

JANUARY 27, 2015

PORT ST. JOE, FLORIDA

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Ward McDaniel, Vice Chairman Carmen L. McLemore, and Commissioners Joanna Bryan, and Sandy Quinn, Jr. <Commissioner Warren J. Yeager, Jr. was absent.>

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Clerk Finance Officer Sherry Herring, Deputy Clerk Leanna Roberts, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Inspector George Knight, Central Services Director Denise Manuel, Emergency Management Director Marshall Nelson, E9-1-1 Coordinator Ben Guthrie, Gulf County E.M.S. Director Houston Whitfield, Deputy Grant Coordinator Kari Summers, County Planner David Richardson, Sheriff Mike Harrison, and, Veterans' Service Officer Joe Paul.

Sheriff Harrison called the meeting to order at 9:00 a.m., E.T.

Chairman McDaniel opened the meeting with prayer and led the Pledge of Allegiance to the Flag.

CONSENT / INFORMATION PACKET

Chairman called for public comment regarding the Consent Agenda or Information Packet. There being no public comment, Commissioner Quinn motioned to accept. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed (4-0) unanimously. <No items within the Consent Agenda.>

C.D.B.G. GRANT APPLICATION – HEALTH CHECK

Upon recommendation by Chief Administration Butler, Commissioner Bryan motioned to allow the County to apply for a C.D.B.G Grant on behalf of Health Check to help increase the internet connectivity for Health Check and to contract with A.R.C. (f/k/a A.R.P.C.) to administer this grant. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed (4-0) unanimously.

ADVERTISE FOR SEALED BIDS – LAKE GROVE ROAD BRIDGE

Upon discussion by Chief Administrator Butler, Commissioner McLemore motioned to allow the County Engineers to create the bridge repair specifications and to advertise for sealed bids to repair the Lake Grove Road Bridge. Commissioner Quinn seconded

the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed (4-0) unanimously.

ROAD PAVING – STATE HIGHWAY 71

Upon inquiry by Commissioner McLemore, Chief Administrator Butler reported that the contractor has to place one more layer asphalt to the road on State Highway 71.

EROSION – BYRD PARKER DRIVE

Chief Administrator Butler discussed submitting a plan of action regarding erosion control for Byrd Parker Drive when the water goes down. Commissioner McLemore discussed his concerns regarding the erosion at Byrd Parker Drive.

PUBLIC HEARING – PROPOSED ORDINANCES

Chief Administrator Butler reported that there will be Public Hearings held today (January 27, 2015) at 5:01 p.m., E.T. in the Board Room regarding the proposed Leave No Trace ordinance, proposed Recreational Vehicle (RV) ordinance, and proposed Land Development Regulations (LDR's) ordinance.

PUBLIC HEARING – F.D.O.T. SIDEWALK PROJECT

Chief Administrator Butler reported that tonight at the St. Joe Beach Fire Department there will be a Public Hearing to discuss the F.D.O.T. Sidewalk Project from 5:30 p.m. to 6:30 p.m.

YARD DEBRIS – WASTE PRO

Chief Administrator Butler reported that Waste Pro has accepted the County's recommendation to remove the yard debris service and reduce the customer bills by \$5.00 per month. Chairman McDaniel discussed the yard debris service and the Transfer Station; reporting that the Transfer Station is open five (5) days a week and half (½) a day on Saturday. After discussion and recommendation by Chief Administrator Butler, Commissioner McLemore motioned to no longer do road-side pickup. After further discussion, Commissioner McLemore withdrew his motion. County Attorney Novak discussed meeting with Waste Pro regarding the Transfer Station and road-side pickup; reporting that after the meeting he submitted a letter to Waste Pro regarding defections and compliance. He reported that the County has received written confirmation that Waste Pro will agree to amending the contract to remove the \$5.00 charge per month for yard debris service, effective March 1, 2015. After discussion by County Attorney, Commissioner McLemore motioned to: (1) authorize the Chairman to execute a lease for the scale house property at Five Points Landfill on a month to month basis, (2) approve a five (5) year lease for the Transfer Station site, (3) County be authorized to sign over the two (2) page D.E.P. form providing the Vegetative Operating Permit to Waste Pro, (4) Waste Pro will be responsible for any fees, damages, or fines with D.E.P., if any, (5) Waste Pro will pay \$250.00 per business day from January 1st through January 27th for liquidated damages, (6) beginning January 28, 2015, the County will implement a \$125.00 fine per day for liquidated damages until the facility is built, and (7) approve the amended contract with Waste Pro (removing the yard debris roadside pickup service). Commissioner Quinn seconded the motion. Chairman

McDaniel called for public comment. Pat Hardman, of Cape San Blas appeared before the Board to discuss her concerns that not all residents in the County can burn their yard debris and leaving the yard debris pickup service open to residents. She also discussed her concerns regarding enforcement of dumping on the right-of-way. After discussion, Assistant Administrator Hammond discussed staying with the original cutoff of December 31, 2014 and his concerns regarding road-side yard debris. Upon inquiry by Commissioner McLemore, County Attorney Novak reported that Waste Pro is required to pick up roadside yard debris until March 1, 2015. Chairman McDaniel called for public comment. Bonnie Bell, of Port St. Joe appeared before the Board to discuss his concerns regarding dumping at the (Forest Hill) cemetery. Commissioner McLemore discussed having the workcrews clean up the debris at the cemetery and post No Dumping signs. He reported that if anyone witnesses dumping, they should contact the County Code Enforcement Officer. Upon inquiry by Commissioner Bryan, County Attorney Novak reported that Waste Pro billed the customers for the yard debris pickup service and the service will continue through March 1, 2015, once the contract is amended. County Attorney Novak stated that the refund for the yard debris service is not part of this motion; reporting that the refund is the only issue he did not receive from Waste Pro's attorneys. After further discussion, Chairman McDaniel called for public comment. There being no public comment, further discussion followed by members of the Board. Ralph Mills, of Waste Pro appeared before the Board to report that an Hours of Operation sign has been installed by the Five Points Landfill sign. Chairman McDaniel stated that the County needs to remove the Five Points Landfill sign. Chairman McDaniel called for public comment. There being no further comment, the motion then passed unanimously (4-0). County Attorney Novak requested that Waste Pro run the advertisements again now that the amended contract has been approved.

PUBLIC HEARING – MSTU PROPOSED RESOLUTIONS

County Attorney Novak discussed holding a special meeting on February 19, 2015 at 9:00 a.m., E.T. to consider three (3) MSTU proposed resolutions. He reported that a display ad will be published in the newspaper on January 28th, February 4th, February 11th, and February 18th regarding this public hearing.

PUBLIC HEARING – VARIOUS PROPOSED ORDINANCES

County Attorney Novak reported that the second public hearing will be held today (February 27th) at 5:01 p.m., E.T. to consider adoption of the proposed Recreational Vehicles (RV), Leave No Trace, and Land Development Regulations (LDR) ordinances.

DONATE PROPERTY – WELLS FARGO

County Attorney Novak reported that Wells Fargo is demolishing the building (house) and will transfer the vacant land to the County which is located on State Highway 71 (5719 Highway 71). Upon request by County Attorney Novak, Commissioner Bryan motioned to authorize the Chairman to sign the donation agreement, contingent upon the review of a County Attorney Novak. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

LEASE – INDUSTRIAL PARK

County Attorney Novak discussed the commitment from Veterans of Florida to lease the Industrial Park; requesting permission to amend the lease agreement to begin February, 2015. Commissioner McLemore motioned to approve this request. Commissioner Quinn seconded the motion. Commissioner McLemore directed Staff to send a workcrew to the facility to clean and mow the day before the Veterans of Florida come to visit the site. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

MEETING – P.D.R.B.

County Attorney Novak reported that the next P.D.R.B. meeting will be held on February 9, 2015; stating that notices are posted on the courthouse and administration building. <Clerk Norris left the meeting.>

CONTRACT – UNION

Central Services Director Manual reported that the Chairman's signature is needed to ratify the Union Contract. The Board took no action.

MEMORANDUM OF UNDERSTANDING – TROY UNIVERSITY

Central Services Director Manual reported that Troy University has submitted a MOU to the County which will allow County employees and Constitutional Officer's employees to receive a 10% discount in taking classes through Troy University. She reported that there is no cost to the Board. Central Services Director Manual requested the Chairman's signature. The Board took no action.

INSURANCE CLAIM – AMBULANCE

Central Services Director Manual discussed an ambulance that was involved in an accident that took place on January 6th in Bay County; reporting that the County was not at fault. She also reported that the driver that struck the ambulance was not insured and the County has a \$10,000.00 deductible; stating that the cost for repairs is \$10,646.00. After discussion, Chief Administrator Butler recommended that the Board take the funds out of Infrastructure Fund. Commissioner McLemore motioned to approve the repairs to the ambulance and to pay for it from Infrastructure Funds. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

MONTHLY REPORT – E.M.S.

Gulf County E.M.S. Director Whitfield appeared before the Board to present the December, 2014 E.M.S. Run Report. Chairman McDaniel discussed his concerns regarding billing. Gulf County E.M.S. Director Whitfield discussed installing the toughbooks (laptops) into each ambulance and billing the customer at the time of service. Upon inquiry by Commissioner McLemore, Gulf County E.M.S. Director Whitfield reported that the County has an increase of (26) twenty-six more runs from last year.

SCOPE OF WORK / PERMITTING & DESIGN – BEACH NOURISHMENT

Deputy Administrator Lanier reported that the County has received the Scope of Work for permitting and design, in the amount of \$181,650.00 from Michael Dombroski (MRD Associates) regarding the Beach Nourishment Project; reporting that the County would receive 35.49% from State Beach Management Funding Assistance. She stated that the County's cost would be \$117,182.41. Upon inquiry by Commissioner McLemore, Deputy Administrator Lanier stated that the money would come from the MSTU and beach funding. Upon inquiry by Commissioner McLemore, Chief Administrator Butler reported that the County has the money to pay it through the 1% Bed Tax and T.D.C. Reserve Fund. Commissioner McLemore motioned to approve the Scope of Work for permitting and design with Michael Dombroski (MRD Associates) regarding the Beach Nourishment Project, in the amount of \$181,650.00. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0)

SCOPE OF WORK / GEOTECHNICAL INVESTIGATION – BEACH NOURISHMENT

Upon discussion by Deputy Administrator Lanier, Chief Administrator Butler reported that this Scope of Work will not be paid from MSTU; stating that it will be paid from Tourist Development money, 35% from State money, and grant money from the State. Commissioner Quinn motioned to approve the Scope of Work for geotechnical investigation with Michael Dombroski (MRD Associates) regarding the Beach Nourishment Project, in the amount of \$337,864.00. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0)

RECORDS DISPOSITION

Following discussion by Clerk Finance Officer Herring, Commissioner McLemore motioned to approve the records disposition as presented. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

DEMOLITION STRUCTURE – PORT ST. JOE

Commissioner Quinn reported that the City of Port St. Joe is requesting assistance from the County regarding the demolition of two (2) structures within the City. Chief Administrator Butler stated that one (1) of the structures is a burnt house (183 Avenue D) that is causing a safety issue and the other structure is a building (513 MLK Blvd) that could fall on the adjacent house. He reported that the City of Port St. Joe will assume all liabilities on these structures. After discussion, Commissioner Quinn motioned to allow Staff to work with the City of Port St. Joe to get this project completed. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

DOCK DAMAGE – WHITE CITY BOAT RAMP

Commissioner Bryan requested an update regarding the repairs to the White City Boat Ramp. County Attorney Novak reported that the Board rejected the 10% offer from the carrier (Great American), rejected the bids (#1314-26), and Public Works has been instructed to remove the dangerous areas of the boat ramp. He reported that the County is moving forward with the lawsuit against Creole Chief, Inc. and other than the removal, the damaged area has not been built back up. Upon inquiry by Commissioner Bryan, County Attorney Novak stated that the barge company was cited by the State.

WHITE CITY FIRE STATION

Upon inquiry by Commissioner Bryan, Assistant Administrator Hammond provided an update regarding the White City Fire Station (Bid #1213-09); reported that the finalization will be in mid-March, 2015. Chairman McDaniel reported that the electricians are there today working and one (1) door has already been installed.

COUNTY ROADS – DISTRICT III

Commissioner Bryan discussed her concerns regarding the conditions of roads in District III and the need of repairs. Commissioner McLemore discussed looking at the County Road Bond to fund these repairs. Chairman McDaniel discussed his concerns regarding road conditions within the County; stating that the County is patching patches.

SEALED BIDS – OLD BAY CITY ROAD PROJECT

Upon inquiry by Commissioner McLemore and Chairman McDaniel, County Engineer Smallwood appeared before the Board to state that Preble-Rish, Inc. surveyed and designed further than funding allowed to make sure enough is designed for the allowed amount. He reported that there is a future year funding (Phase III) to finish the paving project up to the Dalkeith Road.

PUBLIC HEARING – 5 YEAR CAPITAL IMPROVEMENT SCHEDULE ORDINANCE

County Planner Richardson read the proposed ordinance by title. After discussion by County Planner Richardson, Commissioner McLemore discussed adding Byrd Parker Drive and Lake Grove Bridge Road to the five year plan. Chairman McDaniel discussed various projects listed within the proposed plan. Commissioner McLemore discussed adding a fishing pier at Cape San Blas to the plan. County Planner Richardson stated he would add these projects to the four (4) and five (5) year plan. Chairman McDaniel called for public comment. There were no public comment.

BEACON HILL DOG PARK

Glenn Damon, of Beacon Hill appeared before the Board to discuss his concerns regarding the recently posted No Dogs Allowed sign on the fence of the ball field at Beacon Hill/Veterans Memorial Park; reporting that no one that he knows of uses the field to play ball. He requested that the County remove the signs so that the public can freely use the enclosed ball field for dog use. Commissioner Bryan discussed the complaints received from the public that want to play ball on the field, but cannot due the condition of the ball field. She discussed the small dog park (on the premises) that was built with impact fees. Commissioner Bryan reported that there is currently no funds

available to build a larger dog park, but this could be a project the County could look at in the future. She reported that the ball park was built with grant funds and it has to stay a ball park. After further discussion, Commissioner McLemore motioned to use the ball field to use to exercise dogs. After discussion by members of the Board, Chairman McDaniel passed the Chair to Vice Chairman McLemore and seconded the motion for discussion. Gary Bailey appeared before the Board to discuss his concerns regarding the ball field and using it to exercise dogs. After further discussion, Chairman McLemore called for public comment. Lynn Damon, of Beacon Hill appeared before the Board to report that she goes to the Beacon Hill Park twice a day and she has not seen anyone on the field playing ball. Commissioner Quinn suggested no dogs allowed during baseball season and on the off season open the ball field to the dogs. Commissioner Bryan requested to clarify girls softball as well. Chairman McLemore then amended his motion to allow dogs on the ball field in the off season. Commissioner McDaniel withdrew his second. Chairman McLemore then stated that he will withdraw his original motion. He then placed a new motion on the floor to allow dogs on the ball field at Beacon Hill/Veterans Memorial Park except during ball season. Commissioner McDaniel seconded the motion for discussion. After discussion by members of the Board, Chairman McLemore called for public comment. Barbara Radcliff, of Indian Pass appeared to discuss her concerns regarding this topic and others being placed on the Agenda without full knowledge of the subject matter and the Board making decisions without ample notice to allow input from the public. The motion passed 3 to 1, with Commissioner Bryan voting no. Chairman McLemore then passed the Chair back to Commissioner McDaniel.

GATEWAY MANOR UPDATE

Mark Dumas, of the PACES Foundation appeared before the Board to provide an update regarding the Gateway Manor Project. After discussion by County Attorney Novak, Mr. Dumas discussed the engineering and soil testing of the site. He reported that they are preparing to submit a DNO Application by March 1, 2015 and have the building permits ready by June 1, 2015. Mr. Dumas also reported that the first doors will open at Christmas. He discussed the site plan; stating that fifty (50) units will be for family and forty (40) units for Senior Citizens. Mr. Dumas reported that a two (2) bed unit will start at \$450.00 per month and a four (4) bed unit is \$650.00 per month; stating that these rents are established each year in corporation with the State and Federal overrate requirements. After discussion by Mr. Dumas, Commissioner McLemore discussed using local tradesmen to complete the project. Mr. Dumas stated that ads will be placed in the newspaper after the technical and engineering studies are completed.

PUBLIC RECORDS REQUEST

Barbara Radcliff, of Indian Pass appeared before the Board to discuss a public records request (PRR #2014-69) that she submitted to the Clerk's Office on December 4, 2014; reporting that she has not received any information back regarding this request. After discussion, Chairman McDaniel stated that the Clerk is the keeper of the records. Mrs. Radcliff stated that she understands from the Clerk's Office the information requested has to come from other departments. Clerk Finance Officer Herring reported that this a very large records request that consists of records that are not kept at the Clerk's Office;

stating that there is various parts and various departments involved in this request. She reported that the request has been dispersed as the Clerk's Office practices and following the policy. Clerk Finance Officer Herring offered to follow up and look into this matter further.

BOARD MEETING – COUNTY WEBSITE

Barbara Radcliff, of Indian Pass appeared before the Board to inquiry as to why the Board meeting video from two (2) weeks ago has not posted on the County website. Deputy Administrator Lanier reported that to her understanding the information provided to IT Department was incomplete, and the five (5) hour meeting will have to be recreated before it can be uploaded online.

PUBLIC HEARING – VARIOUS PROPOSED ORDINANCES

Chairman McDaniel reminded the public that there will be a Public Hearing today (January 27, 2015) at 5:01 p.m., E.T. to discuss the proposed Leave No Trace ordinance, the proposed Recreational Vehicle (RV) ordinance, and the proposed Land Development Regulations (LDR) ordinance.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner Quinn, and unanimous 4-0 vote, the meeting did then adjourn at 11:15 a.m., E.T.

**WARD MCDANIEL
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK OF COURT**