

JUNE 12, 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 William C. Williams, III, Vice Chairman Tan Smiley, and Commissioners Carmen L. McLemore, Ward McDaniel, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, G.I.S. Coordinator Scott Warner, Gulf County E.M.S. Director Houston Whitfield, Grant Writer Towan Kopinsky, Mosquito Control Director Mark Cothran, Gulf County Planner David Richardson, Public Works Director Joe Danford, Sheriff Joe Nugent, and Sheriff's Office Major Bobby Plair.

Sheriff Nugent called the meeting to order at 10:00 a.m., E.T.

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

CLERK NORRIS INSTALLATION AS PRESIDENT OF CLERKS ASSOCIATION

Chairman Williams noted the change in today's meeting being due to the installation of Clerk Norris as the President of the Florida Court Clerks and Comptrollers this evening and congratulated her on this accomplishment.

CONSENT AGENDA

Upon motion by Commissioner Yeager, second by Commissioner McLemore and unanimous vote the Board approved the Consent Agenda as follows:

1. Minutes – Correction to Minutes – April 24, 2012 – Regular Meeting
 - May 8, 2012 – Regular Meeting
 - May 22, 2012 – Special Budget Meeting
 - May 22, 2012 Regular Meeting

2. Approval of Checks and warrants for May, 2012 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.

3. Budget – Howard Creek Fire Department (Surplus Metal Sales * \$2,732.50 *
Stone Mill Creek Fire Department (Surplus Metal Sales
* \$2,340.00)

Budget – Public Works (Surplus Metal Sales * \$9,820.37)

4. Grant Agreement – Emergency Management (Emergency Management
Preparedness Assistance (E.M.P.A.) * \$105,806.00 *
Contract #13-BG-06-02-33-01-023)

Grant Agreement – Emergency Management (Emergency Management
Preparedness Grant (E.M.P.G.) * \$54,430.00 * Contract
#1-FG- -02-33-01-090)

5. Inventory – Howard Creek Fire Department (Return to Florida State Forestry
Division * 1983 International Tanker Fire Truck
* VIN #1HC135TTDW2602)

- Public Works (Junk * #100-547 1988 GMC Box Truck/Boom
Truck)

6. Invoices – Agency for Healthcare Administration (Florida Medicaid * 4th
Quarter 2011-2012 * \$77,464.00 * to be paid from
Account #51161-82000)

- MRD Associates, Inc. – St. Joseph Peninsula Sea Turtle and
Escarpment Monitoring Services (Invoice #1564 *
\$49,535.00 * to be paid from Account #28039-31000)

- The Water Spigot, Inc. – Buckhorn Landfill (Invoice #12-12136 *
\$260.00 * to be paid from Account #281534-31000)

7. Purchase Request through State Contract – Tourist Development Council
(Tractor for Beach Rut Removal)

8. Reconciliation – T.D.C. (Forgotten Coast Cultural Coalition * Forgotten
Coast Plein Air Invitational 2012)

9. Reimbursement – Gulf County Sheriff (Beach Patrol Fund * \$11,354.02 *

(End)

1ST PUBLIC HEARING – SIGN ORDINANCE

Pursuant to advertisement to hold a public hearing to consider adoption of an ordinance amending County Ordinance #88-3, County Attorney Novak read the proposed Ordinance by title as follows: An ordinance of Gulf County, Florida; whereby amending Gulf County Sign Ordinance No. 88-3 titled “An Ordinance regulating outdoor advertising signs; providing for the prohibition of said signs on County rights of way; providing for an effective date” and herein replacing it by adoption of “Gulf County sign Ordinance” and providing for severability; and providing for an effective date. Chairman Williams called for public comment. There was no public comment. Following discussion and explanation of the “Whereas” clauses; County Attorney Novak recommended amending the definition of “sign” on page 14 to mirror that of the Florida Department of Transportation. There being no further comment, Commissioner McDaniel motioned to approve the recommendation to amend the definition of sign. Commissioner Smiley seconded the motion, and it passed unanimously.

COUNTY WEBSITE

Deputy Administrator Lanier reported that the sign ordinance, County-Wide voting issues, and Board meetings have been placed on the county website.

SMALL COUNTY GRANT

Public Works Director Danford reported he received notification by email of their eligibility to receive the Small County Grant again and requested permission for the Chairman to sign and execute the Small County Grant once completed. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

EMERGENCY MANAGEMENT – SOFTWARE

Emergency Management Director Nelson requested approval to purchase software from Geo Cove, Inc. (sole source provider), in the amount of \$9,000.00 with a \$2,000.00 per year maintenance fee, to be paid from grant funds. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion. Commissioner McDaniel asked about it being a sole source purchase and County Attorney Novak stated he reviewed the software with Mr. Nelson, and pursuant to the 2005 bid policy he recommended the Board include that in their motion. The motion and second were so amended as recommended and it then passed unanimously.

COMPREHENSIVE PLAN

Planner Richardson discussed the upcoming changes to the Comprehensive Plan, stating there should be another map update in 2013 to incorporate surge into the coastal areas, and river flooding; noting there will be changes. He reported that the County will be coming up for the C.R.S. recertification for discounts on NFIP, and a new manual will come out this year. Upon inquiry by Commissioner McLemore concerning the flood zones in the North end of the County, Planner Richardson reported they are reviewing the entire County and discussed the process and models used to make these determinations. Commissioners discussed the process and noted the need to make sure the data is correct.

BOAT RAMP LEASES

County Attorney Novak recommended approval of an addendum to the current lease for Odena Boat Ramp, adding the Willis Landing Boat Ramp, and then adding the maps from the old Odena Boat Ramp. He reported that once this is completed they will get a Memorandum of Understanding addendum for ratification. Commissioner Yeager motioned to approve as recommended by County Attorney Novak. Commissioner McLemore seconded the motion, and it passed unanimously.

DEPARTMENT OF HEALTH – SETTLEMENT

County Attorney Novak discussed a stipulation of settlement and final order from the Department of Health, stating they have reached a settlement on an Administrative Complaint and recommended the Board ratify the decision and authorize them to move forward with issuing that processing fee. Commissioner McDaniel motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

ANIMAL CONTROL ORDINANCE

County Attorney Novak reported on the progress of the animal control ordinance, stating the sub-committee met and they distributed the proposed animal control language to the committee.

HOMELESS SHELTER ORDINANCE

County Attorney Novak reported on the progress of the Homeless Shelter Ordinance, stating the sub-committee met and requested permission to advertise the proposed ordinance. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion, and it passed unanimously.

PERSONNEL POLICY - SAFETY RULES AND REGULATIONS

County Attorney Novak discussed the safety rules and regulations in the County personnel policy and recommended to add to the current policy, in terms of volunteers for the County, that the Board extend the current personnel policy as they currently exist to apply in their entirety to the County staff when it comes to volunteers. Upon inquiry by Chairman Williams concerning who will follow-up on that, County Attorney Novak stated that it would come as a recommendation from the department head, (Brad Price) to the County Administrator. Commissioner Yeager motioned to approve this recommendation. Commissioner McDaniel seconded the motion, and it passed unanimously.

S.H.I.P. – SATISFACTION OF MORTGAGE

County Attorney Novak recommended approval of a S.H.I.P. Satisfaction of Mortgage for Flora Miller, stating these are administrative reviews and suggested for Chief Administrator Butler be allowed to approve and execute these documents without further Board approval. Commissioner McLemore motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

P.D.R.B. RESIGNATION

County Attorney Novak discussed the resignation of the P.D.R.B. Chairman Jim McKnight, stating the advisory council applications are on the county website, and anyone interested may complete the application and submit it to the County.

TOURIST DEVELOPMENT COUNCIL

County Attorney Novak discussed a recent T.D.C. meeting, noting that contracts were discussed. He reported the new T.D.C. Council formed two sub-committees (budget and marketing), and the T.D.C. Council has a unanimous recommendation to term out their marketing contracts for three Memorandum of Understandings with Statecraft, LLC. Mr. Novak stated that with Board approval he will work with the contractor (Statecraft, LLC) to terminate the agreements/contracts. Commissioner Yeager motioned to approve as recommended by the T.D.C. Commissioner Smiley seconded the motion, and it passed 4 and 0, with Chairman Williams abstaining due to a personal relationship with the owner of Statecraft.

TOURIST DEVELOPMENT COUNCIL – EXECUTIVE DIRECTOR

Chief Administrator Butler introduced the new T.D.C. Executive Director Jennifer Jenkins to the Board. T.D.C. Executive Director Jenkins appeared before the Board and stated she is excited to be in this County and looks forward to working with everyone.

RESTORE ACT

Chief Administrator Butler discussed that the Board previously discussed the Restore Act funding to assist the Florida Association of Counties (F.A.C.) in their request on the Restore Act, and requested for the Clerk to cut the check to F.A.C., not to exceed \$2,500.00 after the invoice is received. Commissioner McLemore motioned to approve this recommendation. Commissioner McDaniel seconded the motion, and it passed unanimously.

FLOOD ZONES

Chief Administrator Butler discussed the flood zones in the different areas, specifically the Overstreet area, and recommended the Board send a letter to U. S. Representative Steve Southerland concerning this issue. Commissioner McLemore motioned to approve this recommendation. Commissioner Yeager seconded the motion, and it passed unanimously.

INTERIM T.D.C. DIRECTOR

Chief Administrator Butler thanked Interim T.D.C. Director Kopinsky for all her hard work on the T.D.C. Chairman Williams thanked Ms. Kopinsky, the Clerk's Office, the new T.D.C. members, Chief Administrator Butler, and County Attorney Novak for their work with the T.D.C. in getting this on solid footing.

EDWARD BYRNE MEMORIAL GRANT

Sheriff Nugent requested permission for Chairman Williams to sign and execute the Edward Byrne Memorial (60/40) Grant. Commissioner McLemore motioned to approve this request. Commissioner Smiley seconded the motion, and it passed unanimously.

DOMESTIC VIOLENCE

Sheriff Nugent announced that Deputy Chris Buchannan and Pam Martin will be holding a program on Domestic Violence at the Wewahitchka Courthouse on Thursday, June 28th at 6:00 p.m., C.T.

TOURIST DEVELOPMENT COUNCIL INVESTIGATION

Sheriff Nugent gave an update on the T.D.C. investigation, stating that F.D.L.E. met and found nothing illegal. He stated there was only a lack of oversight and lack of having contracts aligned; noting there were no criminal charges found. He noted there is one other item they have been asked to look into, post the audit by Roberson and Associates.

PERMITS – SAULS CREEK AND BYRD PARKER DRIVE

Commissioner McLemore requested that Chief Administrator Butler check the status of the permitting for Sauls Creek and Byrd Parker Drive.

TOURIST DEVELOPMENT COUNCIL

Commissioner Smiley noted the only problems he saw at the T.D.C. is that they are under manned. Commissioner Yeager stated he saw a lot of people struggling over the issues at the T.D.C. and thanked everyone for their efforts in correcting the issues.

F.E.M.A. – U.S. FISH AND WILDLIFE – C.O.B.R.A.

Commissioner Yeager discussed that he, Chief Administrator Butler, and County Attorney Novak met with U.S. Fish and Wildlife concerning the issue with F.E.M.A., stating they provided them with additional information and it was a great meeting. Commissioner Yeager reported that the Washington Office is deferring to their Field Office on the F.E.M.A. issue. He noted the residents do not want special treatment; they want the same treatment as the surrounding areas receive.

APALACHICOLA/CHATTACHOOCHEE/FLINT RIVERS

Commissioner McDaniel reported that he traveled to Columbus, Georgia on May 30th and 31st to attend a meeting with the A.C.F. concerning the water issues, stating we are under a drought, therefore they cannot provide us water. He reported that David McClain will come before the Board and give a report concerning this issue.

CITY OF WEWAHITCHKA – ROAD REPAIRS

Commissioner McDaniel stated the City of Wewahitchka is requesting the County donate approximately three (3) to six (6) yards of milled asphalt to do their patch work in the City limits. The Board had no objections. Commissioner McDaniel requested for Public Works Director Danford to work with the City of Wewahitchka on this issue.

RESTORE ACT-DEEPTWATER HORIZON OIL SPILL

Chairman Williams reported that he attended a meeting in Destin yesterday (June 11, 2012) concerning the Restore Act, noting the Restore Act is tied to the Transportation Bill. Chairman Williams briefly discussed the process, stating he hoped that Congress passes this bill.

SPECIAL BUDGET MEETING

Chairman Williams discussed the Special Budget Meeting that was held at 8:00 a.m. today, and applauded the committee for their hard work, stating that Chief Administrator Butler will schedule the next meeting.

DOWNTOWN REDEVELOPMENT AGENCY

Chairman Williams discussed the D.R.A. and requested an outline of the expenditures for the D.R.A. He noted he will follow up with the Clerk.

SIGNAGE – WINDMARK BEACH

County Attorney Novak discussed the issues with the signage at WindMark Beach, stating they will be meeting concerning this issue.

P.D.R.B. APPLICATIONS

County Attorney Novak discussed the P.D.R.B. applications, stating all previously submitted applications on file will be considered.

TOURIST DEVELOPMENT COUNCIL

Interim T.D.C. Director Kopinsky appeared before the Board and welcomed new T.D.C. Director Jennifer Jenkins, stating she is looking forward to working with her.

GRANT – WHITE CITY BRIDGE LANDSCAPE

Grant Writer Kopinsky reported the County received a grant to landscape the approaches to the White City Bridge, and requested permission to advertise for bids for the landscaping. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion, and it passed unanimously. Upon inquiry by Commissioner McLemore concerning the funding, Grant Writer Kopinsky reported that she received the fully executed grant agreement and the notice to proceed; noting the grant is through reimbursement.

LAND'S LANDING GRANT

Commissioner McLemore requested Grant Writer Kopinsky check on the Lands Landing grant. Ms. Kopinsky stated she has been working on that and noted she is not sure if they will fund Land's Landing in this cycle or whether she will need to re-apply.

INVOICE – G.A.C. – CAPE SAN BLAS SHARED USE PATH PHASE III

Grant Writer Kopinsky recommended approval of an invoice from G.A.C. on the C.R. 30-A S.C.O.P. grant for the Cape San Blas Shared Use Path Phase III, in the amount of \$118,852.57. Commissioner McLemore motioned to approve this recommendation. Commissioner Yeager seconded the motion, and it passed unanimously.

GRANT – HOUSING REHABILITATION

Grant Writer Kopinsky reported the County received a housing rehabilitation grant, stating the County agreed to match the grant with S.H.I.P. funding and they are currently accepting applications for residents who would like to apply for rehabilitation. She reported it has to be low to moderate income families who live outside the City limits. She stated it will be advertised and on the County website.

BEACH RAKING

Interim T.D.C. Director Kopinsky stated the T.D.C. Board recently discussed the beach raking contract and is requesting permission to advertise for bids for a new contractor, once the specifications are worked out. Commissioner Yeager motioned to approve this recommendation. Commissioner McLemore seconded for discussion. Commissioner Yeager requested he be able to review the specifications before they are advertised. The motion then passed 5-0.

JULY 4th FIREWORKS DISPLAY

Interim T.D.C. Director Kopinsky reported the City of Port St. Joe agreed at their last meeting to not participate (contribute) in the 4th of July fireworks. She noted the T.D.C.

received a lot of calls from citizens who are very disappointed in the possibility that there may be no fireworks this year. Ms. Kopinsky advised the Board that she had contacted the two companies who bid on the New Years Eve fireworks and one of them is available at the cost of \$10,000.00 (\$5,000.00 from County and \$5,000.00 from T.D.C.), noting the County would be responsible. She stated if the Board wished, they could contract with them on an emergency basis. Chairman Williams stated he is very disappointed in the City of Port St. Joe on this, as well as other issues. Chairman Williams suggested an alternative site or venue for the fireworks display if the City does not want to participate and proposed paying for it from the \$90,000.00 B.P. settlement funds. Commissioner Yeager discussed that he agrees, but the downtown merchants have events planned for the weekend, and suggested the County proceed with what is already budgeted for. Commissioner McDaniel noted this is a time of celebration and wished the City of Port St. Joe would reconsider, but if not, the County should move forward with this. Commissioner Smiley expressed concerns with the services that have been cut by the City due to funding, noting duplication of services (police and building department) within the City and County that citizens are paying twice for. Commissioner Smiley stated that the City needs to do their part. Chairman Williams suggested the County pay the \$10,000.00 with the B.P. settlement T.D.C. funds and move the venue to Beacon Hill Park or Cape San Blas. Commissioner Yeager disagreed with changing the venue. Chairman Yeager motioned to approve the expenditure; securing the vendor on an emergency basis and allow Chief Administrator Butler or Chairman Williams to engage the City of Port St. Joe to see if they can come to an agreement, leaving the venue downtown. County Attorney Novak discussed the County policy for emergency basis, and recommended it be approved as an exceptional purchase under #8 of the bid policy. Commissioner Smiley seconded for discussion. The motion failed 3 to 2, with Commissioner McLemore, Chairman Williams, and Commissioner McDaniel voting no. Commissioner McLemore motioned to pay the vendor \$10,000.00 and move the venue to Beacon Hill Park if the City of Port St. Joe does not agree to participate by Friday. Commissioner McDaniel seconded the motion, and it passed 4 to 1, with Commissioner Yeager voting no.

PUBLIC COMMENT

PARKING SIGNS – ST. JOE BEACH

Albert Milton appeared before the Board and discussed parking signs in front of his home at St. Joe Beach, and requested the Board submit a letter to Jerry Purdue, District Transportation Operations Engineer at F.D.O.T, to have the signs removed from the right-of-way. Commissioner McLemore motioned to submit the letter. Commissioner Smiley seconded the motion, and it passed unanimously.

There being no further business and upon motion by Commissioner McLemore, the meeting did then adjourn at 11:15 a.m., E.T.

WILLIAM C. WILLIAMS, III
CHAIRMAN

ATTEST:
REBECCA L. NORRIS
CLERK