstone, the Armory renovation contractor, has declined to be involved in the purchase or installation of the kitchen equipment. If the County bids out the equipment we save the sales tax and the contractor's mark-up. The equipment will be paid for out of TDC funds. Staff will work in conjunction with EMO Architects on this project.
11. Inform the Board that the County is ready to proceed with the replacement of the HVAC unit on the south roof of the Courthouse. There is \$40,250 for this project in this year's budget (Courthouse Maintenance) and the Finance Office anticipates having the other half of the money in the 2016 – 2017 budget. This unit is at the end of its useful life expectancy. Board action to sign a contract with EMO Architects to oversee the project and go out for bids.

Mr. Moron recommended tabling Items 9, 10, & 11 until the next meeting. **Commissioner Sanders made a motion to table Items 9, 10 & 11 on the County Coordinator's Report until the next meeting.** Commissioner Parrish asked if Mr. Moron will have a meeting with the parties affected by what the Board is doing. **Commissioner Sanders amended her motion to include Mr. Moron meeting with the concerned parties.** Mr. Moron said if the Board will direct him to meet with them he and Mr. Curenton will have a meeting with all concerned parties. Commissioner Parrish said at the meeting he would like Mr. Moron to address the last line on Item #9. He requested Mr. Moron have a discussion about the \$4,200 for this equipment as this is a lot of money to tell us what kind of equipment we need. Commissioner Watson asked what the issues are. Mr. Moron explained staff is getting complaints that local contractors are not getting paid. He reported the more Mr. Curenton tries to investigate the more everyone is pointing fingers at each other but no one wants to sit down at a meeting. He stated now that no one is getting paid, they may be more willing to sit down and address the issue. Commissioner Parrish stated the architect and engineer want to get paid but the contractor and sub-contractors are not getting paid. He explained if there is a problem, then no one should get paid until the problem is resolved. Commissioner Watson reported the general contractor did not want to be involved in the purchase of the kitchen equipment. Mr. Moron stated this is also causing a problem. **Commissioner Parrish seconded the motion. Motion carried; 5-0.**

12. This item was handled earlier in the meeting.
13. This item was addressed earlier in the meeting.

14. Board action to grant a moratorium on the issuance of any additional vendor permits on St. George Island until staff and Attorney Shuler has an opportunity to review the Peddler's Ordinance (96-14). The original intention of the ordinance was to control the empty lot known as the "County's parking lot" on St. George Island. Staff is concerned that there might be more requests for vendor permits than there is space. Staff would like the opportunity, with Attorney Shuler, to review the area that is referred to in the ordinance and perhaps tweak some of the wording.

Attorney Shuler reported the Board would have to adopt an Ordinance as they cannot enact a moratorium by a motion and vote of the Board. He said the Board can do a declaration of emergency and adopt the Ordinance by 4/5 vote of the Board but that will be a decision based on what information staff provides. He explained the Board needs to know why this is now an emergency and the Board can't just advertise a public hearing to adopt an Ordinance. Mr. Pierce reported the peddlers' uses have expanded. Attorney Shuler questioned if the Planning & Zoning Office has received calls complaining about this issue. Mr. Moron answered yes. Attorney Shuler asked how many calls. Mr. Moron responded more than 10 calls. He explained they are not sure how much space the County actually has to assign spaces. Mr. Moron said they are accepting applications but saying first come, first serve. Commissioner Parrish stated his understanding is one vendor would like to occupy the whole area. Mr. Moron described the location of the property. Commissioner Parrish left the meeting at this time. Commissioner Sanders reported they are selling different items now instead of just agricultural items so they need to check and see what they can sell. Attorney Shuler reported the Board has enough information now to declare an emergency and enact an emergency moratorium. He recommended the moratorium not exceed 6 months. He stated all Commissioners need to be present for the vote. Commissioner Watson stated he thought they were allowed to sell seafood and agricultural items on the right of ways under another statute. Attorney Shuler explained the County has a Peddler's Ordinance that regulates these items. Attorney Shuler reported if the Board enacts this moratorium then no further permits will be issued after today regardless of whether an application has been submitted. Mr. Moron said they are allowed to sell agricultural items and seafood on the state right of way. Mr. Pierce reported the Peddler's license only applies to County right-of-ways. He went on to say they designated two areas on St. George Island where you can sell and it will not cause a traffic hazard. Commissioner Watson reported these areas also do not affect the parking lot. Mr. Piece said no selling is allowed in the parking lot. Mr. Moron stated they have to police this area as some of the vendors do not want to move every night and that is a requirement. Commissioner Watson asked Attorney Shuler to restate his recommendation. Attorney Shuler reported, based on the evidence given to the Board by staff as to the nature of the emergency concerning the peddler's license, there is enough information to declare an emergency and by 4/5 vote of the Board impose a moratorium adopting an Ordinance declaring there will be no further peddler's licenses issued from today's date and for a six months' period following today's date. He explained that will allow staff time to conduct their study, have meetings and present a recommendation to the Board to either modify the current Ordinance or continue the moratorium. Commissioner Watson asked if the Board would adopt the moratorium today. Attorney Shuler agreed the Board would be adopting an emergency Ordinance effective from

today's date. Attorney Shuler explained he will draft the Ordinance for the Chairman's signature. The Board agreed to address this item when Commissioner Parrish returns to the meeting

15. Inform the Board that Eastpoint Water and Sewer District has informed the Board that they are constructing a raw water line from its New Well #4 location at the Northeast end of Buck Street to its Twin Lakes Road Water Plant. This line will follow the Northern and Western right-of-way edge of Ridge Road and Otterslide Road to the water plant facility on Twin Lakes Road. They estimate construction of this water line to begin the last week in May and should be completed prior to 90 days.

Mr. Moron said they have no intention to come across the road at this time as they would need a special permit. He agreed to let the Board and Attorney Shuler know if this changes. Commissioner Sanders reported they cut newly paved roads last time without contacting the County.

Chairman Massey reported FWC has released money for boat ramps and he would like to see if there is any money to build another boat ramp east of the pavilion in Eastpoint. Mr. Moron agreed to meet with Chairman Massey about this location.

Commissioner Parrish returned to the meeting at this time.

Attorney Shuler reported the letter from Eastpoint Water & Sewer does not state they will not cut the roads and this needs to be clarified. Mr. Moron agreed to verify that the roads will not be cut.

Attorney Shuler said some additional information has been provided by staff concerning the number of applications and anticipation of continued applications regarding the peddlers on the Island. He advised the Board there is enough information to declare an emergency moratorium on the issuance of all peddler's licenses effective today's date. He suggested a moratorium for 6 months to give staff additional time to conduct studies and public hearings and come back to the Board with a recommendation on making changes to the existing Peddler's Ordinance. He explained in order to adopt the emergency Ordinance today, the Board would need to declare an emergency on this issue exists and by a 4/5 vote of the Board adopt the Ordinance. **Commissioner Sanders made a motion, based on the evidence given to the Board by staff as to the nature of the emergency concerning the peddler's license, there is enough information to declare an emergency and impose a moratorium on the issuance of peddler's licenses issued today's date and for a six months' period following today's date. Commissioner Watson seconded the motion.** Commissioner Watson asked how many peddlers are operating in this area. Mr. Moron said there are about 15 requests. Commissioner Watson asked how many are active. Mr. Pierce answered 7-8. Commissioner Watson said they are not present all the time. Mr. Pierce explained they will show up when the summer is here. He explained the issue is the peddler's license cost \$150 if issued in January-March and after March it is \$300 so people buy them early and then wait until the summer season. Mr. Moron said there are 9 now active ready to renew but no new licenses will be

issued. Commissioner Parrish reported the problem is there is no distinct area for them to go to. He stated if someone sets up the entire area then there is no room for anyone else and they have also purchased a peddler's license. He questioned if they are going to redo the Ordinance and subdivide the property so each person has an area to set up or allow one person to occupy the whole space. Commissioner Watson inquired if they limit the type of products that are sold. Mr. Pierce said the Ordinance does not regulate this issue. Commissioner Parrish expressed concern that some vendors are competing with established businesses by only purchasing a Peddler's License and setting up on the County property. Commissioner Watson reported there are also health issues. Commissioner Parrish agreed staff needs to review these issues. **Motion carried; 5-0.**

Commissioner Sanders said she has an issue with RV's at Lanark Village and asked about the rules governing RV's being in the yard and not being hooked up to water and sewer. Mr. Pierce reported they are allowed to store RV'S in any area for any length of time. Commissioner Sanders clarified the County does not issue permits for people to live on property in an RV. Mr. Pierce reported they will not issue a separate power pole permit for vacant property for a RV. Mr. Pierce stated RV's are not considered permanent residences. Commissioner Sanders asked if they are sending staff around to investigate these issues. Mr. Moron reported when they receive a complaint the building inspector goes out, investigates and provides a report. Mr. Moron said he reviews the reports and bring them to the Board if necessary. Commissioner Sanders agreed they need to keep checking on these RV's and try to alleviate this problem. Mr. Moron requested individuals let them know if they have one of these problems and they will continue to try and solve this issue.

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

Attorney Shuler did not have a report at this time.

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

Mr. Ben Withers, a resident of Alligator Point, asked about the request for the dock that was tabled. He explained they have been through 3 or 4 hearings while they were trying to get a quorum of the Planning & Zoning Commission. He reported this gentleman just bought the property last year and has a disabled child that they are trying to get out on the dock and in the water. He requested the Board reconsider this request. Mr. Withers reported they live next door to this property and he is not sure what the concern is. Commissioner Sanders reported the people at Alligator Point usually have input and they were not aware of this dock being built so they asked if the County can wait 2 weeks so they have time to look at it. Mr. Withers stated it has been advertised 2 or 3 times. Commissioner Sanders said she always agrees to allow time if individuals ask her to. Mr. Withers discussed this item with the residents from Alligator Point.

**Adjourn**

There being no further business to come before the Board, the meeting was adjourned at

12:30 p.m.

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William Massey - Chairman

Attest:

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Marcia M. Johnson - Clerk of Courts