

**APRIL 10, 2012**

**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 Bill Williams, Vice Chairman Tan Smiley, and Commissioners Carmen L. McLemore and Ward McDaniel. Commissioner Warren J. Yeager, Jr. was absent.

Others present were: County Attorney Jeremy Novak, Clerk of Court Rebecca L. Norris, Deputy Clerk Tracy Tharpe, Clerk Finance Officer Carla Hand, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Brett Lowry, Deputy Administrator Lynn Lanier, Gulf County E.M.S. Director Houston Whitfield, Planner David Richardson, Sheriff Joe Nugent, Public Works Director Joe Danford, G.I.S. Coordinator Scott Warner, Sheriff's Major Bobby Plair, Preble-Rish, Inc./County Engineer Clay Smallwood III, and E.D.C./Chamber Director Barry Sellers.

Sheriff Joe Nugent called the meeting to order at 6:00 p.m., E.T.

Clerk Norris opened the meeting with prayer, and Chairman Williams led the Pledge of Allegiance to the Flag.

**PUBLIC SPEAKER FORM**

Chairman Williams informed everyone of the new public speaker form, located at the entrance of the Board room that needs to be filled out if anyone wishes to address the Board concerning an item on the agenda. Chairman Williams noted the three (3) minute, and six (6) minute rule apply.

**COMMISSIONER YEAGER'S ABSENSE**

Chairman Williams stated Commissioner Yeager will not be in attendance at tonight's meeting; noting he is attending an Economic Symposium, as an appointee to work with the State Chamber of Commerce and Florida Association of Counties.

**CONSENT AGENDA**

Upon motion by Commissioner McDaniel, second by Commissioner McLemore, the following consent agenda items passed by a 4-0 vote.

1. Minutes – March 13, 2012 - Regular Meeting  
- March 27, 2012 – Regular Meeting
2. Approval of Checks and warrants for March, 2012 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.

3. Agreement – Florida Rural Broadband Alliance, LLC (Tower Lease Highland View Water Tank – FRBA)  
  
Agreement – Florida Rural Broadband Alliance, LLC (Tower Lease Port St. Joe Water Tank – FRBA)  
  
Agreement – Florida Rural Broadband Alliance, LLC (Tower Lease Wewahitchka Tank – FRBA)  
  
Agreement – Jordan & Associates - C.D.B.G.-D.R.I. (Grant Activity Delivery Services – D.R.E.F.)  
  
Agreement – Jordan & Associates – C.D.B.G.-D.R.I. (Grant Administrative Services – D.R.E.F.)  
  
Agreement – MRD Associates, Inc. (Sea Turtle Nesting Monitoring)  
  
Agreement – MRD & Associates, Inc. (Shorebird Monitoring)  
  
Agreement – St. Joseph Peninsula Beach Restoration (Beach Tilling and Escarpment Leveling Services)
4. Bid Award#1112-08 – C.D.B.G. Housing Administration (Jordan & Associates \* \$94,500.00)  
  
Bid Award #1112-11 – Beach Tilling and Escarpment Leveling Services (GAC Contractors \* \$20,650.00)
5. Change Order #1 – C.W. Roberts Contracting, Inc. (Cape San Blas Shared Use Path, Phase IV \* Increase \$17,934.00)
6. Grant Agreement / Resolution – Florida Department of Transportation (Roadside Beautification Assistance)
7. Invoices – Bryan-Co Services, Inc. – C.D.B.G.-D.R.I. Affordable Rental Housing (Liberty Manor \* Application #3 \* \$11,791.40 \* Application #4 \* \$5,873.22 \* to be paid from Account #113554-34000)  
  
- Bryan-Co Services, Inc. – C.D.B.G.-D.R.I. Affordable Rental Housing (Moss Creek \* Application #4 \* \$4,047.50 \* Application #5 \* \$3,389.18 \* to be paid from Account #113554-34000)

- Bryan-Co Services, Inc. – C.D.B.G.-D.R.I. Affordable Rental Housing (Pine Ridge \* Application #5 \* \$14,616.50 \* Application #6 \* \$5,166.72 \* to be paid from Account #113554-34000)
  - C.W. Roberts Contracting, Inc. – Cape San Blas Shared Use Path, Phase IV (Application #2 \* \$65,135.70 \* to be paid from Account #40341-53000)
  - The Ferguson Group, LLC – Lobbying Services (Invoice #0512179 \* \$6,500.00 \* to be paid from Account #21111-31200)
8. Purchase Request – T.D.C. (Advertising \* Boating Magazine \* \$11,000.00 \* to be paid from B.P. Funds)
- South Gulf County Fire Department (Two (2) Kawasaki Mules 610 4x4 \* \$13,447.22)
9. Travel – Commissioner Warren Yeager, Jr. (Six Pillars Caucus \* St. Petersburg \* April 10-11, 2012)

(end)

## **PUBLIC HEARING**

### **ORDINANCE 2012-03/TOURIST DEVELOPMENT COUNCIL**

County Attorney Novak presented the proposed ordinance and read it by title as follows:

**AN ORDINANCE OF GULF COUNTY, FLORIDA; WHEREBY AMENDING GULF COUNTY ORDINANCE 98-14 TITLED IN PART “AN ORDINANCE APPROVING THE GULF COUNTY, FLORIDA, TOURIST DEVELOPMENT COUNCIL’S TOURIST DEVELOPMENT PLAN”; AND TO INCLUDE THE BOARD OF COUNTY COMMISSION ADOPTION OF RESOLUTION 2012-03 AND ITS AMENDEMENTS TO ADOPT, INSTITUTE AND IMPLEMENT THE GULF COUNTY TOURIST DEVELOPMENT “POLICY, GUIDELINES, APPLICATION AND APPOINTMENT PROCESS”, PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

County Attorney Novak then read the “Whereas” clauses for the record. Chairman Williams called for public comment. There being no public comment, Commissioner McLemore motioned to adopt the ordinance as presented. Commissioner Smiley seconded the motion and it passed 4-0, as follows.

**ORDINANCE NO. 2012-03**

**GULF COUNTY AMENDMENT TO  
ORDINANCE NO. 98-14**

**AN ORDINANCE OF GULF COUNTY, FLORIDA; WHEREBY AMENDING GULF COUNTY ORDINANCE 98-14 TITLED IN PART “AN ORDINANCE APPROVING THE GULF COUNTY, FLORIDA, TOURIST DEVELOPMENT COUNCIL’S TOURIST DEVELOPMENT PLAN”; AND TO INCLUDE THE BOARD OF COUNTY COMMISSION ADOPTION OF RESOLUTION 2012-03 AND ITS AMENDMENTS TO ADOPT, INSTITUTE AND IMPLEMENT THE GULF COUNTY TOURIST DEVELOPMENT “POLICY, GUIDELINES, APPLICATION AND APPOINTMENT PROCESS”, PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Gulf County Board of County Commissioners (“Gulf County”) has conducted, undergone and completed the comprehensive internal audit, evaluation and administrative review of the Gulf County Tourist Development Council and its operations and procedures, and

**WHEREAS**, Gulf County is dedicated to the protection of public trust, compliant collection of tax revenue and the proper statutory distribution and use of said revenues, and

**WHEREAS**, Gulf County created the Tourist Development Council under Gulf County Ordinance 98-14 instituting and administering the permissible bed tax fee and distribution under Florida Statute 125.0104, and

**WHEREAS**, Gulf County upon recommendations and findings of its Office of the Administrator and the County professional staff including the recommendations of the independent TDC consultant, office of the County Attorney and its policy recommendations submitted under separate covers of memoranda and the recent audit report submitted by County special auditor have deemed appropriate and necessary the implementation of standard policy and guidelines for the administration and structure of the Gulf County Tourist Development Council; and

**WHEREAS**, Gulf County upon review of the current structure and appointment to the advisory council have deemed it timely and appropriate to amend the current Tourist Development Council ordinance by including sound policy and guidelines as well as expanding the community involvement both based in part on the principal of Florida Home Rule which promotes the position that the government closest to the people governs best; and

**WHEREAS**, Gulf County Board of County Commissioners (“Gulf County”) in consideration of Florida Statute 125.0104 (e) as well as the recent findings and recommendations have deemed it appropriate for the implementation of the “Guidelines,

Policy and Application Procedure” and providing further structure and guidance to this County advisory council; and

**WHEREAS**, further oversight and community participation have been emphasized by the Commission and therefore two (2) additional Tourist Development Council seats have been created to assist the Board of County Commissioners in its mandate for thorough community involvement assuring public trust and proper administration of Gulf County’s Tourist Development department whereby expanding the Council from a nine (9) member advisory council to an eleven (11) member advisory council, and

**WHEREAS**, Gulf County Commission has directed the instituting of these two additional seats that will consist of one additional representative from the bed tax collector designation and one additional representative from tourist related industry and meet the Commission’s goal of oversight while balancing the strong community interest for public involvement with the statutorily defined qualifications to serve, and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Gulf County that they fully support, adopt and institute for immediate effect this amendment to the existing Gulf County Ordinance 98-14 whereby including the newly adopted “Gulf County Tourist Development Council Guidelines, Policy and Application Procedure” attached hereto, and

**BE IT FURTHER RESOLVED** that copies of this Ordinance shall be transmitted to Gulf County’s Tourist Development Council and its staff and personnel for immediate compliance and action in accordance with the attached “Gulf County Tourist Development Council Guidelines, Policy and Application Procedure”, and

**BE IT FURTHER RESOLVED** that all necessary acts taken and prior resolutions adopted above by this County Commission are approved and the Commission has authorized this final memorializing action through the necessary instruments which shall include but not limited to the adoption by amendment to the current Gulf County Tourist Development Tax and Council Ordinance 98-14 to effectuate the inclusion of this amended “Gulf County Tourist Development Council Guidelines, Policy and Application Procedure”.

The foregoing Ordinance was offered by Commissioner McLemore, who moved its adoption. The motion was seconded by Commissioner Smiley and, being put to vote, the vote as follows:

Commissioner Williams - yes  
Commissioner Yeager - absent  
Commissioner McLemore - yes  
Commissioner Smiley – yes  
Commissioner McDaniel - yes

**DULY PASSED AND ADOPTED THIS 10th day of April, 2012.**

(end)

**RATIFICATION OF FEBRUARY 28, 2012 MINUTES AND ACTIONS/C.W. ROBERTS CONTRACTING, INC. INVOICE**

Clerk Becky Norris reported an invoice for C. W. Roberts Contracting, Inc. was motioned and seconded for approval at the February 28<sup>th</sup> meeting but was never carried. Clerk Norris requested the Board vote to ratify their intent to pay the invoice to C. W. Roberts Contracting, Inc. in the amount of \$118,974.59 (Cape San Blas Bike Path Phase III). Commissioner McLemore so moved. Commissioner McDaniel seconded the motion and it carried 4-0.

**INVOICE-AGENCY FOR HEALTH CARE ADMINISTRATION**

Deputy Administrator Lanier presented an invoice from the Agency for Health Care Administration for the third quarter Medicaid billing in the amount of \$77,465.00 and requested approval. Upon motion by Commissioner McDaniel, second by Commissioner Smiley, the motion passed 4-0.

**GRANT EXTENSION REQUEST-STUMPHOLE REVETMENT CDBG-DRI**

On behalf of Grant Writer Kopinsky, and based on the recommendation from Coastal Engineer, Michael R. Dombrowski (MRD Associates, Inc.), Deputy Administrator Lanier requested permission from the Board to request a sixty-day (60) grant extension on the D.R.I. for the Stumphole Revetment grant (modification #2). Commissioner McLemore motioned to approve. Commissioner Smiley seconded the motion and it passed 4-0.

**ELEVATOR REPAIR-WEWAHITCHKA COURTHOUSE/LIGHTNING-WATER DAMAGE**

Deputy Administrator Brett Lowry presented a letter of recommendation for the repairs to the elevator at the Wewahitchka Courthouse. He reported to the Board that he and Chief Administrator Butler attempted to negotiate with the current elevator company (Kone Elevator Company) as directed by the Board on February 28th but Kone came back with the same quote in the amount of \$34,654.00. He noted the insurance provider asked them to seek a second quote, which came in at \$23,498.00 (from Control Dynamics, Inc.). Mr. Lowry stated the insurance provider will only pay that amount, plus what it will cost to fix the alarm system (\$1,374.21 to Devcon Security Services Corp.), less the \$5,000.00 deductible. Upon inquiry by Commissioner McLemore concerning when payment is required, Deputy Administrator Lowry reported payment will be made to the vendor after all work is complete and will be State Certified. Commissioner McLemore motioned to move forward with Deputy Administrator Lowry's recommendation. Commissioner McDaniel seconded the motion. Chairman Williams commended the work done in negotiating to lower the cost. Upon inquiry by Chairman Williams concerning the negotiation with the current tenant (North Florida Child Development) and the use of the upper floor for Court proceedings, County Attorney Novak stated the repairs will need to be done regardless of what happens with the negotiations with the current tenant on the lease; noting County functions are held there

currently so the work will need to be done one way or the other. County Attorney Novak recommended the County move forward. County Attorney Novak discussed some of the terms being negotiated with the current tenant. Commissioner McDaniel noted the difference in the quotes. The motion then carried 4-0.

Deputy Administrator Lowry asked the Board to accept the payment (\$25,772.21, less the \$5,000.00 deductible) for the elevator damage from the Insurance company (Preferred Governmental Insurance Trust). Commissioner McLemore so moved. Commissioner McDaniel seconded the motion and it carried 4-0.

#### **INVOICE-THE WATER SPIGOT, INC.**

Public Works Director Joe Danford appeared before the Board and stated he had an invoice from The Water Spigot, Inc. Mr. Danford reminded the Board of their directive that he and Attorney Novak draw up a contract for well monitoring. He noted this would be no easy task and stated some of the parameters have to be specifically spelled out. Mr. Danford stated they have Preble-Rish, Inc. working on that through a company called Trinity. Mr. Danford presented an invoice for Board approval from The Water Spigot, Inc. in the amount of \$7,680.00 (invoice #12-11610) for Five Points Monitoring. Public Works Director Danford stated this monitoring is required and he will continue to have these bills from this vendor and requested he be allowed to sign off on them without having to come to the Board for approval. County Attorney Novak noted Mr. Danford is working on the specifications for advertising an R.F.P. but the Board could put a sunset on it, but advised not to leave it open-ended. Commissioner McLemore stated he would like for Mr. Butler to be involved with this if it is an ongoing issue. Chief Administrator Butler noted there is no contract with this company and the Clerk would be more comfortable with having the Board approve all payments, but Mr. Danford is asking the Board to allow him to sign off on them without having to come to the podium each month, until a contract is in place. Chairman Williams asked Clerk Norris if she was comfortable with a ninety (90) day outlay. Clerk Norris responded that she could, or she could place them in the Consent Agenda, noting this one missed the deadline. She noted The Water Spigot invoices are due upon receipt and offered Mr. Danford the option to bring it up rather than have the vendor wait until the next Board meeting for approval. Commissioner McLemore stated he would like for them to be placed in the Consent Agenda and Clerk Norris stated that was her preference. Commissioner McLemore so moved. Commissioner Smiley seconded the motion and it passed 4-0.

#### **BID #1112-13:SALE OF (3) MACK DUMP TRUCKS AND (1) 1991 CATERPILLA BULLDOZER**

Public Works Director Danford noted there were five (5) bids received. Mr. Danford recommended the bid be awarded to the high bidder, D Company (Don Durham) in the amount of \$198,331.00 for the three (3) dump trucks, and \$11,777.00 for the 1991 dozer. Commissioner McLemore motioned to accept Mr. Danford's recommendation. Commissioner Smiley seconded the motion and it passed 4-0.

### **LIMITED MAINTENANCE AGREEMENT - 273 CONWAY DRIVE**

County Attorney Novak noted the recent adopted policy regarding the LMA process. He stated maintenance has been conducted on Conway Drive for about eleven (11) years to reduce the flood, and actual growth on the Right-of-Way (ROW) and culverts. County Attorney Novak stated Public Works has maintained it for the past eleven (11) years. He noted with this new policy and applying it to each limited maintenance, he introduced it to them for that limited scope and limited maintenance to go on that private property with county equipment and services and continue to maintain it. He noted if the county votes to approve it; we'll complete the limited maintenance, provide it to Public Works, the landowner will sign it and return it to the County; releasing us from liability. Commissioner Smiley motioned to authorize the Limited Maintenance Agreement on 273 Conway Drive. Commissioner McLemore seconded the motion. Commissioner McDaniel asked whether the land owner was reluctant in allowing the County on his property. County Attorney Novak stated if there was an issue and the form needed to be amended, he would bring it back before the Board for approval. The motion then passed 4-0.

### **S.H.I.P. STRATEGY**

County Attorney Novak gave an update on the S.H.I.P. program, stating the Technical Advisor contract with Michael Chaney (Florida Housing Coalition) has been signed and provided to Deputy Administrator Lowry and the Clerk's Office. Mr. Novak stated Mr. Chaney has been working with Mr. Lowry, Mr. Butler, and himself on how they can go about completing the White City project. Attorney Novak presented a recommendation from Mr. Chaney to amend the LHOP, Subsection D. (Land Acquisition and Housing Development). Mr. Novak read an email received today from Mr. Chaney to Deputy Administrator Lowry, recommending, (1) the County increase the rehabilitation strategy limit from \$18,000.00 to \$40,000.00 and get it out to the community and qualified applicants before the deadline of June 2012 on the 2009-2010 funds, and (2) amending subsection D, Land Acquisition and Housing Development as presented in the handout. In summary, Attorney Novak stated (a) the purpose of this strategy is to develop affordable homeownership housing by providing S.H.I.P. funds as upfront financing for the purchase of land, infrastructure and construction costs, and service delivery fees, (b) fiscal years covered are 2009/2010, 2010/2011, and 2011/2012, (c) income categories to be served are very-low, low, and moderate, and (d), the maximum award noted on the Housing Deliver Goals Charts is up to \$275,000.00. County Attorney Novak explained this addresses and enables the County to aggressively approach the White City project. Mr. Novak stated Mr. Chaney's recommendation is for the County to adopt the LHOP strategy and increase the rehabilitation limit to \$40,000.00. Commissioner McDaniel motioned to approve these recommendations. Commissioner Smiley seconded for discussion. Commissioner Smiley asked if a structure would be placed on that piece of property. County Attorney Novak explained the process of merging the two (2) White City lots, developing them as one parcel, and putting a home on the parcel to be given out to a qualified S.H.I.P. participant. Chairman Williams expressed concerns with so many changes in the process and protocol, and communicating the availability of funds to the public. Mr. Novak noted there are forty (40) interested applicants already. Deputy Administrator Lowry discussed the need to

get the 2009-2010 S.H.I.P. funds spent, otherwise the County would lose it. The motion then carried 4-0.

### **TOURIST DEVELOPMENT COUNCIL**

County Attorney Novak updated the Board on the timeline for the T.D.C. recommendations; noting eight (8) out of the nine (9) goals have been met. Mr. Novak stated the adopted ordinance will now allow the newly seated council to elect a chairperson. He stated they have all been trained, the compliance affidavits have been signed, and they have all received their binders, Statutes, policies, and will receive the newly adopted ordinance Thursday morning.

### **TRI-COUNTY MAPPING-REQUEST FOR PROPOSALS**

County Attorney Novak stated that the Tri-County G.I.S. Mapping R.F.P. has gone out and a pre-bid conference will be held. He noted the R.F.P. (#1112-16) is about thirty-six pages and is in the Clerk's Office. Attorney Novak stated Tri-County includes Gulf, Franklin, and Calhoun Counties and the deadline for the R.F.P. is April 26, 2012.

### **P.D.R.B. SUNSHINE LAW TRAINING**

County Attorney Novak stated the P.D.R.B. will meet on April 16<sup>th</sup> and will be having their Sunshine Law training.

### **SIGN ORDINANCE COMMITTEE**

County Attorney Novak informed the Board that the Sign Ordinance Committee is meeting on Thursday, April 12<sup>th</sup> at 1:00 p.m. at the County facility and is open to the public.

### **INSURANCE COMMITTEE RECOMMENDATION**

Chief Administrator Butler presented the Board with a letter of recommendations from the Insurance Committee. Mr. Butler advised the Board of the following four (4) recommendations from the Committee:

1. Health Insurance – Insurance committee recommends that our consultant issue an R.F.P. this spring with a return date of mid-June. This is due to the fact that UHC will not be releasing any renewal number until June or perhaps July.
2. Dental Insurance – This year, Florida Combined Life/Blue Cross Blue Shield has offered a negotiated premium representing a 10% increase. The impact to the County is \$1.48 per employee, or approximately \$192.00 per month.
3. Life Insurance – The current estimated premium is \$2,460.78 and the negotiated renewal premium comes to \$2,527.38, or an increase of approximately \$67.00 per month to be absorbed by the County.
4. Voluntary Work-site Products – The Insurance Committee is recommending American Fidelity as the sole provider for Voluntary Benefits based on the following findings:
  - a. Quality of company representative
  - b. Adequate product mix and competitive pricing

- c. Implementation of an on-line enrollment program included at no charge in exchange for offering their products exclusively. This has the potential to truly streamline the enrollment processes, saving the County work-hours and money

Commissioner McDaniel motioned the Board accept the recommendation of the Committee. Commissioner Smiley seconded the motion for discussion. Chairman Williams stated the County still remains out-manned and requested Deputy Administrator Lowry to reach out to Ms. Lindeman and Sacred Heart so that we can look at those negotiations and increase the provider base. The motion then carried 4-0.

### **INVOICE-KEN MURPHY**

Chief Administrator Butler noted no contract with Mr. Ken Murphy, stating he will let them know within the 60 day timeframe. He further stated the need to schedule a workshop next week on the audio/video needs associated with televising Board meetings. Chief Administrator Butler recommended the approval of Mr. Murphy's invoice, until a contract is in place; noting his invoice will be placed in the Consent Agenda next time. Commissioner McLemore motioned to approve payment of \$1,350.00 (March 2012) to Ken Murphy for televising the Board meetings. Commissioner Smiley seconded the motion and it passed 4-0.

### **SHERIFF-INSURANCE**

Sheriff Nugent noted that he too is frustrated with the Insurance and will be happy to go along with whatever the County decides this year.

### **SHERIFF-INTERNET SCAMS AND CONS**

Sheriff Nugent invited the public to attend the neighborhood meetings offered by his department (Chris Buchanan) to educate people on Internet Scams and Cons. He stated there will be one on Thursday, April 12<sup>th</sup> in Highland View, one at the Overstreet Fire Department on Thursday, April 26<sup>th</sup>, and will then move to the Wewahitchka area.

### **SHERIFF-V.O.I.P. PHONE SYSTEM**

Sheriff Nugent commended Deputy Administrator Lanier and I.T. Director Barfield for their hard work on the new phone system but noted there are still massive problems with the phone system. Sheriff Nugent stated if someone calls his office and gets a busy signal, they should call 911 until everything is worked out.

### **T.D.C. DIRECTOR POSITION**

Commissioner McLemore asked for an update on the process of hiring a T.D.C. Director. Chief Administrator Butler explained that Gulf Coast Workforce Board has been soliciting applications. He noted twelve (12) applications were received, they were narrowed down to five (5), and since then one (1) applicant has withdrawn. Mr. Butler advised the Board that none of the four (4) applicants have extension background in Tourist Development. Chief Administrator Butler stated they are holding out for a few more weeks to see if more applications come in with extensive background in Tourist Development. Mr. Butler expressed the need to get someone in place soon in hopes of

allowing input from the new director on the new Marketing R.F.P. Upon inquiry by Commissioner McLemore concerning his satisfaction with the top four (4) applicants, Chief Administrator Butler stated if an experienced person doesn't come in, they will have to work with the four (4) they have. Commissioner McDaniel stated on April 12<sup>th</sup>, the eleven (11) T.D.C. Board members will be seated and a Chairman will be selected, noting albeit slow, they are moving.

#### **SAUL'S CREEK BOAT LANDING**

Commissioner McLemore discussed the need to have the sand dug out of the boat landing at Saul's Creek that was caused by flooding. Commissioner McLemore motioned to apply to D.E.P. for the permit to remove the sand and pay for it with the Florida Boating Improvement Funds. Commissioner Smiley seconded the motion and it passed 4-0.

#### **HONEYVILLE COMMUNITY CENTER**

Commissioner McLemore motioned to allow the Wewahitchka 6<sup>th</sup> grade class to use the Honeyville Community Center for about two (2) hours for their graduation ceremony. Commissioner Smiley seconded the motion and it carried 4-0.

#### **SAUL'S CREEK BOAT LANDING**

Commissioner Smiley thanked Commissioner McLemore for taking care of the issue at the Saul's Creek boat landing.

#### **COMMISSIONER SMILEY-DISTRICT 4/ETHICS CHARGES**

Commissioner Smiley noted that all the ethics charges against him have been dropped and asked the Board to draft a letter to the City of Port St. Joe requesting they reimburse the County for Attorney's fees. He stated that it was a year-long issue and Attorney Novak got it taken care of and it costs the tax payers. County Attorney Novak stated that Commissioner Smiley was exonerated on both ethics challenges of using his position of authority as a Commissioner inappropriately, noting there was no probable cause and both were dismissed. He noted that it was filed last March, there was an investigation, an interview, and a hearing and The Ethics Commission voted unanimously to dismiss the charges. Mr. Novak stated the complaint came from a City Police Officer. Upon inquiry by Commissioner McLemore, County Attorney Novak stated there is no prior precedence, so there is no legal foundation that would compel them to pay that. Upon inquiry by Chairman Williams concerning who actually filed the complaint, Mr. Novak stated an individual officer filed it in the performance of their duties. Commissioner Smiley motioned to request the money back from the City of Port St. Joe. Commissioner McLemore seconded the motion and it passed 4-0.

#### **MEDICAID HOUSE BILL 5301**

Chairman Williams updated the Commission on the Medicaid issue, reporting Gulf County's potential financial impact from the Legislature's passage of HB 5301 is around \$150,000.00. Chairman Williams talked about how the process is proposed to work and issues with that process. Chairman Williams noted possible litigation coming from Counties around the State due to it being an unconstitutional and unfunded mandate.

Chairman Williams noted that the Governor has charged the Agency for Health Care Administration (AHCA) to visit all sixty-seven (67) counties to look at where these residents came from, noting our impact may be more than \$150,000.00, and will be taken directly from State Revenue Sharing proceeds. Chairman Williams directed Assistant Administrator Michael Hammond to pay attention to that.

### **BEACON HILL/VETERAN'S MEMORIAL PARK**

Chairman Williams stated he is working on Beacon Hill Park (things in need of repair), having money in parks, so no motion is needed. He thanked Commissioner McDaniel for the use of picnic tables for the American Legion meeting held there.

### **U. S. SENATOR BILL NELSON/TOWN HALL MEETING**

Chairman Williams informed everyone of the Town Hall meeting with U. S. Senator Bill Nelson on April 12<sup>th</sup> at 3:00 p.m., E.T. at the Chamber of Commerce building. He mentioned there are a lot of things happening at the Federal level (Restore Act, COBRA) and invited the public to attend.

### **TRAVEL REQUEST**

Chairman Williams requested permission for he, and Commissioner Yeager to travel to Mississippi with the Florida Association of Counties on April 19<sup>th</sup>, if the meeting actually materializes. Commissioner McDaniel motioned to approve. Commissioner Smiley seconded the motion and it passed 4-0.

### **RESTORE ACT/B.P. OIL SPILL**

Chairman Williams stated he has a meeting on April 19<sup>th</sup> with the Department of Economic Opportunity (DEO), Department of Environmental Protection (DEP), and the Governor's Office on the Restore Act. He noted a recent move by the State to take that process over, but stated Federal legislation specifically precludes that from happening so he will keep the Board advised of that.

### **PUBLIC COMMENT:**

### **RESCUE MISSION/HOMELESS PROJECT**

Christy McElroy appeared before the Board and presented data on the Panama City Rescue Mission to the Commission. Ms. McElroy asked if the Board had an opportunity to review the last packet she submitted and whether they had made a decision on solutions our County could work toward. Chairman Williams stated the information has been turned over to County Attorney Novak and he is working with the City in looking at a comprehensive review of the entire project. Ms. McElroy noted the data she provided tonight is actually Springfield's presentation. Ms. McElroy began by discussing the healthcare costs associated with the rescue mission. Upon motion by Commissioner McDaniel, second by Commissioner Smiley and a 4-0 vote, the Board agreed to extend Ms. McElroy's time to speak. Ms. McElroy continued to outline the cost associated with indigent care and how much Bay Medical Center had to write off. She noted the crimes statistics and the cost to society due to the Panama City Rescue Mission not paying any of the indigent care costs; resulting in an inflated cost for law enforcement and

healthcare. Ms. McElroy stated that Panama City and Springfield are considering ordinances to address some of these issues and requested the Board be proactive by putting in zoning and ordinances to control this issue; noting the homeless have rights but with that also comes responsibility and accountability. County Attorney Novak stated he and City Attorney Tom Gibson have met and have drafted language to present to the Board and the City of Port St. Joe. Mr. Novak noted the information provided by Christy McElroy has been very instrumental to them in drafting a proposal and thanked Ms. McElroy for all her hard work on this issue.

**PORT ST. JOE DOWNTOWN REDEVELOPMENT AREA**

Gail Alsobrook, Executive Director of the Port St. Joe Downtown Redevelopment Area appeared before the Board and thanked Commissioner Smiley for being instrumental in getting information from business along Martin Luther King Boulevard. Ms. Alsobrook stated the DRA applied for a \$200,000.00 grant to place sidewalks along this street, from Avenue A to Avenue D, and Commissioner Smiley helped the DRA obtain needed documentation from local businesses.

Upon motion by Commissioner McLemore, and second by Commissioner Smiley, the meeting did then adjourn at 6:57 p.m., E.T.

**WILLIAM C. WILLIAMS, III  
CHAIRMAN**

**ATTEST:  
REBECCA L. NORRIS  
CLERK**

