

City of Apalachicola Tree Committee
Meeting Minutes
August 20, 2019 3:00 PM
Battery Park Community Center

1. Attendees

Holly Brown, Committee member
Anita Grove, City Commissioner
Ron Nalley, City Manager
Pam Richardson, Committee member and note-taker for this meeting
Bob Seaborn, Committee member
Dennis Winterringer, Committee chairperson

2. Draft summary of the Committee's July 23, 2019 meeting (prepared by Ms. Brown)

The Committee adopted the summary.

3. City's processing of tree applications

The City Manager informed us that, due to the sudden resignation of the Code Enforcement Officer, EPCI will at least temporarily be handling all zoning and building department functions in Apalachicola. Mr. Nalley is waiting on a proposal from EPCI to determine whether or not the city should enter into a permanent contractual agreement with them. Committee members voiced some apprehension about this because EPCI doesn't have a real presence in this city; they are located in Port St. Joe. For the moment, in terms of the tree ordinance, Kelly, the City's new hire, along with EPCI is handling permitting, Greg Harris and/or Robert Osburn is handling the field review and inspections and Mr. Nalley is signing off on permits. Mr. Nalley added, "to date, the only weakness I see is enforcement – or doing work without proper permits. EPCI and I are working on that piece now. We will also count on our police department to keep watch with enforcement duties while we are in this transition period. I will likely have more information and perhaps a final recommendation by this time next month."

4. Recently enacted State Law

The Committee and the City Manager discussed the implications of House Bill 1159 that went into effect on July 1, 2019. That new State law gives landowners the right to remove or trim dangerous trees on residential properties without getting city permits. Mr. Nalley informed the Committee that there are currently several court cases (Tampa and Pensacola vs. State of Florida) whose outcomes will guide us. The League of Cities has voiced opposition to the bill, believing that the state is stepping on the toes of municipalities. Mr. Nalley believes there will most likely be a home rule case over this. The court cases could result in the law being upheld or, conversely, in its being partially or totally negated. It seems important that at this time we not make any changes to Apalachicola's tree ordinance because we don't want to jeopardize any "pre-existing" status that we might have vis-à-vis HB 1159.

5. Florida Department of Agriculture and Consumer Services (DACS) grant opportunity

It is expected that this week there will be an announcement from the DACS regarding grants, ranging from \$2,000 to \$20,000, for public tree inventory and assessment, tree replacement and storm preparedness planning. Once the announcement is made, there will be a 60-day time period in which to submit a grant application. If the DACS grant opportunity announcement is issued prior to the September City Commission meeting, Mr. Nalley said he would enter in the consent decree section of the meeting agenda an item concerning preparation of a grant application.

This sparked a lively conversation of whether or not to apply for this grant and how we might use such an influx of funds. Dennis argued convincingly for a three-stage use: (1) inventory, (2) plan and (3) plant. There was total agreement that LaFayette Park would be the place to start and to tie it in, in the application, with storm preparedness planning. In order to fill out the application, we need to establish specific goals and attach dollar amounts to those goals. We are going to contact Marie Marshall for a copy of a plan for LaFayette Park made many years ago by Willoughby Marshall.

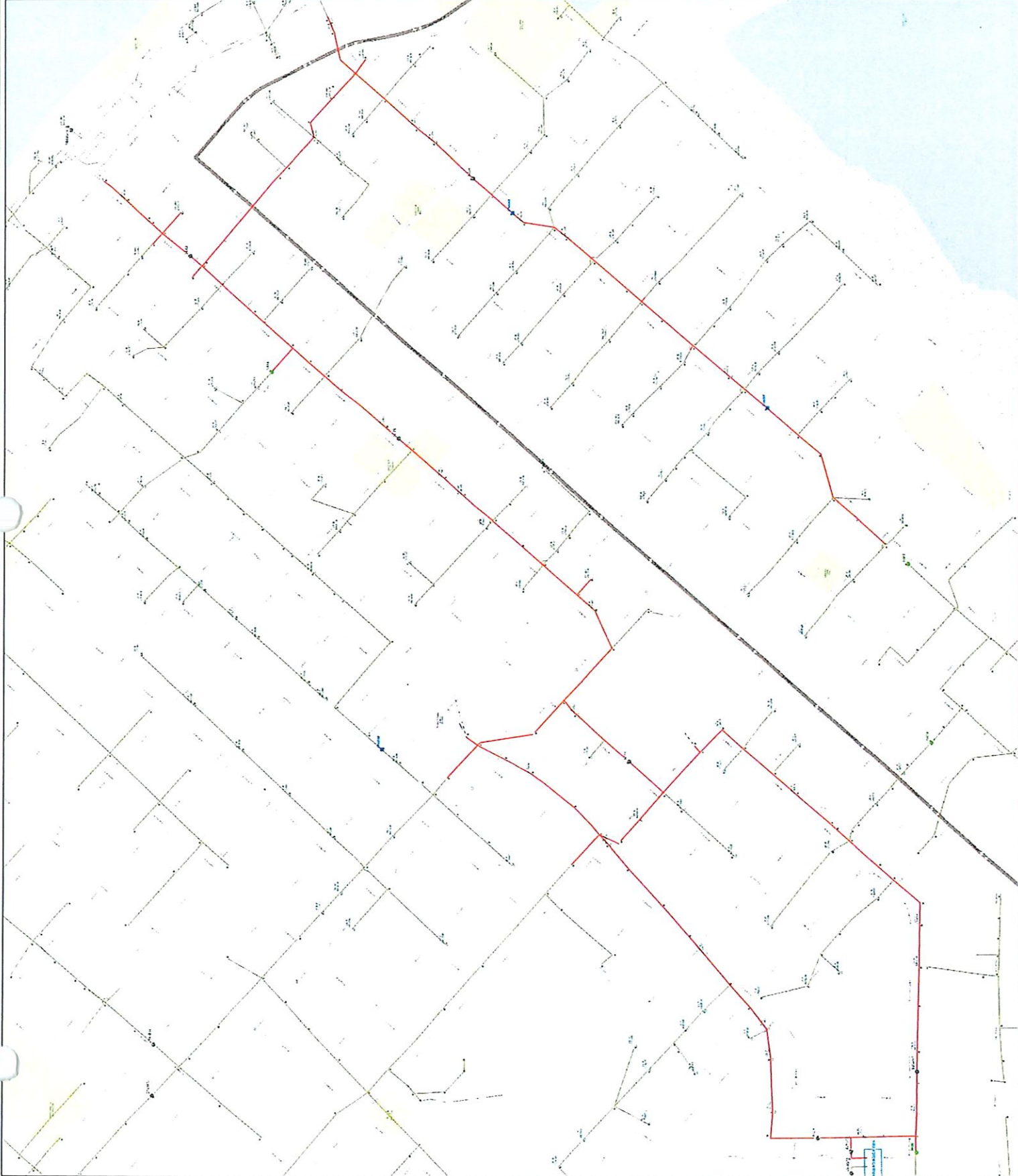
6. Next Meeting

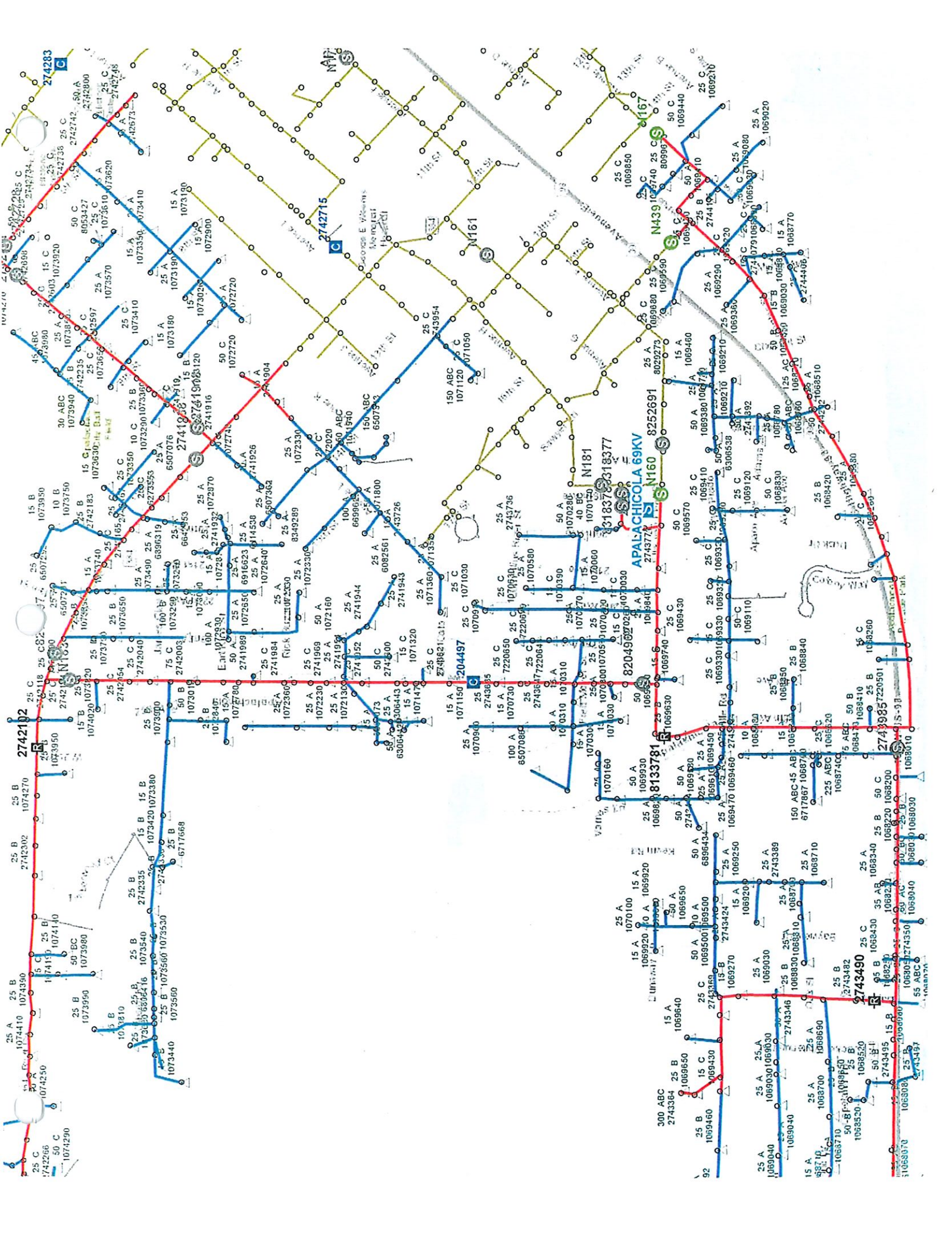
September 17, 2019, 3PM, regular monthly meeting of the Tree Committee.

- Legend**
- Conductor
 - Feeder
 - Lateral
 - Neighboring Overhead
 - Underground
 - Pole
 - Substation
 - Substation Area
 - Switch
 - Closed
 - Open
 - Recloser
 - Open
 - Closed
 - Other Equip & Devices
 - Capacitor
 - Sectionalizer
 - Switchgear
 - Regulator
 - Transformer



NOTES





F. UTILITY EASEMENT TRIMMING

Electric utility companies and their contractors that perform vegetation maintenance and tree pruning or trimming within electric utility right-of-way corridors shall do so in accordance with the following requirements. As defined in State law (F.S. 163.3209), “vegetation maintenance and tree pruning or trimming” means “the mowing of vegetation within the right-of-way, removal of trees or brush within the right-of-way, and selective removal of tree branches that extend within the right-of-way.”

1. All tree management will be limited to what is necessary for the proper maintenance of existing and new utility facilities in order to provide safe and reliable utility service.
2. Prior to vegetation maintenance and tree pruning or trimming, the utility shall provide the City Manager with a minimum of five (5) business days’ advance notice. Such advance notice is not required for vegetation maintenance and tree pruning or trimming required to restore electric service or to avoid an imminent vegetation-caused outage.
3. The electric utility shall meet with the City Manager, or the Manager’s designee (e.g., Code Enforcement Officer), to discuss and submit the utility’s vegetation maintenance plan, including the utility’s trimming specifications and maintenance practices. The plan shall identify any patriarch trees that are proposed for trimming and the amount of trimming proposed.
4. Vegetation maintenance and tree pruning or trimming conducted by utilities shall conform to American National Standards Institute (ANSI) A300 (Part I)—2008 (R2014) pruning standards and ANSI Z133.1-2000 Pruning, Repairing, Maintaining, and Removing Trees, and Cutting Brush—Safety Requirements.
5. Vegetation maintenance and tree pruning or trimming conducted by utilities must be supervised by qualified electric utility personnel or contractors licensed to do business in the City of Apalachicola and trained to conduct vegetation maintenance and tree trimming or pruning consistent with these requirements or by Certified Arborists certified by the certification program of the International Society of Arboriculture. Trimming of patriarch trees may only be performed by Certified Arborists.