

PORT ST. JOE, FLORIDA

OCTOBER 13, 2009

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Nathan Peters, Jr., Vice Chairman Carmen L. McLemore, and Commissioners Billy E. Traylor, Bill Williams, and Warren Yeager.

Others present were: County Attorney Timothy McFarland, Clerk Rebecca L. Norris, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, Emergency Management Director Marshall Nelson, G.I.S. Director Scott Warner, Planner David Richardson, Public Works Director Joe Danford, and Sheriff's Office Deputy James Newsome.

Deputy Newsome called the meeting to order at 6:04 p.m., E.T.

Planner Richardson opened the meeting with prayer, and Commissioner Traylor led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Upon motion by Commissioner Yeager, second by Commissioner McLemore, and unanimous vote, the Board approved the Consent Agenda, after removal of Item #5 (page #56), Item #6 (page 57), and Item #11 (page #69), as follows:

1. Minutes - September 8, 2009 – Regular Meeting
 - September 18, 2009 – Special Meeting
 - September 21, 2009 – Final Budget Public Hearing
 - September 22, 2009 – Regular Meeting
 - September 29, 2009 – Special Meeting
2. Agreement – FL Dept. of Transportation (Local Agency Program Supplemental Agreement No. 1 * C.R. 30-A Widening and Resurfacing Project)
3. Bid Rejection #0809-27 / Bid Re-Advertisement (Design/Build Portion of C.R. 30-A)
4. Budget Resolution - M.S.T.U. Debt Service (Unanticipated Revenue * \$2,137.00) as follows:

RESOLUTION NO. 2009-59

WHEREAS, the Gulf County Board of County Commissioners of Gulf County, Florida, has received unanticipated revenue in the MSTU Debt Service Fund for fiscal year

2008-2009; and

WHEREAS, said revenue is needed to help pay certain expenditures incurred in fiscal year 2008-2009.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The 2008-2009 fiscal year budget is amended as follows:

MSTU DEBT SERVICE FUND

	<u>Original Budget</u>	<u>Increase</u>	<u>Amended Budget</u>
REVENUES:			
State Shared Revenue:			
20435-19002 Amendment 1 Offset Fdg	\$ -0-	\$ 2,137	\$ 2,137
EXPENDITURES:			
Beach Renourishment Debt Srv:			
28037-73001 Bond Agent Fees	\$ -0-	\$ 2,137	\$ 2,137

THIS RESOLUTION ADOPTED by the Gulf County Board of County Commissioners, this 13th day of October, 2009.

(End)

Budget Resolution – Sheriff’s Department (Unanticipated Revenue * \$30,000.00) as follows:

RESOLUTION NO. 2009-60

WHEREAS, the Gulf County Board of County Commissioners of Gulf County, Florida, has received unanticipated revenue in the Fine and Forfeiture Fund for fiscal year 2009-2010; and

WHEREAS, said revenue is needed to help pay certain expenditures incurred in fiscal year 2009-2010.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The 2009-2010 fiscal year budget is amended as follows:

FINE AND FORFEITURE FUND

	<u>Original Budget</u>	<u>Increase</u>	<u>Amended Budget</u>
REVENUES:			
Service Charge-Public Safety:			
00242-10000 Law Enforcement Services	\$ -0-	\$ 30,000	\$ 30,000
EXPENDITURES:			
Law Enforcement:			

F3121-91000 Budget Transfer to Sheriff \$ 2,176,287 \$ 30,000 \$ 2,206,287

THIS RESOLUTION ADOPTED by the Gulf County Board of County Commissioners, this 13th day of October, 2009.
(End)

Budget Resolution – St. Joseph Fire Control District (Unanticipated Revenue * \$9,775.00) as follows:

RESOLUTION NO. 2009-61

WHEREAS, the Gulf County Board of County Commissioners of Gulf County, Florida, has received unanticipated revenue in the St. Joseph Fire Control District Fund for fiscal year 2008-2009; and

WHEREAS, said revenue is needed to help pay certain expenditures incurred in fiscal year 2008-2009.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The 2008-2009 fiscal year budget is amended as follows:

ST. JOSEPH FIRE CONTROL DISTRICT FUND

	<u>Original Budget</u>	<u>Increase</u>	<u>Amended Budget</u>
REVENUES:			
Federal Grants:			
10631-20000 Public Safety: Div of For	\$ -0-	\$ 9,775	\$ 9,775
EXPENDITURES:			
South Gulf County Fire Department:			
32922-52000 Operating Supplies	\$ 30,000	\$ 9,775	\$ 39,775

THIS RESOLUTION ADOPTED by the Gulf County Board of County Commissioners, this 13th day of October, 2009.

(End)

5. ****DELETE**** Contract Change Order #1 - Bid #0809-19 – Ballfield Fencing Project Honeyville Park (Additional Fencing \$3,820.00 Increase)
6. ****DELETE**** Funding Request – District 2 (PSJ High School Project Graduation * \$200.00 * WHS Project Graduation * \$200.00 * WHS Gator Backers * \$200.00 * WHS Girls Volleyball Team * \$200.00)
7. Interlocal Agreement (Local Discretionary Sales Surtax - City of Port St. Joe and City of Wewahitchka)
8. Inventory – Gulf County Emergency Management (Junk #90-181 * Honda Generator EB6500SXA, #90-192 * Solaris

Latitude
Computer CPI 266, #90-
#90-220 * Dell Latitude
Generator Hollinkzo-1078)

Computer, #90-195 * Dell Latitude
199 * 16KW Generator D4654A,
Computer C800, #90-230 * 30KW

9. Invoices – County Attorney Timothy J. McFarland (Invoice * September, 2009 * \$10,923.50 * to be paid from Account #21314-31100)
 - Rumberger, Kirk & Caldwell – General Employment Matters (File #G214-107990 * Invoice #741545 * \$140.00 * to be paid from Account #21111-31200)
10. Purchase Request – Gulf County Emergency Management (Emergency Notification System * \$7,500.00 * to be paid through GSA Contract #GS-35F-0110P)
11. ****DELETE**** Travel – Commissioner District 2 (Fort Rucker * October 21-22, 2009)
Travel – 2010 Hurricane Conference (Fort Lauderdale * May 23 – 28, 2010)

(End)

SUPPLEMENTAL CONSENT AGENDA

Upon motion by Commissioner Williams, second by Commissioner Traylor, and a 4-0 vote, the Board approved the following supplemental consent agenda items. Commissioner Yeager abstained due to having a business relationship with Preble-Rish, Inc.

1. Bid Award #0809-28 (C.R. 30-A Widening and Resurfacing Project)

(End)

HONEYVILLE PARK – CONTRACT CHANGE ORDER #1 (BID #0809-19)

Grant Writer Kopinsky reported that item #5 (page 56) of consent agenda has been amended, and recommended approval of \$2,320.00 increase in change order #1 for the ballfield fencing. Commissioner McLemore motioned to approve this recommendation. Commissioner Traylor seconded the motion, and it passed unanimously.

ST. JOSEPH BAY HUMANE SOCIETY

Deputy Administrator Lanier reported that the St. Joseph Bay Humane Society is requesting their allocation for the spay/neuter program, in the amount of \$5,300.00. Commissioner McLemore motioned to approve this request. Commissioner Traylor seconded the motion, and it passed unanimously. Upon inquiry by Chairman Peters, Deputy Administrator Lanier confirmed that this will be paid from their budget allocations.

SOUTH GULF COUNTY FIRE DEPARTMENT BUILDING – BID #0809-14

Deputy Administrator Lanier recommended approval for a direct purchase (to save sales tax) of the South Gulf County Fire Department building from United Structures of America, in the amount of \$34,592.00. Commissioner Yeager motioned to approve this recommendation. Commissioner Williams seconded the motion, and it passed unanimously.

HONEYVILLE COMMUNITY CENTER RESERVATION – REFUND

Deputy Administrator Lanier requested approval of a refund to the Sizzling Scarlet Sisters for the reservation of the Honeyville Community Center, in the amount of \$150.00, stating that they had to cancel their reservation and have been unable to reschedule.

Commissioner McLemore motioned to approve this request. Commissioner Williams seconded the motion, and it passed unanimously. Commissioner Yeager suggested the Board review the policy for renting the Honeyville Community Center to consider penalties for cancellations.

INFORMATION TECHNOLOGY POSITION

Deputy Administrator Lanier discussed the contract with Bluemanta Technology Group for the Information Technology position, in the amount of \$70,000.00, stating that there is a shortfall in the amount of \$12,305.21. She reported that all the Departments that have committed, (in the amount of \$57,694.79) leaves a \$12,305.21 shortfall. Chairman Peters passed the Chair to Vice Chairman McLemore, and motioned to pay the \$12,305.21 from the Cash Carry Forward Fund. Commissioner Yeager seconded the motion for discussion.

After further discussion by members of the Board, Chief Administrator Butler recommended that the \$12,305.21 be paid from the Infrastructure Reserve Fund. Commissioner Peters amended the motion for this to be paid from the Infrastructure Reserve Funds. Commissioner Yeager stated his second stands, and the motion passed 4-1, with Chairman McLemore voting no. Chairman McLemore returned the Chair to Commissioner Peters. Chief Administrator Butler recommended a thirty day cancellation of the contract with Bluemanta Technology Group, and for the Chairman to sign the contract, contingent upon County Attorney review. Commissioner Traylor motioned to approve this recommendation. Commissioner Yeager seconded the motion, and it passed unanimously. Clerk Norris discussed that this will be an important move for the County.

SAULS CREEK ROAD

Emergency Management Director Nelson reported that the Sauls Creek Road needs repairs due to the flooding during the spring. He requested permission to start the process for the County Engineers to start the drawings and specifications for the Sauls Creek Road repairs. Commissioner Williams motioned to approve this request. Commissioner McLemore seconded the motion, and it passed unanimously (4-0), with Commissioner Yeager abstaining.

FORECLOSURE MEETING / H.U.D.

Emergency Management Director Nelson reported that Arthur Youngblood will hold a meeting with HUD, stating that it will be a housing meeting to try and help educate people on how to avoid foreclosure on their homes. He reported that this meeting will be held on November 14, 2009, stating that he is trying to locate a facility to hold the meeting. Chairman Peters discussed that he will contact Quen Lamb to attend the meeting. Commissioner Yeager suggested he contact Oak Grove Assembly of God Church for use of their facility.

FLOODING – WAIVER REQUEST

Upon inquiry by Commissioner Yeager, Emergency Management Director Nelson reported that there is a 12.5% waiver request on the flooding, stating that they have received the waiver for the beach, but not on the flooding.

ROAD DEPARTMENT SITE – RESOLUTION #2009-62

County Attorney McFarland recommended approval of a proposed Resolution for the sale of the Road Department site in Wewahitchka, to the City of Wewahitchka. Commissioner Traylor motioned to adopt the proposed resolution. Commissioner Yeager seconded the motion, and it passed 3 to 2, with Chairman Peters and Commissioner McLemore voting no.

RESOLUTION NO. 2009-62

WHEREAS, the Gulf County Board of County Commissioners has determined that it shall consolidate its County Road Department at a central location within Gulf County, and

WHEREAS, the Gulf County Board of County Commissioners has determined that it no longer requires the use of the County Road Department property located at 318 South 7th Street in Wewahitchka, Florida, and

WHEREAS, the City of Wewahitchka, a duly organized municipality of the State of Florida has indicated a desire to use the real property and remaining personal property located at the former Gulf County Road Department property in the City of Wewahitchka, Florida,

NOW, THEREFORE BE IT RESOLVED as follows:

1. The City of Wewahitchka, Florida has made application to Gulf County for the purchase of the County Road Department located at 318 South 7th Street in Wewahitchka, Florida.
2. The purpose for which such property is to be used is for the operation of City road department maintenance and public works as well as any other lawful city purpose.
3. The price to be paid by the City of Wewahitchka to Gulf County, Florida for such property is \$150,000.00 together with costs of closing and recording costs of the sale.
4. Gulf County, Florida has determined that such property is no longer required for County purposes.
5. Such property shall be transferred to the City as is with no warranties as to title, condition or contamination or any other defects of such lands.

RESOLVED this 13th day of October, 2009.

(End)

APALACHEE REGIONAL PLANNING COUNCEL – ADMINISTRATIVE SERVICES AGREEMENT

County Attorney McFarland recommended approval of an administrative services agreement with A.R.P.C., for the administration of the Raffield Fisheries debt. Commissioner Yeager motioned to approve this recommendation. Commissioner McLemore seconded the motion, and it passed unanimously.

CONSOLIDATION SITE – HOWARD CREEK ROAD / SURVEY/BUILDING - DIRECT PURCHASE

Chief Administrator Butler updated the Board on the consolidation site progress, stating that the survey of the land was received for the 30 acre site, and the 10 acre site area was surveyed today. He reported that they have received the building foundation design/plans for the consolidation site. Chief Administrator Butler requested approval for the direct purchase of the building, stating that this will be a savings in the amount of \$45,422.00 which would save \$69,122.00 off the contract amount. Commissioner Yeager motioned to approve this recommendation. Commissioner Traylor seconded the motion, and it passed unanimously. Commissioner Yeager reported that everyone being in one location has worked great for him. Commissioner Traylor reported that there have been no problems with D.E.P. on the consolidation site.

SOUTH GULF COUNTY FIRE DEPARTMENT

Chief Administrator Butler recommended approval of a pre-payment discount, in the amount of \$16,670.00, for the purchase of the new ladder truck for South Gulf County Fire Department, stating that this will reduce the truck amount to \$438,579.00. Commissioner Yeager motioned to approve this recommendation contingent upon County Attorney approval of the performance bond. Commissioner Williams seconded the motion, and it passed unanimously.

DOWNTOWN REDEVELOPMENT AGENCY

Chief Administrator Butler recommended that the C.R.A. proceed with expansion according to the course of law, stating that this plan includes areas of North Port St. Joe to be in the C.R.A. Chairman Peters passed the Chair to Vice Chairman McLemore, and motioned for the C.R.A. to proceed with expansion on the boundaries into the North Port St. Joe area. Commissioner Yeager seconded the motion for discussion. After further discussion by members of the Board, County Attorney McFarland reported that the expanded area will have a new base year, and the previous area has an existing base year of nine years. County Attorney McFarland reported that the Board previously directed him to require a joint meeting with the C.R.A., County Commissioners and City Commissioners, stating that they have amended the plan to include the North Port St. Joe area. Upon inquiry by Commissioner Yeager, County Attorney McFarland reported that it will be a forty year commitment, stating that as they expand they get the tax dollars, and the funds are used to pay for improvements within that C.R.A. After further discussion by members of the Board, Commissioner Peters withdrew the motion and Commissioner Yeager withdrew his second. Commissioner Peters motioned to allow the C.R.A. to proceed with the annexation of the expansion of their boundaries into the North Port St. Joe area, and for the City Commissioners and County Commissioners to meet with the C.R.A. as prescribed by statute. Commissioner Yeager seconded the motion, and it passed 3-2, with Commissioner Traylor and Chairman McLemore voting no. Chairman McLemore returned the Chair to Commissioner Peters.

CYPRESS CREEK BRIDGE ON 386

Chief Administrator Butler discussed the Cypress Creek Bridge on C.R. 386, stating that there needs to be some repairs on the North side of the bridge, and G.A.C. Contractors will make the repairs, in the amount of \$2,500.00.

HIGHLAND VIEW FIRE DEPARTMENT

Commissioner Williams requested Chief Administrator Butler get an update on the Highland View Fire Department civil engineering process.

LANDFILL CLOSURE

Commissioner Williams discussed that he has received a lot of calls concerning the days which the landfill is closed, and also not collecting cash at the landfill. After further discussion by members of the Board, Chairman Peters passed the Chair to Vice Chairman McLemore and motioned to accept cash at the landfill and County Staff draft policies and procedures. Commissioner Traylor seconded the motion, and it passed unanimously. Vice Chairman McLemore returned the Chair to Commissioner Peters.

RECYCLING

Commissioner Williams discussed that the Governor and the Legislature are working on exemptions for Small Counties on recycling, and recommended Public Works Director Danford discuss with the recycling committee.

COUNTY ROAD 386

Commissioner Traylor requested that Chief Administrator Butler address the letter in the Information Packet from Timothy Stein concerning Highway 386. Chief Administrator Butler reported that he will address this letter.

COURTHOUSE RENOVATIONS

Chairman Peters discussed that the Courthouse renovations need to be completed as soon as possible, and recommended that the Commissioners not (or any staff) pull employees from the Courthouse renovations project. Commissioner McLemore motioned to place Tony Price at the Honeyville Park (four weeks) to complete that project. Commissioner Williams seconded the motion for discussion. After further discussion by members of the Board, the motion then passed 4 to 1, with Chairman Peters voting no. Commissioner Yeager motioned that all Commissioners submit a work order and not get involved in the daily operations. Commissioner Williams seconded the motion, and it passed unanimously.

GULF COAST PARKWAY

Rosemary Woods, P.B.S. & J. appeared before the Board and gave an update on the Gulf Coast Parkway, stating that they presented 12 corridors at the public meeting last year, and they have performed an analysis on each corridor and completed a corridor report recommending that 4 of the corridors move forward. She reported that they will have a public meeting Thursday, October 15, 2009 from 6:00 to 7:30 p.m. at the Springfield Community Center, and also a public meeting Tuesday, October 20, 2009 from 6:00 to 7:30 p.m. at the Centennial Building in Port St. Joe, stating that they will present information on the 5 corridors (an additional corridor was added last week). Upon inquiry by Commissioner Williams, Rosemary Woods reported that she will meet with C.T.S.T./Transportation Committee Chairman Steve Norris regarding the analysis of rankings. Commissioner Traylor discussed that corridor #17 does not benefit Gulf County. Commissioner Yeager reported that corridor #8 would be the best corridor for Gulf County. Upon inquiry by Assistant Administrator Hammond, Rosemary Woods reported that corridor #17 was requested by an Environmental Agency. After further discussion by members of the Board, Commissioner Traylor motioned to proceed with a resolution supporting preferred option #1, a hybrid alignment of corridor #8 on the southern side of Highway 22 and corridor #15 or #14 on the north side (preference for #15), and option #2 corridor #8 as shown on the map recommended by Gulf County C.T.S.T./Transportation

Committee Chairman Steve Norris. Commissioner Yeager seconded the motion for discussion. Chairman Peters discussed that he prefers corridor #14 for Gulf County. Rosemary Woods reported that corridor #8, #14 and #15 are all the same from Highway 22 to Highway 98. After further discussion by members of the Board, the motion then passed unanimously.

TIME ZONE CHANGE

Matt Bullard, of Wewahitchka High School appeared before the Board and presented 1,400 petitions concerning the change of the divided time zone for Gulf County, stating that they are requesting it be placed on the general ballot in 2010. Commissioner Williams reported that this Country is not teaching Civics or Governmental involvement the way it use to be taught, stating that Mr. Bullard is vested in teaching governmental involvement in this County. After further discussion by members of the Board, County Attorney McFarland discussed the process for changing the time zone, stating that the County cannot change the time zone, it will have to go to the National Level to be changed. Commissioner Traylor requested that County Attorney McFarland prepare the wording to place this on the ballot.

WATER SHED MANAGEMENT

Roger Sheppard, 251 Moonrise Avenue (Emerald Isle Community) appeared before the Board and requested assistance with the watershed management and assistance on obtaining the landfill regulations. He requested a representative from the County come for an on-sight review of the recent flooding impacts in their community, and asked consideration for the County to assist property owners with flood water removal. Commissioner Yeager reported that he will meet with the Home Owners Association and Chief Administrator Butler to address these issues.

T.D.C. DIRECTOR APPOINTMENT

Commissioner Williams discussed that the T.D.C. Board has advertised for a new Director, and requested direction from the Board. Commissioner Yeager reported that the T.D.C. Board needs to bring options before the Board for approval.

There being no further business, and upon motion by Commissioner Traylor, the meeting did then adjourn at 7:58 p.m., E.T.

**NATHAN PETERS, JR.
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**