

PORT ST. JOE, FLORIDA

JULY 24, 2007

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Bill Williams and Commissioners Carmen L. McLemore, Billy E. Traylor and Nathan Peters, Jr. <Vice Chairman Jerry W. Barnes was absent>.

Others present were: County Attorney Timothy McFarland, Clerk Becky Norris, Clerk Executive Administrator Towan Kopinsky, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, Chamber of Commerce Director Sandra Chafin, E.D.C. Director Alan McNair, Emergency Management/911 Coordinator Ben Guthrie, Emergency Management Secretary Stephanie Richardson, Gulf County E.M.S. Director Shane McGuffin, Human Resources Director Denise Manuel, Jail Transition Coordinator Denny Durben, Mosquito Control Director Mark Cothran, Planner David Richardson, Assistant Planner Sarah White, Road Department Superintendent Bobby Knee, Assistant Road Department Superintendent Chris Wood, Solid Waste Director Joe Danford, T.D.C. Director Paula Pickett, and Sheriff's Office Major Joe Nugent.

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

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

CONSENT AGENDA

Upon motion by Commissioner Peters, second by Commissioner McLemore, and unanimous (4-0) vote, the Board approved the following Consent Agenda items after removal of Pages 22-27 (a portion of Item #4), and making account number and amount adjustments in the Special Projects Payments, as follows:

1. Minutes - July 10, 2007 - Regular Meeting
2. Agreement - Maintenance for the 9-1-1 Logging Recorder (Replay Systems * 9/1/07-8/31/08 * \$5,767.00 * to be paid from Account #25125-34000)
3. Bid Advertisement - Comprehensive Medical Services for the Gulf County Detention Facility (Jail)

Bid Award #0607-32 - Audit Services (Recommendation from Audit

Review Committee to award bid to Carr, Riggs & Ingram, in the amount of \$88,550.00)

4. Invoice - Bay Medical Center - H.C.R.A. (#0701200346 * \$6,875.94 / #0704600282 * \$3,437.97 / #0710900120 * \$242,28 / #0712000467 * \$121.14 * to be paid from Account #51462-31500)

- M.R.D. Associates - Erosion Control Project (#870 * \$22,808.66 * to be paid from Account #43137-31000)

****DELETE** - Preble-Rish, Inc. - Road Bond Paving Project (#65265 * \$214,463.58 * to be paid from Road Bond Funds)**

5. Purchase Request - Beaches Fire Department (to purchase 7 Door Braces (Bush Welding & Fabricating * \$5,525.66 * to be paid from Account #32122-62100)
6. Retirement - Carmen L. McLemore (Request to pay retirement costs for June, 2002 through September, 2002)
7. Special Projects Payments, as follows:

Dist. 4	Paul Gant's Barbeque - Work Crew Lunch <i>(Amount Changed from \$100.00 to \$200.00)</i>	\$ 200.00
	Picture Perfect Frame Shop - Pictures for Museum	\$ 1,000.00
	Taunton Truss, Inc. - Park <i>(This invoice should be paid from Parks & Recreation instead of Special Projects)</i>	\$ 580.00

(End of Consent Agenda)

PUBLIC HEARING / LAND USE ORDINANCE -VALENCIA LAND INVESTMENT, L.L.C.

Pursuant to advertisement to hold a public hearing to consider adoption of a proposed ordinance governing land use in Gulf County, County Attorney McFarland read the proposed ordinance by title and called for public comment. There being no public comment, Commissioner Traylor motioned to adopt the following-titled ordinance. Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

ORDINANCE NO. 2007-11

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF GULF COUNTY, FLORIDA BY AND THROUGH PROCEDURES REQUIRED FOR SMALL-SCALE MAP AMENDMENTS PURSUANT TO AUTHORITY UNDER STATE STATUTES SECTION 163.3187, SPECIFICALLY CHANGING A PORTION OF PARCEL ID #03323-150R, 10.0 ACRES OF LAND LYING AND BEING PART OF SECTION 7 & 8, TOWNSHIP 5 SOUTH, RANGE 10 WEST, GULF COUNTY, FLORIDA FROM AGRICULTURAL TO RESIDENTIAL LOW DENSITY; AND PROVIDING AN EFFECTIVE DATE.

Complete Ordinance on file with Clerk

PUBLIC HEARING / LAND USE ORDINANCE - ST. JOE TIMBERLAND COMPANY

Pursuant to advertisement to hold a public hearing to consider adoption of a proposed ordinance governing land use in Gulf County, County Attorney McFarland read the proposed ordinance by title and called for public comment. There being no public comment, Commissioner Traylor motioned to adopt the following-titled ordinance. Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

ORDINANCE NO. 2007-12

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF GULF COUNTY, FLORIDA BY AND THROUGH PROCEDURES REQUIRED FOR SMALL_SCALE MAP AMENDMENTS PURSUANT TO AUTHORITY UNDER STATE STATUTES SECTION 163.3187, SPECIFICALLY CHANGING A PORTION OF PARCEL ID #03469-000R, 6.57 ACRES OF LAND LYING AND BEING PART OF SECTION 3, TOWNSHIP 6 SOUTH, RANGE 11 WEST, GULF COUNTY, FLORIDA FROM AGRICULTURAL TO RESIDENTIAL LOW DENSITY; AND PROVIDING AN EFFECTIVE DATE.

Complete Ordinance on file with Clerk

PUBLIC HEARINGS - P.D.R.B. RECOMMENDATIONS

The Board then considered the following recommendations from the July 17, 2007 meeting of the Planning & Development Review Board:

VARIANCE REQUEST APPROVAL - JEFFERY GUROSKY

Pursuant to advertisement to hold a public hearing to consider a request for variance of the development regulations by Jeffery Gurosky (Parcel ID #03180-125R * S19, T9S, R10W), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Traylor motioned to approve this variance

request, as recommended by the Planning & Development Review Board. Commissioner Peters seconded the motion, and it passed unanimously (4-0).

PRELIMINARY PLAT APPROVAL - WOODBROOKE COVE, PHASE II

Pursuant to advertisement to hold a public hearing to consider preliminary plat approval for Woodbrooke Cove, Phase II (Parcel ID #03323-150R * 41.67 acres in S7, T5S, R10W * 32 units), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Traylor motioned to approve the preliminary plat of Woodbrooke Cove, Phase II, subject to all Federal, State and local development regulations both stated and unstated. Commissioner Peters seconded the motion, and it passed unanimously (4-0).

B.C.C. AGENDAS & INFORMATION PACKETS

Clerk Norris reported that effective August 1, 2007 (in an effort to reduce costs), the agenda and information packets will be distributed electronically to the departments heads and public. She stated that those who wish to continue to receive the packets should contact Clerk Executive Administrator Kopinsky to provide their e-mail address for distribution.

C. R. 30A / ROAD CLOSURE

Deputy Administrator Lanier discussed a request from Donna Spears to temporarily close C. R. 30A from 5:30 p.m. until 9:00 p.m., E.T. on July 28, 2007 during the Bayou Bash Fishing Tournament. Major Nugent discussed that deputies re-route the traffic via Country Club Road. Upon motion by Commissioner Peters, second by Commissioner McLemore, and unanimous (4-0) vote, the Board approved this request.

INVOICE / INDIGENT

Deputy Administrator Lanier presented an invoice from Comforter Funeral Home, in the amount of \$650.00 for cremation of an individual who was indigent and had no family. Upon motion by Commissioner Traylor, second by Commissioner Peters, and unanimous (4-0) vote, the Board approved payment of this invoice.

INVOICE / BEACH RE-NOURISHMENT PROJECT (BID #0405-09)

Deputy Administrator Lanier presented Invoice #799 from M.R.D. & Associates, in the amount of \$16,557.45, for work done on the Beach Restoration Project. Upon motion by Commissioner Traylor, second by Commissioner Peters, and unanimous (4-0) vote, the Board approved payment of this invoice.

INVOICE - ENGINEERING / ROAD BOND PAVING PROJECT (BID #0607-11)

Road Department Superintendent Knee discussed Preble-Rish, Inc. Invoice #65265 that was removed from the Consent Agenda, stating that some of the work was for the Cities, and will be paid from their Road Bond Funds. After discussion that the Cities are responsible to pay the engineering costs for their road projects, Clerk Norris reported that she is holding all of the Road Bond funds and can charge the costs per the distribution shown on the invoice. After further discussion that Road Department Superintendent Knee will provide the breakdown of costs for each City and the County, Commissioner Traylor motioned to pay this invoice. Commissioner McLemore seconded the motion, and it passed 3 to 1, with Chairman Williams voting no.

ROAD BOND PAVING - AMERICUS AVENUE DITCH (BID #0607-11)

Road Department Superintendent Knee discussed the pipe purchased for Americus Avenue Ditch, stating that he has outstanding invoices in the amounts of \$279,463.60 and \$145,213.20 that need to be paid. After discussion by members of the Board regarding this project, the Board agreed that payment for purchase of the pipe has already been approved by the Board, so these invoices can be paid.

BEACH ACCESS / ST. JOSEPH PENINSULA EROSION CONTROL PROJECT

T.D.C. Director Pickett reported that, per the Florida Department of Environmental Protection (D.E.P.), the Troy Deal property can be used as beach access. After discussion that a Memorandum of Understanding must be executed, Commissioner Peters motioned to proceed. Commissioner McLemore seconded the motion, and it passed unanimously (4-0).

CONTRACT - GULF COUNTY WELCOME CENTER (BID #0607-16)

Upon motion by Commissioner McLemore, second by Commissioner Peters, and unanimous (4-0) vote, the Board agreed to execute the contract with Windolf Construction for renovation of the Gulf County Welcome Center, as requested by T.D.C. Director Pickett.

COMPREHENSIVE PLAN / CAPITAL IMPROVEMENTS SCHEDULE

Planner Richardson reported that the Capital Improvements Schedule of the Comp Plan must be adopted by December 1, 2007, and as it must be economically feasible for the County, it should be addressed during the budget meetings.

CLOSED LITIGATION MEETING

Upon request by County Attorney McFarland, Commissioner Peters motioned to hold a closed litigation meeting regarding the lawsuit with the Department of Community Affairs (D.C.A.). Commissioner McLemore seconded the motion, and it passed unanimously (4-0).

PROPOSED ORDINANCE - SLUDGE DUMPING

Upon request by County Attorney McFarland, Commissioner McLemore motioned to begin the process on the proposed ordinance regarding the dumping of sludge in Gulf County. Commissioner Traylor seconded the motion, and it passed unanimously (4-0).

DRAINAGE ISSUES - ST. JOE SHORES

Upon inquiry by Chief Administrator Butler regarding the drainage issues at St. Joe Shores, Derrick Gardner (of Preble-Rish, Inc.) appeared before the Board to discuss that St. Joe Company is requesting permission to install swales on the County's right-of-way to alleviate drainage issues in that area. After discussion, Commissioner Peters motioned to approve this request contingent upon Chairman Williams and Mr. Gardner meeting with the property owners that will be affected. Commissioner Traylor seconded the motion, and it passed unanimously (4-0).

PROPOSED LITTER ORDINANCE

Chief Administrator Butler discussed Franklin County's litter control ordinance, and upon motion by Commissioner Peters, second by Commissioner Traylor, and unanimous (4-0) vote, the Board agreed for County Attorney McFarland to make revisions to develop a proposed litter ordinance for Gulf County.

COUNTY AUDIT

Commissioner Traylor discussed that only 1 bid was received for Audit Services for the County, and after review the Audit Review Committee agreed that it meets all necessary requirements. Chairman Williams discussed that the current firm has still not presented the County's Audit for 2005-06, which should have been submitted by March 31, 2007 according to the contract. After discussion, Commissioner Traylor motioned for Chief Administrator Butler to contact the firm with a deadline date for receipt of the audit and for the County Attorney to follow up with legal action if it is not received by that date. Commissioner McLemore seconded the motion, and it passed unanimously (4-0).

PROPOSED ROAD LIST / ROAD BOND PAVING PROJECT (BID #0607-11)

Commissioner Traylor discussed the list of roads proposed to be added to the Road Bond Paving Program, and motioned to approve the list contingent upon Road Department Superintendent Knee and Chief Administrator Butler obtaining the cost estimates. Commissioner McLemore seconded the motion, and it passed unanimously (4-0). Michael Hammond, of Preble-Rish, Inc., appeared before the Board to discuss that the roads are not designed to establish exact costs because if the design work is done it must be paid whether or not the Board decides to pave the road.

Commissioner Peters discussed the roads that have been paved in his district, stating that a good job was done on all of the roads. Upon his inquiry regarding the striping of 6th Street and

9th Street, Andrew Rowell, of G.A.C., reported that the roads are not yet complete and will be striped when the paving is finished.

COUNTY JAIL

Commissioner Peters discussed the condition of the County Jail, stating that great progress has been made at a minimal cost. He requested that the other Board members take a tour of the jail.

AMERICUS AVENUE DITCH / ROAD BOND PAVING PROJECT (BID #0607-11)

Commissioner Peters discussed the Americus Avenue Ditch Project, stating that he has been told that the project cost will greatly exceed \$1 million, and he is concerned about this excess cost. Chairman Williams stated that no definite figures have been received to-date on the exact cost of this project.

SPECIAL PROJECTS PAYMENTS

Upon motion by Commissioner McLemore, second by Commissioner Peters, and unanimous (4-0) vote, the Board approved the following Special Projects payments.

Dist. 1	W.H.S. Wrestling Team - Donation	\$ 200.00
Dist. 2	W.H.S. Track Team - Donation	\$ 250.00
	W.H.S. Wrestling Team - Donation	\$ 250.00
Dist. 4	W.H.S. Wrestling Team - Donation	\$ 50.00

GULF COUNTY SHERIFF

Chairman Williams reported that Sheriff Dalton Upchurch has submitted his resignation, effective July 31, 2007, and there is no definite time frame for the Governor to appoint someone to complete the term (10 applicants). Upon discussion that the Chief Judge has authority to appoint an interim Sheriff until the Governor makes his appointment, Commissioner Peters motioned to submit a letter to Chief Judge Hentz McClellan to request that he appoint Major Joe Nugent as interim Sheriff until Governor Crist makes his appointment. Commissioner McLemore seconded the motion, and it passed unanimously (4-0).

HIGHLAND VIEW SEWER SYSTEM / CITY OF PORT ST. JOE ANNEXATION

Chairman Williams reported that he will be meeting with City representatives tomorrow to discuss the Port St. Joe annexation issues, and requested permission to submit a check to the City to pre-pay the sewer tap fees for residents in Highland View. He stated that the Board would pay the fees from the General Fund, and then be reimbursed by the State from the \$2

million line item appropriation for the sewer system. Upon discussion and inquiry from members of the Board regarding pre-paying these funds, Chief Administrator Butler reported that the cost will be approximately \$125,000.00. After further discussion regarding reimbursement grants and recovery of the fees from the residents (County pays the costs and gets reimbursed by the State), Commissioner Traylor motioned to approved the request to pre-pay the tap fees to the City of Port St. Joe. Chairman Williams passed the Chair to Commissioner Peters and seconded the motion. The motion then passed 3 to 1, with Chairman Peters voting no. Chairman Peters then returned the Chair to Commissioner Williams.

MEETING - U. S. SENATOR NELSON

Chairman Williams reported that U. S. Senator Bill Nelson will hold a town hall meeting in the County Commission Meeting Room from 10:30 until 11:30 a.m., E.T. on August 9, 2007. He requested that this meeting be advertised to the public.

HIGHLAND VIEW TOWN HALL MEETING

Chairman Williams reported that he will be holding a town hall meeting in Highland View on August 13, 2007 at 6:00 p.m., E.T. and Port St. Joe Mayor Mel Magidson has agreed to attend this meeting.

EROSION CONTROL LINE (C.C.C.L.)

Chairman Williams reported that a meeting will be held with Representative Patronis and incoming Speaker of the House Samson tomorrow to discuss the Erosion / Coastal Construction Control Line issues.

ROAD DAMAGE / C.R. 381A

Chief Administrator Butler reported that The St. Joe Company has agreed to reimburse the County up to \$65,000.00 to resurface the portion of C. R. 381A that was damaged by their log trucks. Upon motion by Commissioner McLemore, second by Commissioner Traylor, and unanimous (4-0) vote, the Board approved a change order to the Road Bond Paving Project (Bid #0607-11) for this work.

There being no further business and upon motion by Commissioner McLemore, the meeting did then adjourn at 6:59 p.m., E.T.

BILL WILLIAMS

CHAIRMAN

ATTEST:

**REBECCA L. NORRIS
CLERK**