

**City of Apalachicola Tree Committee**  
**Meeting Summary**  
**May 15, 2024, at 5:15 p.m.**  
**Old Library**

1. Attendees.

Sam Berkheiser, Tree Committee (TC) member,  
Scott Davis, TC member,  
Anita Grove, City Commissioner and TC liaison to the five-member Commission, and  
Dennis Winterringer, TC chairperson and preparer of summary for this meeting.

2. Summary of TC's April 16, 2024, meeting – Approved without revisions.

3. Election of Committee Chairperson.

At the April meeting, Mr. Davis said he was willing to become the new Chairperson, but no vote was taken because TC member Sam Berkheiser was not present.

At this meeting, a vote was taken, and Mr. Davis was unanimously elected as Chairperson.

For at least the next few months, Mr. Winterringer will assist the new Chairperson by preparing meeting summaries.

4. City Commission workshop on proposed revisions to the Rules of Procedure.

On May 21 at 6 p.m., the City Commission will hold a workshop on proposed revisions to the Rules of Procedure, which apply to the committees such as the TC.

Mr. Davis plans to attend.

5. Vacancy announcement for new members (all).

The TC is two members short of the five persons the committee is supposed to have.

In response to this item being on the meeting agenda, City staff posted a vacancy announcement on the City's website and on its Facebook page.

6. Resignation of Code Enforcement Officer.

P.J. Erwin, the City's Code Enforcement Officer who issues tree removal applications, submitted her resignation. Her departure date is unknown. Commissioner Grove said she is working part-time.

Ms. Erwin is the 9<sup>th</sup> Officer in the last 5 years (preceded by Wilbur Bellew, Revena Ramsey, T.J. Lemieux, Kevin Newell, Joe Richey, Angela Creamer, Glen Jenkins, and Ken Turner). Because of the high turnover in the position, there has been lack of continuity and consistency in implementing the tree protection standards of the Land Development Code.

7. Requested removal of patriarch water oak and trimming of two patriarch live oaks.

Ms. Erwin forwarded to Mr. Winterringer two requests for protected patriarch trees (equal or greater than 35 inches in diameter at breast height (dbh)).

The Land Development Code at section 105-26(1)c and 2(c) require the City to contact the Tree Committee for a recommendation when someone proposes to remove or substantially alter a patriarch tree. Paragraphs (1)(c) and (2)(c) respectively apply to private and City property.

- Removal of water oak at 91 17<sup>th</sup> Street.—Property owner Erica Allums submitted an application to remove the water oak near an accessory structure (a shed) indicating that it is an “imminent harm to property or human safety” and a “tree in decline (loss of vigor, poor growth, dieback of twigs & branches).”

The tree is close to the rear property boundary near City property in the alley, but according to survey markers on the two rear corners of the lot, the tree is on Ms. Allums’s private property.

The tree had been topped by a storm or by human cutting, and there is considerable rot in the trunk and one of the limbs reaching toward the back of the house.

Based on his viewing of the tree, Mr. Winterringer drafted a memorandum from the TC Chairperson to the City Manager recommending issuance of the permit because the tree was an imminent hazard to fall on the house and shed, but not on the basis it is a tree in decline.

Mr. Davis will visit the property to see if he concurs and measure the diameter of the tree to confirm that is 35 inches or more dbh. The application indicates that this tree is 35.25 inches dbh, which, if the application is approved, would require a \$1,000 payment to the Reforestation Fund.

- Trimming of two live oaks at 92 Avenue E.—Property owner Kevin Curry wants to trim two oaks (one apparently on City property in the alley and another close to the property line but on his property according to Ms. Erwin). He did not submit a tree application.

TC member Mr. Berkheiser is representing Mr. Curry on a proposed storm-water management plan on the property. According to Mr. Berkheiser, Mr. Curry only wants to do minimal trimming to remove dead branches and possibly to seal a wound on the tree nearest the highway. If this is all Mr. Curry wants to do, this activity does not constitute “substantial alteration” of a patriarch tree requiring a City tree permit and a recommendation by the TC to the Code Enforcement Officer and City Manager on whether or not to issue the permit. Mr. Davis will contact Ms. Erwin about this determination.

8. Inflation Reduction Act grant application (Winterringer).

On April 18, the City submitted an application for Inflation Reduction Act (IRA) grant money.

Unfortunately, the City did not request money to implement the tree-planting plan for Lafayette Park that the TC developed and the City Commission approved.

The City requested \$50,000 for the following activities (rounded from the total of \$49,980 shown in following bullets).

- \$15,000 to trim palms at Battery and Lafayette Parks and downtown (Water, Market, and Commerce Streets) - 100 trees X \$150/tree,
- \$10,980 to inoculate palms to prevent lethal bronzing disease - \$6,300 for 63 antibiotic injection kits and \$4,680 for 60 treatment kits, and
- In Chestnut Street Cemetery,
  - \$6,000 to remove 20 trees – 20 X \$300/tree
  - \$18,000 to plant 18 large palms – 18 X \$1,000/tree.

The City did not consult with the Apalachicola Area Historical Society (AAHS) about work at the Cemetery. If it had, AAHS would have:

- Reminded Travis Wade, City Manager, and Sarah Bourque, City grant coordinator, that AAHS is about to receive State historic preservation grant money for removing and trimming trees in the cemetery and for inoculating palms to deter lethal bronzing disease (i.e., if IRA grant is awarded, it will duplicate historic preservation grant money that is already being received), and
- Let them know that planting large palms in the cemetery is problematic because of:
  - The care that must be taken in digging large holes in the graveyard to avoid disturbance of marked and unmarked graves and
  - The travel of large equipment through tight spaces between graves.

#### 9. Tree removal at Chestnut Street Cemetery.

In accordance with an evaluation of trees done by a certified arborist in 2016, AAHS was preparing to ask the City for permission to remove 13 trees at City-owned Chestnut Street Cemetery because they posed a threat to fall on grave markers and fences. AAHS would use State historic preservation grant money to fund the removals. After the trees were marked and prior to AAHS submitting a tree removal application to the City, cemetery neighbors objected to the tree removals and hired an arborist to conduct another evaluation.

After reviewing the neighbor's arborist evaluation, AAHS reduced the number of trees recommended for removal to 11. Based on their arborist's recommendations, the neighbors countered that only 5 of the 11 trees should be removed.

To support their positions, both AAHS and the neighbors commented at the May 7 City Commission meeting.

The City Commission directed that a group comprised of the City Manager, an AAHS representative, a TC member, and one of the neighbors or their representative meet to see if agreement can be reached on which trees to remove.

At the City Manager's request, Mr. Davis has agreed to represent the TC on the group.

The group is scheduled to meet on May 20.

10. Landscaping plan for Lafayette Park.

Currently, there is no ongoing work on the landscaping plan for Lafayette Park.

11. Next TC meeting.

Wednesday, June 19, 2024, at 5:00 p.m.