

BOARD OF COUNTY COMMISSIONERS

GULF COUNTY, FLORIDA

<u>AGENDA</u>	<u>APRIL 14, 2015</u>	<u>TIME / PAGE NO.</u>
1. Meeting Called to Order . . . . .		9:00 a.m.
2. Consent Agenda . . . . .		1-76
3. Public Hearing – Ordinance – Recreational Vehicles . . . . .		77-78
4. Amended Interlocal Agreement – Medical Examiner Services. . . . .		79-103
5. Supplemental Agreement – St. Joseph Peninsula (Sea Turtle & Escarpment Monitoring 2015) . . . . .		104-106
6. Supplemental Agreement – St. Joseph Peninsula Beach Restoration Project (Post-Construction Shorebird Monitoring Services) . . . . .		107-110
7. Sacred Heart Hospital – Invoices (3-26-15-A * \$462,086.00 * 3-26-15-B * \$44,482.00 * 3-26-15-C * \$44,482.00) . . . . .		111-113
8. County Staff Business		
9. Board Business		
10. Nancy Brockman, Gulf County Library – National Library Week		
11. Public Discussion		

**F.S. 286.0105:**

**If a person decides to appeal any decision made by the board, agency or commission, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.**

# CONSENT AGENDA

April 14, 2015

1. Minutes - January 27, 2015 – Regular Meeting . . . . . 1-8
  - January 27, 2015 – Special Meeting . . . . . 9-35
  - February 10, 2015 – Regular Meeting . . . . . 36-48
  - February 19, 2015 – Special Meeting . . . . . 49-61
  
2. Approval of Checks and warrants for March, 2015 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S. . . . . 62-68
  
3. Inventory – Public Works (Junk #100-518 \* Ice-o-Matic Ice Machine \* Serial Number C21304930Z \* #100-584 \* Scottsman Ice Machine \* Serial Number 0610320013342 \* #70-773 \* Defender Security Camera \* 501-16CH-006 \* #70-527 \* Scottsman Ice Machine \* 910369-09A) . . . . . 69-70
  - Public Works (Trade-in #70-698 \* Scottsman Ice Machine \* Serial Number CMA506AS \* #70-768 \* 2” Trash Pump \* #70-585 \* Genesis Diagnostic Scanner \* Serial Number ADA25016559) . . . . . 71
  
  - Public Works (Sale & Transfer to T.D.C. #70-586 \* 2000 Chevrolet 4X4 \* Serial Number 2GCEK19T9Y1212205 \* \$3,000.00 \* #70-604 \* 1996 Ford F150 \* Serial Number 1FTEF14N8TLB10569 \* \$1,000.00) . . . . . 72-76

**JANUARY 27, 2015**

**PORT ST. JOE, FLORIDA**

**REGULAR MEETING**

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

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

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

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

**CONSENT / INFORMATION PACKET**

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

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

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

**ADVERTISE FOR SEALED BIDS – LAKE GROVE ROAD BRIDGE**

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

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

### **ROAD PAVING – STATE HIGHWAY 71**

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

### **EROSION – BYRD PARKER DRIVE**

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

### **PUBLIC HEARING – PROPOSED ORDINANCES**

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

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

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

### **YARD DEBRIS – WASTE PRO**

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

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

### **PUBLIC HEARING – MSTU PROPOSED RESOLUTIONS**

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

### **PUBLIC HEARING – VARIOUS PROPOSED ORDINANCES**

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

### **DONATE PROPERTY – WELLS FARGO**

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

**LEASE – INDUSTRIAL PARK**

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

**MEETING – P.D.R.B.**

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

**CONTRACT – UNION**

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

**MEMORANDUM OF UNDERSTANDING – TROY UNIVERSITY**

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

**INSURANCE CLAIM – AMBULANCE**

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

**MONTHLY REPORT – E.M.S.**

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

### **SCOPE OF WORK / PERMITTING & DESIGN – BEACH NOURISHMENT**

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

### **SCOPE OF WORK / GEOTECHNICAL INVESTIGATION – BEACH NOURISHMENT**

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

### **RECORDS DISPOSITION**

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

### **DEMOLITION STRUCTURE – PORT ST. JOE**

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

**DOCK DAMAGE – WHITE CITY BOAT RAMP**

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

**WHITE CITY FIRE STATION**

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

**COUNTY ROADS – DISTRICT III**

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

**SEALED BIDS – OLD BAY CITY ROAD PROJECT**

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

**PUBLIC HEARING – 5 YEAR CAPITAL IMPROVEMENT SCHEDULE ORDINANCE**

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

**BEACON HILL DOG PARK**

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

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

### **GATEWAY MANOR UPDATE**

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

### **PUBLIC RECORDS REQUEST**

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

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

#### **BOARD MEETING – COUNTY WEBSITE**

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

#### **PUBLIC HEARING – VARIOUS PROPOSED ORDINANCES**

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

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

**WARD MCDANIEL  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK OF COURT**

**JANUARY 27, 2015**  
**PORT ST. JOE, FLORIDA**  
**SPECIAL MEETING**

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

Others present were: County Attorney Jeremy Novak, Deputy Clerk Leanna Roberts, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Inspector George Knight, County Planner David Richardson, Sheriff Mike Harrison, and Sheriff's Department Captain Chris Buchanan.

Chairman McDaniel called the meeting to order at 5:03 p.m., E.T.

**FINAL PUBLIC HEARING – PROPOSED LDR ORDINANCE**

Pursuant to advertisement to hold a Public Hearing to consider adoption of a proposed ordinance for land development regulations, County Attorney Novak reported that the Public Hearing was advertised on January 5<sup>th</sup> and February 19<sup>th</sup>. He then read the proposed ordinance by title. County Attorney Novak discussed the amendments to the proposed land development regulations (LDR) ordinance. Commissioner Bryan renewed her comments from the First Public Hearing; stating that additional changes need to be made before adopting this proposed ordinance. Chairman McDaniel called for public comment. Tom Graney, of St. Joe Beach appeared before the Board to discuss the nine (9) foot setback variance at Beacon Hill and the Judge's Order; stating there is no need for an LDR or P.D.R.B. Commissioner Bryan motioned to allow Mr. Graney additional time to speak. Motion failed for a lack of a second. Barbara Radcliff, of Indian Pass appeared before the Board to discuss her concerns regarding changing the "ands" to "ors", and the effects of this change. John Arnold, of Beacon Hill appeared before the Board to discuss his concerns regarding granting variances and the need to research the restrictions before purchasing property. James Bellesbach, of Beacon Hill appeared before the Board to discuss his concerns regarding the variance at Beacon Hill that is adjacent to the Beacon Hill Park. County Attorney Novak requested that the Board turn to Section 2.0507 within the proposed ordinance; he then read this proposed section regarding variances. After discussion, Chairman McDaniel called for public comment. Jennifer Corbin, of Beacon Hill appeared before the Board to inquire as to what the previous changes to the LDR Ordinance were. County Attorney Novak reported that the County received a grant over two and half (2 ½) years ago for the Planning Department to take a technical review; reporting that he could not comment on specifics as to what was and what was not changed, but it is public record. He reported that there were five (5) public hearings held, two (2) before the BOCC and three (3) before the P.D.R.B. that were required by the grant. After further discussion, Chairman

McDaniel called for public comment. There being no further public comment, Commissioner McLemore motioned to support the County Attorney and move forward with the adoption of the proposed Land Development Regulations Ordinance. Commissioner Yeager seconded the motion. After further discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed 4 to 1, with Commissioner Bryan voting no, as follows:

**ORDINANCE NO. 2015-01**

**AN ORDINANCE PER THE REQUIREMENTS OF FLORIDA STATUTE 163.3201 TO ADOPT LAND DEVELOPMENT REGULATIONS; AND THE REQUIREMENTS OF FLORIDA STATUTE 163.3202 FOR THE LAND DEVELOPMENT REGULATIONS TO BE CONSISTENT WITH THE ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, Florida Statute 163.3167 requires each County and City to have a Comprehensive Plan; and

**WHEREAS**, Florida Statute 163.3201 and 163.3202 requires the County and Cities to implement Land Development Regulations that are consistent with the Comprehensive Plan; and

**WHEREAS**, Gulf County has an existing Land Development Regulations (LDR); and

**WHEREAS**, Florida Statute 125.66 (2) a specifically provides for the proper publication, notice and announcement of Gulf County's intent and consideration of any and all land use modification and ordinance adoption; and such notice has been properly published for general circulation in the County; and

**WHEREAS**, F.S. 163.3202 mandates provision for the review and consideration of development regulations and requests to the county; and

**WHEREAS**, Gulf County seeks further clarification and to memorialize the longstanding and historical precedent set by which its LDR is consistently applied by the Planning Department and Staff and upon request of either the Planning Department and/or Board of Commissioners in submittal to an advisory board called the Planning Development and Review Board (PDRB) for an initial review, evaluation, and recommendation to the Board of County Commissioners for its final action of any and all development orders and permits in Gulf County; and

**WHEREAS**, Gulf County in this effort for further clarification and procedural efficiency has further amended Article II of its Land Development Regulations as attached hereto in Exhibit "A"; and

**WHEREAS**, On January 5, 2015 and January 19, 2015 a Public Notice was advertised in The News Herald offering the public an opportunity to participate at two Public Hearings before the Board of County Commissioners (BOCC) on January 13, 2015 at 9:00 am and a second Public Hearing on January 27, 2015 at 5:01 p.m. for the adoption of these proposed LDR revisions; and

**WHEREAS**, On January 12, 2015 a Public Notice was advertised in The News Herald offering the public further opportunity to participate at a third Public Hearing before the PDRB on Monday, January 26, 2015 consistent with the current LDR Article 2.05.04 (C) S requirements; and the BOCC having received those comments and recommendations through the Planning Department representative from its Public Hearing; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Gulf County, in the State of Florida to adopt the revised Land Development Regulations (LDR) as presented in Exhibit "A" attached, as follows:

**Section 1 - Adoption of the revised Land Development Regulations (LDR) Article II Amendments as presented in Exhibit "A" (attached hereto).**

**Section 2 - Effective Date**

This Ordinance shall take effect upon final adoption and publication in accordance with the law following the proper and compliant Public Hearings and notice.

**Section 3 - Severability**

It is declared to be the intent of the Board of County Commissioners of Gulf County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance amending the Gulf County LDR is held invalid, the remainder of the Ordinance and those amendments shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be affected by such holding.

**Section 4 - Repealer**

Any and all Ordinances and prior language stated under Article II of the Gulf County Land Development Regulation that is in conflict herewith and is hereby repealed in its entirety.

### **Section 5 - Modification**

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of considerations that may arise during Public Hearings. Such modifications shall be incorporated into the final version of the Ordinance adopted by the Board and filed by the Clerk to the Board.

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

Commissioner McDaniel	<u>Yes</u>	Commissioner Quinn	<u>Yes</u>
Commissioner Yeager	<u>Yes</u>	Commissioner Bryan	<u>No</u>
Commissioner McLemore	<u>Yes</u>		

**ADOPTED** this 27<sup>th</sup> day of January, 2015.

(End)

Upon inquiry by Mr. Graney, County Attorney Novak advised the Board that the County has followed Statute in adoption of this Ordinance.

### **FINAL PUBLIC HEARING – PROPOSED LEAVE NO TRACE ORDINANCE**

Pursuant to advertisement to hold a Public Hearing to consider adoption of a proposed ordinance for Leave No Trace, County Attorney Novak reported that this proposed Leave No Trace ordinance was advertised in the same public notice of The News Herald on January 5<sup>th</sup> and January 19<sup>th</sup>. He then read the proposed ordinance by title. After discussion by County Attorney, Chairman McDaniel called for public comment. Pat Hardman, of Coastal Community Association appeared before the Board to thank County Attorney Novak for drafting this proposed ordinance and for T.D.C.'s input and research. She discussed her concerns regarding camping; stating that camping should be limited to Gulf County residents. Terry Lynn, of St. Joe Beach appeared before the Board to inquire as to what tax benefit he would receive out of this proposed ordinance. Commissioner Yeager reported that the County obtains a beach driving fee and the majority of those funds goes to the Sheriff's Office. Upon inquiry by Mr. Lynn, Commissioner Yeager stated that the beach fires would be open; however if the State declares a no burn, then Administration would notify the public that no fires are allowed on the beach for that time period. After further discussion, Commissioner McLemore discussed starting the proposed Leave No Trace ordinance at the Cape and leave St. Joe Beach and Indian Pass out at this time. After discussion by members of the Board, Delores Lowery, of Beacon Hill appeared before the Board to inquire about the carpet being placed on the paths to the beach. County Attorney Novak reported that the proposed ordinance takes it from the mean high water line to the tow of the dune; stating it does not address the dunes, right-of-ways, or private property. Zebe Schmitt, of St. Joe Beach appeared before the Board to request that the Board not leave St. Joe Beach out of this proposed ordinance. Chairman McDaniel called for public comment.

Lisa Dulany, of Port St. Joe appeared before the Board to discuss her concerns regarding placing an age on the supervision of fires on the beach. Chairman McDaniel called for public comment. Gretchen Mayes, of St. Joe Beach appeared before the Board to discuss her concerns regarding fireworks on the beach. Chairman McDaniel called for public comment. There being no further public comment, Commissioner Yeager motioned to adopt the proposed ordinance with the changes presented at today's meeting. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously, as follows:

**ORDINANCE NO. 2015-02**

**AN ORDINANCE OF GULF COUNTY, FLORIDA PROHIBITING AND REGULATING OBSTRUCTIONS AND PERSONAL PROPERTY ABANDONED ON THE PUBLIC BEACHES OF GULF COUNTY, FLORIDA AND TO BE COMMONLY REFERRED TO AS "GULF COUNTY LEAVE NO TRACE ORDINANCE"; REQUIRING THE POSTING OF PROPER NOTICE/SIGNAGE AT BEACH ACCESS POINTS AND IN DAILY, WEEKLY, AND MONTHLY RENTAL UNITS, IN GULF COUNTY, FLORIDA; FOR SAID POLICIES TO AMEND, BE CODIFIED, AND BECOME PART OF THE GULF COUNTY LAND DEVELOPMENT REGULATIONS (LDR); PROVIDING FOR REPEALER, SEVERABILITY, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Florida Statute 125.01 the County shall have the power to carry on County government inclusive of the power to adopt its own rules that which are not inconsistent with general or special law; and

**WHEREAS**, pursuant to Florida Statute 125.01 the County shall reserve the powers to adopt ordinances necessary for the exercise of its powers and perform acts which are in the common interest of the people of Gulf County and exercise all powers and privileges not specifically prohibited by law; and

**WHEREAS**, the Board of County Commissioners of Gulf County Florida (hereinafter Commission) having received many verbal and written public recommendations from its citizens at various public hearings and meetings to address the current and future condition, maintenance, and safety of Gulf County beaches throughout the County in order to protect the health and welfare of its residents, claimed and unclaimed property; the natural coastal beauty of Gulf County, and the quality of life for all citizens and visitors to the County; and

**WHEREAS**, the Commission recognizes that Gulf County has 26 plus miles of public beach, ("Public Beaches" and or "Beaches"); and,

**WHEREAS**, residents and tourists have used and enjoyed the Public Beaches in Gulf County, Florida for generations; and,

**WHEREAS**, residents as well as the increased use by tourists of the Public Beaches in Gulf County, Florida for vacationing, recreation, fishing, walking, driving, water access, and other traditional uses; and

**WHEREAS**, the Commission finds and determines that the Gulf County Land Development Regulations and its public beach regulations are intended to maintain and improve the quality of life for all citizens and visitors of the County; and

**WHEREAS**, the Commission finds it is in the interest for the safety and welfare of the public that certain controls and regulations be enacted to reduce risk of injury to the public and ensure the continued peaceful use and enjoyment of Gulf County's beaches as a natural resource by the general public; and

**WHEREAS**, the manner, mode, type, and degree of uses to which the Gulf County public beaches and adjoining waters are placed by the public affects the health, safety and welfare, as well as the right to enjoyment thereof, of the individuals occupying, or using its beaches and waters for recreational purposes as well as those residing nearby; and

**WHEREAS**, the Commissioners find and determine that the County has adopted Land Development Regulations in order to implement its Comprehensive Plan (last reviewed and revised 11/2010), and to comply with the requirements of the laws of State of Florida, including Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163 of Florida Statutes as well as the regulation and preservation of Gulf County beaches pursuant to Florida Statute Chapter 161; and

**WHEREAS**, the Commission has received the recommendations of the various County departments as well as public meetings and commentary of its Tourist Development Council advisory board and representatives on the issue to establish basic community concerns and comments in formulating an Ordinance that achieves the goals of the community while balancing the property rights of its citizens and visitors; and

**WHEREAS**, the Commissioners find and determine that the County staff, its advisory boards and the public participation have devoted considerable time to developing, adapting and recommending an Ordinance that would attempt to implement a foundation for the future preservation and protection of Gulf County's beaches as well as the stated goals to maintain and promote public safety and recreational enjoyment; and

**WHEREAS**, the Commission has sought to implement the tools of smart growth management and its Florida best practices for County land regulations in establishing a proactive planning approach while maintaining the principles of Florida Statute 70.001, “Bert J. Harris, Jr., Private Property Rights Protection Act”; and

**WHEREAS**, Gulf County is at the core of the “Forgotten Coast” of the State of Florida, identified by its pristine beaches, critical environmental habitats and state restricted lands and parks, and with areas of Gulf County’s coastline being nationally recognized as the “#1 Beach in America” and some of the “most beautiful beaches in the United States” it is the intent and goal of this Commission to preserve these unique natural qualities through the adoption and enactment of this Ordinance; and

**WHEREAS**, the Commissioners find and determine that the a major deterrent to a decline is a healthy civic pride, and further note the importance of an interest in maintaining and beautifying its public beaches to maintain a civic pride and safe recreational environment; and

**WHEREAS**, the Commissioners find and determine that the import of the Leave No Trace Ordinance permitted under the Land Development Regulations for local governments, even smaller rural coastal counties such as Gulf County, have a vital role to play in preserving and enhancing the natural environment and beauty of the coastal region and public safety on its Public Beaches; and

**WHEREAS**, the Commission wishes to recognize and regulate a limited scope of conduct of those visiting and utilizing the beaches of Gulf County and the public safety and health hazards created by the abuse and or disregard of beach access and its use, driving privileges, camping and other recreational uses permitted by the Commission; and

**WHEREAS**, sea turtles and other protected species using the beaches in Gulf County as its natural habitat for nesting as well as laying eggs and hatching, and Gulf County desires to protect these endangered species; and

**WHEREAS**, items of personal property left on the Public Beach unattended or overnight are obstacles for maintenance crews, interfere with the public’s use, access and enjoyment of the Public Beaches in Gulf County and pose safety hazards, adversely affect the beauty of the beach, adversely affect tourism, adversely affects economic interests and can be an obstruction for sea turtles and other protected species; and

**WHEREAS**, the uncontrolled regulation of claimed and unclaimed personal property has and will continue to have long term effects on the future preservation and public safety for Gulf County’s beaches and its affects to the general health, natural beauty, public safety, smart growth, and the joint welfare and wellbeing of the residents and visitors; and

**WHEREAS**, throughout the year, a proliferation of personal property including beach tents and other shading devices as well as chairs, ice and storage chests, and other items of personal property used in commerce in and around the beaches of Gulf County that include (tents, chairs, paddle boards, sailboats, kayaks and other watercraft) and other camping supplies have been left overnight on the Public Beaches of Gulf County, Florida; and

**WHEREAS**, personal property left on the Public Beaches of Gulf County, Florida overnight as well as misuse and abuse of basic guidelines for peaceful enjoyment and proper sharing of the Public Beaches by the entire community constitutes a nuisance which is contrary to the public's health, safety and welfare; and

**WHEREAS**, in order to protect and maintain the use of the Public Beach for residents, tourists, visitors, wildlife, and maintenance crews, the overnight placement of items of personal property on the Public Beach must be, and is, prohibited; and

**WHEREAS**, the personal property left overnight on the Public Beaches of Gulf County, Florida is neither "lost property" nor "abandoned property" as those terms are used in Section 705.101, Florida Statutes, because such property has neither been mislaid nor disposed of on the Public Beach in a wrecked or inoperative condition, and that the regulation of personal property left on the Public Beach overnight is not preempted by Chapter 705, Florida Statutes; and

**WHEREAS**, leaving personal property in beach access points at any time blocks public access and creates a hazard and nuisance for other persons wishing to access the Public Beach; and

**WHEREAS**, allowing persons to relocate items of personal property overnight to a safe and appropriate landward location reasonably balances the use and enjoyments of personal property with the need to protect the public access, public health, safety, and welfare and wildlife; and

**WHEREAS**, the County Administrator under the powers and duties delegated by Gulf County Ordinance 2014-02 shall be authorized to grant limited permission and exceptions to leave items of personal property on the Public Beach overnight under enumerated circumstances; and

**WHEREAS**, public trash containers, signs placed by a governmental agency on the beach and beach areas, and public items, should be allowed to remain on the Public Beach in order to further other important public interests and benefits, and

**WHEREAS**, the Commissioners find and determine that this ordinance will enhance the current and future attractiveness and economic well-being of the County and its beaches as a place in which to live, visit, and conduct business; and

**WHEREAS**, the Commissioners find and determine that in order to preserve, protect and promote the collective community efforts to protect the public beaches of Gulf County that it is appropriate and reasonable to require the participation and action of commercial vacation rental businesses that directly benefit from the continued maintenance, beauty and preservation of those same public beaches; and

**WHEREAS**, the Commissioners desire that there be an ample record of its intention that the presence of a severability clause in connection with the County's leave no trace regulations be applied to the maximum extent possible, even if a determination that any requirements, exceptions, limitations, variances, or other provisions are invalid or unconstitutional for any reason whatsoever; and

**WHEREAS**, the Commissioners desire that there be an ample record that it intends that each restriction and regulation for the future use and rules for claimed and unclaimed property continue in effect regardless of the invalidity or unconstitutionality of any, or even all other, provisions of the County's leave no trace regulations, other ordinance provisions, or other laws, for any reason(s) whatsoever; and

**WHEREAS**, the Commissioners find and determine that these regulations and rules are consistent with all applicable policies of the County, including its Comprehensive Plan and Land Development Regulations, and are not in conflict with the public interest, and will not result in incompatible land uses; and

**WHEREAS**, On January 12, 2015 a Public Notice was advertised in The News Herald offering the public the opportunity to participate at a public hearing before the PDRB on Monday, January 26, 2015 consistent with the current LDR Article 2.05.04 (C)8 requirements; and the BOCC having received those comments and recommendations through the planning department representative from its public hearing; and

**WHEREAS**, on January 5, 2015 and January 19, 2015 a Public Notice was advertised in The News Herald offering the public an opportunity to participate at two public hearings before the Board of County Commissioners (BOCC) on January 13, 2015 at 9:00 am, and a second public hearing on January 27, 2015 at 5:01 p.m. for the adoption of this proposed ordinance; and

**NOW, BE IT THEREFORE, ORDAINED, AS FOLLOWS:**

**Section 1 - Purpose and Title**

The purpose of this Ordinance is to ensure the Gulf County Public Beaches and beach access areas are free from any obstruction by any item of personal property in order to protect public ingress, egress and use of the Gulf County Public Beaches, promote public safety, protect citizens, and visitors of Gulf County beaches and maintain a safe, welcoming, and healthy beach and recreational environment, preserve the natural resource that is Gulf County's beaches and to protect identified

endangered species on those identified areas of Gulf County's public beaches. This Ordinance may be referred to as the "Gulf County Leave No Trace Ordinance."

## **Section 2 - Definitions**

**Gulf County Beaches** and or **Public Beach**: includes all beaches within Gulf County located seaward of SR30A and County Road C30B and C30E commencing at the Indian Pass public boat ramp and extending to the southern boundary of the St. Joseph Peninsula State Park, the sandy shores of St. Joseph Bay and also including those boundaries lying south of Highway 98 commencing at the western boundary of the Gulf County Canal and extending to the Gulf/Bay County boundary line. The Public Beaches are limited to and means that area of unconsolidated material within Gulf County, Florida, that extends landward from the mean low-water line of the United States Gulf of Mexico, to the frontal dune or, where there is no frontal dune, to the line of permanent vegetation or construction, whichever is more seaward.

**Beach access areas**: means those public beach access points within Gulf County, Florida identified by the Gulf County Public Parks and or Tourist Development Council signage, including boardwalks, walkways, and dedicated parking areas, and the areas on the Public Beach beginning at the entrance of the beach access point perpendicular with the applicable road right of way to the water's edge.

**Beach Business**: means a lawful business which operates on any of the Public Beaches located within Gulf County, Florida. This does not include businesses which operate on private property.

**Camping**: means the construction or erection of a shelter or similar structures for the purpose of sleeping; or lying upon the beach on a bedroll, blanket, or other protective garb for the purpose of sleeping.

**Dune**: means a mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation, and is subject to fluctuations in configuration and location. In the absence of a discernible dune, the seaward boundary of a dune will be deemed to be the line of native vegetation.

**Personal property**: means all types of personal property, including by way of example and not limitation, tents (including tent frames), canopies, cabanas, umbrellas and other shading devices, beach chairs and other furniture, kayaks, canoes, catamarans, floats, sailboards, surfboards, kites, jet skis, sailboats, water cycles, and other watercraft.

**Person:** includes a natural person and all artificial entities, such as, but not limited to, corporations, limited liability companies, partnerships, limited partnerships, associations, trustees, receivers, legal representatives, and organizations.

**Toe of the dune:** means that area just seaward and off the dune where there is no vegetation.

### **Section 3 - Obstructions on the Beach and Beach Access Areas Prohibited**

- (1) It shall be unlawful for any person to leave an item of personal property unattended on any portion of the Public Beach located on Gulf County Beaches from one hour after published sunset until the published time for sunrise the following day, except as otherwise permitted in this ordinance
- (2) It shall be unlawful for any person to leave an item of personal property unattended at any time within any public beach access area located on Gulf County Beaches.
- (3) Any item of personal property left on the Public Beach unattended in violation of this article shall be deemed discarded by the owner and shall become the property of Gulf County, which may dispose of the item. (Exceptions stated herein below *Sections 4 & 5* for beach/waterfront property owner and their proper display of permitted property).
- (4) From one hour after published sunset until the published time for sunrise the following day, on Gulf County Beaches, items of personal property that are relocated as close to, but not on, the toe of the dune or native vegetation, or where there are no dunes or native vegetation, are relocated as close as practicable to an existing permanent structure or the line of buildings, will not be considered discarded by the owner, abandoned or a violation of this ordinance, provided:
  - (a) Such items shall not be placed on the dune or on native vegetation;
  - (b) Such items shall be stored in a neat and orderly manner;
  - (c) Such items shall not inhibit access to the Public Beach from the nearest public access areas, nor obstruct access on the Public Beach, nor impact native vegetation, nor significantly affect sea turtles.
  - (d) Private property owners may store items under or adjacent to their private dune walkovers or boardwalks.
  - (e) Items shall not be placed on any public beach access point or within 20 feet of any public trash receptacle.

- (5) Unattended items of personal property in violation of this article shall be removed from the Public Beach by Gulf County personnel or by any law enforcement officer.
- (6) Unattended or abandoned items of personal property, and unattended unfilled holes in the public beach, are in violation of this article and shall be deemed a public nuisance.
- (7) It shall be unlawful for any person to discard or otherwise dispose of or abandon any trash, garbage, bottles, containers, cans, dead fish or parts thereof, charcoal briquettes or ashes, or any other litter, except in designated containers for that purpose. If it is further unlawful to dispose of any household garbage on the beach or in the Gulf County Beaches trash receptacles.

#### **Section 4 – Exceptions**

The prohibitions under Section 3 contained herein do not apply to:

- (a) Trash containers;
- (b) Signs placed by Gulf County or another permitted governmental agency;
- (c) Items placed by persons acting under authority of the County Administrator or other governmental agency;
- (d) Structures, including without limitation boardwalks, decks, and dune walkovers constructed and permitted by Gulf County or the State of Florida;
- (e) Items placed on the beach by persons who have authorization or a permit to engage in marine turtle nesting research issued by the United States Fish and Wildlife Service or the State of Florida.
- (f) Items placed on the beach by persons who have authorized permit from Gulf County Administration as either approved and permitted temporary placement or authorized placement with proper permits by the beachfront property owner.

#### **Section 5 – Permits**

- (1) Permits may be issued by the County Administrator or their designee for activities otherwise prohibited by this article for such periods of time and under such conditions as the County Administrator deems reasonably appropriate under the circumstances that are found to be necessary for:
  - (a) Reasonable accommodation of persons with disabilities;
  - (b) Adjunct to a lawfully existing activity;
  - (c) For the conduct of a governmental, civic or educational activity;
  - (d) For the conduct of scientific research;
  - (e) For special events, or
  - (f) For a beach amusement, beach business, or beach service.

- (g) For registered and documented property owner for water/beach front property
- (2) There shall be a nominal administrative and tag fee set by the County Administration on an annual basis for obtaining permits issued for 1(e) or (f). All permit applications shall include the following:
- (a) Name and contact information of the owner or person in possession and control of the item;
  - (b) Description of the item;
  - (c) Location of the item;
  - (d) Duration of time the item will remain in such location; and
  - (e) Acknowledgement that owner or person in possession and control of the item will be liable for any impacts to federally protected species.
  - (f) Special events permit shall include the consent and approval of the adjacent property owner
  - (g) Annual permits for beach and/or waterfront owners permit applications shall include proof of ownership of parcel/lot.
- (3) This Ordinance is not intended to authorize any violation of Florida Statute 379.2431 or any of the provisions of the Endangered Species Act. Gulf County will not be liable for any impacts to federally protected species resulting from persons leaving items of personal property on the beach and such liability will rest with the owner of such item.

#### **Section 6 - Digging Holes on Beach**

It shall be required that all holes dug on the beach are to be attended at all times and shall be completely filled and restored to their original level condition prior to leaving the Gulf County Beach the same day it is created.

#### **Section 7 - Overnight Camping**

It shall be unlawful to camp overnight on Gulf County Beaches within 400 feet from any Gulf front and or waterfront residence(s).

#### **Section 8 - Possession of Glass Containers Prohibited**

It shall be unlawful for any person while on Gulf County Beaches or beach access areas to possess or utilize any glass bottle, container or material.

#### **Section 9 – Open Fires and Grilling; Restricted areas and Prohibited uses**

Heated objects are to be disposed of properly. It shall be unlawful for any person to have open fires within 100 feet to any structure (boardwalks included) on Gulf County beaches with the exception of designated areas that may be posted as permitted by Gulf County under the supervision and prior authority of the County Administrator. All materials brought to the

beach shall be removed from the beach by the owners or users that same day and upon extinguishing open fire. Open fires shall be controlled, supervised and attended for their entire duration. All open fires on Gulf County Beaches shall strictly prohibit materials to burn other than natural wood materials (*pallets; wood with screws, nails or any metals and all pressure treated woods are all strictly prohibited from burning on Gulf County Beaches*). The County Administration and Board reserve the right to prohibit open fires on Gulf County Beaches for designated days due to unfavorable weather conditions and public safety concerns.

#### **Section 10 - Beach Driving Amendments**

Gulf County Beach Driving Ordinance 1997-02 and its amendment through Gulf County Ordinance 2014-03 shall be further amended, revised and codified herein to enact the following restrictions and regulations:

1. County property owners and residents only: Any and all future annual beach driving permits issued by the Tax Collector of Gulf County and or Gulf County Tourist Development Council office pursuant to the "Gulf County Beach Driving Ordinance" recited above shall be limited to hereinafter only documented and verified Gulf County property owners and/or full time residents. Accordingly, annual beach driving permits and vehicular access to Gulf County Beaches shall be strictly prohibited to any person(s) other than properly permitted Gulf County property owners and residents.
2. Speed limit reduced from 15 mph to 10 mph for all Gulf County Beaches

#### **Section 11 - Beach Vehicle Authorized**

Pursuant to Gulf County Ordinance hereby authorizes the use of permitted motor vehicles on the designated public beaches of Gulf County for enforcement of this ordinance, provided that such vehicles and trailers are owned, leased or otherwise controlled by Gulf County. Such vehicles must use designated and approved dune cross-overs for ingress and egress to aforementioned public beach.

#### **Section 12 - Soliciting and Canvassing Prohibited**

There shall be no solicitation or canvassing of the Gulf County Beaches other than Gulf County Administrative, Gulf County TDC, Gulf County Law enforcement or other Gulf County authorized officials as designated by the County Administrator.

#### **Section 13 – Sound Amplification**

Except by special permit, no audio device, such as loudspeakers, television, radio, musical instrument or other noise mechanisms except equipment used by Gulf County officials or law enforcement, rescue or

beach safety officials and personnel, shall be used on the beach in a manner:

1. That exceeds a noise of 60 decibels (DBA) measured on the A-weighted scale at 25 feet from the sound source; or
2. that otherwise violates Gulf County's Noise Control or Nuisance Ordinance

**Section 14 – Breach of the Peace; Disorderly Conduct**

No person shall commit such acts as are of a nature to corrupt the public morals, or outrage the sense of public decency, or affect the peace and quiet of persons who may witness them, or engage in brawling or fighting, or engage in such conduct as to constitute a breach of the peace or disorderly conduct.

**Section 15 - Removal of Beach Sand**

No beach sand may be removed from any Gulf County Beach.

**Section 16 – Leave No Trace and related informational signs in rental units**

In each rental unit rented by the day or week, or longer period, within Gulf County, Florida, there shall be posted or placed in a plainly legible fashion, in a conspicuous place in each rental unit for each occupancy, a sign in form and substance approved by the County Administrator that explains the "Gulf County Leave No Trace Ordinance: prohibiting tents and personal property on the Public Beach at night; and other most notable regulations that include:

- (1) Warning beachgoers that any unattended tents or property left on the Public Beach at night shall be deemed discarded by the owners and become the property of Gulf County and may be removed and disposed of by the appropriate authority.
- (2) All holes on the beach are to be filled in the same day they are created
- (3) Driving on Gulf County beaches is a privilege and permit provided exclusively to annually registered county property owners or residents. That any and all non-permitted drivers and those exceeding the beach maximum speed limit of 10 mph should be reported to the Gulf County Sheriff's Department.
- (4) Camping, bonfire and glass regulations
- (5) Chumming and Fishing regulations
- (6) Breach of the Peace, Sound restrictions and Disorderly Conduct

**Section 17 - Education and Information**

Following the adoption of this Ordinance, the Gulf County Tourist Development Council shall promptly draft and submit to the County Administrator a proposed public information statement detailing a summary of the regulations and online references for detail review. Upon

approval and authorization of the County Administrator, the Gulf County TDC shall thereafter conduct an annual public information campaign (digital, printed literature) to distribute and inform residents, visitors/tourists, business owners and other related persons affected by the Ordinance.

**Section 18 – Notice**

Gulf County shall also provide notice of this Ordinance by posting signage located at its beach access points and on its county website. Any and all failure of Section 17 and or Section 18 shall not serve as a defense to enforcement and issuance proper citations by Gulf County officials.

**Section 19 – Disposition and Reporting Requirements**

All items collected for being in violation of this ordinance shall be immediately taken to the Gulf County public facility and thereafter properly disposed of by authorized county staff.

The Gulf County Administration through its Public Works Department shall document its collection efforts and submit through a monthly report to the County Administrator.

**Section 20 – Enforcement**

Pursuant to Florida Statute 162.22, a person found to be in violation of this Ordinance may be charged a fine, not to exceed \$500.00, and may be sentenced to a term of imprisonment, up to but not to exceed 60 days.

**Section 21 – Repealer**

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

**Section 22 - Severability**

It is declared to be the intent of the Board of County Commissioners of Gulf County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be affected by such holding.

**Section 23 - Modification**

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the Ordinance adopted by the Board and filed by the Clerk to the Board pursuant to Section 4.

**Section 24 – Effective Date.**

This Ordinance shall be effective as provided by law.

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

Commissioner McDaniel	<u>Yes</u>	Commissioner Yeager	<u>Yes</u>
Commissioner Bryan	<u>Yes</u>	Commissioner Quinn	<u>Yes</u>
Commissioner McLemore	<u>Yes</u>		

**Adopted on this the 27<sup>th</sup> day of January, 2015.**

(End)

### **FINAL PUBLIC HEARING – PROPOSED RECREATIONAL VEHICLE ORDINANCE**

Pursuant to advertisement to hold a Public Hearing to consider adoption of a proposed ordinance for recreational vehicles, County Attorney Novak reported that this proposed ordinance was advertised on the January 5<sup>th</sup> and January 19<sup>th</sup> in The News Herald. He then read the proposed ordinance by title. County Attorney Novak discussed the comments and the most recent version of this proposed ordinance. After discussion by County Attorney Novak, Commissioner McLemore discussed the majority of the concerns are within St. Joe Beach, Cape, and Indian Pass; reporting that Highland View, Oak Grove, and Simons Bayou are protected a lot from storms by the Peninsula. He stated that he would support leaving Highland View, Oak Grove, and Simons Bayou out of the proposed ordinance. After discussion by the Board, County Attorney Novak discussed narrowing the scope within the proposed ordinance. Commissioner Bryan motioned to eliminate the intercoastal as the line. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously. Upon discussion by County Attorney Novak, Commissioner Yeager motioned to accept the one (1) mile buffer zone. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously. Commissioner McLemore motioned to cut Highland View, Oak Grove, and Simons Bayou from the proposed ordinance. Commissioner Yeager seconded the motion for discussion. After further discussion, Commissioner Yeager withdrew his second. Chairman McDaniel called for public comment. Doug Smith and Linda Sertich, of Beacon Hill appeared before the Board to discuss their concerns regarding the proposed ordinance. Sharon Winchester and Donald Anderson, of St. Joe Beach and Paul Digby, of Highland View appeared before the Board to discuss their concerns regarding the proposed ordinance. John Arnold, of Beacon Hill and Pat Hardman, of Coastal Community Association appeared before the Board to discuss their concerns regarding the proposed ordinance. After further discussion, Dawn Newberry, of Cape San Blas, Lori Digby, of Highland View, and Clay Lewis, of Cape San Blas appeared before the Board to discuss their concerns regarding the proposed ordinance. After further discussion, Commissioner McLemore withdrew his motion. Commissioner McLemore then motioned to exclude Highland View from the proposed ordinance due to the Peninsula helping to protect the wind zone and the Intercostal Waterway to assist in flooding. After discussion, Commissioner Yeager made a motion to adopt the proposed recreational vehicle (RV) ordinance with the changes that the County Attorney submitted to the Board. Commissioner Bryan

seconded the motion and requested that the addition of the Cooperation, LLC and Trust language to Subdivision A. Commissioner Yeager had no objection to adding this to his motion. After discussion by County Attorney Novak, Deputy Clerk Roberts reported to the Board that there is already a motion on the floor by Commissioner McLemore. Chairman McDaniel called for a second to Commissioner McLemore's motion to exclude Highland View. The motion failed for a lack of a second. After discussion by Commissioner Yeager, He then motioned to proceed with this one page addition. Commissioner Bryan seconded the motion. After discussion by Chairman McDaniel, He then called for public comment. Paul Digby, of Highland View and John Arnold, of Beacon Hill appeared before the Board to discuss their concerns regarding the proposed ordinance. Further discussion followed. Rhettta Hartzog, of Highland View and Doug Smith, of Beacon Hill appeared before the Board to discuss their concerns regarding the proposed ordinance. The motion passed 4 to 1, with Commissioner McLemore voting no, as follows:

### **ORDINANCE NO. 2015-03**

**AN ORDINANCE OF GULF COUNTY IN THE STATE OF FLORIDA FOR CREATING POLICIES REGULATING RECREATIONAL VEHICLES (RV)'S AND THEIR LOCATION, PLACEMENT, RV's PER PARCEL, USE AND STORAGE OF RV'S WITHIN BOTH UNINCORPORATED GULF COUNTY AND WITHIN THE COASTAL CORRIDOR; FOR SAID POLICIES TO AMEND, BE CODIFIED AND BECOME PART OF THE GULF COUNTY LAND DEVELOPMENT REGULATIONS (LDR); PROVIDING FOR REPEALER, SEVERABILITY AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Gulf County Florida (hereinafter Commission) find and determine that Gulf County has adopted through action of the Commissioners, Land Development Regulations in order to implement its Comprehensive Plan, to comply with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163 of Florida Statutes, providing for the comprehensive plan and implementation through enactment of certain ordinances; and

**WHEREAS**, the Commission having received many verbal and written public recommendations from its citizens at public hearings over a four year period to address the use and restrictions of RV's throughout the County in order to protect the health and welfare of its residents, the natural coastal beauty of Gulf County and the quality of life for all citizens within the County; and

**WHEREAS**, the Commission has sought the recommendations of its Gulf County Planning and Development Review Board (PDRB) following multiple public hearings held by the PDRB regarding the regulations of RV's within the County; and

**WHEREAS**, the Commission has received the recommendations of the PDRB, County professional planner and county building officials and conducted its own public hearings on the issue to establish the community's public health concerns and comments in formulating an Ordinance that achieves the goals of the County Comprehensive Plan while balancing the property rights of its citizens and visitors; and

**WHEREAS**, the Commission has sought to implement the tools of smart growth management and its Florida best practices for County land regulations in establishing a proactive planning approach while maintaining the principles of Florida Statute 70.001, "Bert J. Harris, Jr., Private Property Rights Protection Act"; and

**WHEREAS**, the Commission seeks to reaffirm the County scope of development to one (1) dwelling unit for site built and mobile homes to be consistently applied and extended to also include the use and density of RV's within Gulf County; and

**WHEREAS**, a Coastal Corridor exists within the County of Gulf along its shores of the Gulf of Mexico and St. Joseph Bay including highways, roads, and rights of ways, including US 98, SR 30A and 30E; and

**WHEREAS**, the Coastal Corridor of Gulf County is at the core of the "Forgotten Coast" of the State of Florida, identified by pristine beaches, fertile fishing areas, critical environmental habitats and state restricted lands and parks, and with areas of Gulf County's coastline being nationally recognized as the "#1 Beach in America" and some of the "most beautiful beaches in the United States"; and

**WHEREAS**, in recognition of Gulf County's mapped Coastal Construction Line areas as defined by Florida Department of Environmental Protection and its impact upon the Coastal Corridor the Commission seeks to reduce a significant threat and public safety concern through the smart growth management and use of RV's along of these coastal areas; and

**WHEREAS**, in further recognition of the public and staff comments regarding the State of Florida and thereby Gulf County's Building Codes concerning the areas' most vulnerable to hurricanes as those being along the Gulf of Mexico coasts and the elevated basic wind speeds for various risk categories in coastal construction and design; and

**WHEREAS**, the Commission wishes to recognize and regulate the use, placement and amount of RV's per parcel throughout the County and specifically within the Coastal Corridor in compliance and acknowledgment that large portions of the corridor are within or impacted by the Coastal High Hazard Areas as defined within Gulf County's state mandated Comprehensive Plan; and

**WHEREAS**, the Commission has received comment and public input from commercial RV park operators within the County seeking the proper enforcement and protection of their business enterprise and past compliance with the State of Florida and

Department of Health guidelines for multiple and concentrated RV use and occupancy on a select land area within Gulf County; and

**WHEREAS**, the Commission wishes to regulate certain types of use and placement of recreational vehicles on individual lots along the Coastal Corridor and such prohibition will not only protect the public health and welfare, through the protection from overuse and uncontrolled sprawl and possible blight by noncompliant RV's, the aquifer, limited natural resources and the raw coastal environment; and

**WHEREAS**, the uncontrolled placement and use of recreational vehicles throughout the County and within the Coastal Corridor has and will continue to have effects on the County as a whole which affects the general health, natural beauty, public safety, smart growth and the joint welfare and wellbeing of the residents; and

**WHEREAS**, on January 5, 2015 and January 19, 2015 a Public Notice was advertised in The News Herald offering the public an opportunity to participate at two public hearings before the Board of County Commissioners (BOCC) on January 13, 2015 at 9:00 am and a second public hearing on January 27, 2015 at 5:01 p.m. for the adoption of this proposed ordinance; and

**WHEREAS**, the Commission hereinafter shall commonly refer to this Ordinance as the "Gulf County RV Ordinance" and its adoption shall be considered further for incorporation and consistency with the Gulf County Land Development Regulations; and

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Gulf County, in the State of Florida, as follows:

**Section 1 – Short Title.**

This Ordinance shall hereafter be known and referred to as the "Gulf County RV Ordinance".

**Section 2 – Authority.**

This ordinance is adopted by the Gulf County Commission in accordance with and under the authoritative powers permitted by home rule, the County's police powers to protect the public health, safety and welfare, and under the powers pursuant to the authority granted under Florida Statute 125 for the implementation and enforcement of standards, rules and regulations set forth herein.

**Section 3 – Purpose.**

The purpose of this Ordinance is to prohibit the uncontrolled use and placement of recreational vehicles throughout Gulf County and within the area comprising the Hurricane Prone Region and Wind-Borne Debris Region of Gulf County referred hereinafter as "Coastal Construction Corridor" or "Corridor", including all as defined below.

#### **Section 4 – Definitions.**

The Gulf County Land Development regulations relating to definitions is hereby amended to include the following:

*Accessory Structure* – A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

*Accessory Use* – A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

*Building* – Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animals, process, equipment, goods or materials of any kind or nature. All buildings are structures.

*Coastal Construction Corridor and/or Coastal Corridor - Gulf County* - As defined by the 2010 Florida Building Code the areas vulnerable to hurricanes as those Gulf of Mexico coasts where the basic wind speed for Risk Category II buildings is greater than 130 mph (48 m/s). Fla. Building Code 1609.2. Further, those areas within hurricane-prone regions located south of the Intracoastal water system that are within 1 mile (1.61 km) of the coastal mean high water line where the ultimate design speed is defined herein. (All or portions thereof the defined Coastal Construction Corridor shall also be commonly referred to and referenced as "Restrictive RV Zone(s)".)

*Dwelling* – A structure or portion thereof which is used exclusively for human habitation.

*Dwelling Unit* – One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit, for the exclusive use of a single family maintaining a household, and located on a single lot or platted parcel of land.

*Lot* – A designated parcel, tract or area of land established in the County's Official Record Books, Miscellaneous Map File Book, by recorded plat, by unrecorded plat on file in the Gulf County HRS Public Health Unit, or as otherwise allowed by law, to be used, developed or built upon as a unit and has been assigned the proper parcel identification number by the Gulf County Property Assessor's office. Use of "lot" throughout the ordinance language is hereby interchangeable and synonymous with "parcel" identically defined below.

*Manufactured structures* – A building/structure transportable in one or more sections designed to be used either with a self-contained foundation or a permanent foundation, when set up with or without utilities. The term shall also include storage buildings, park trailers, travel trailers, and similar transportable structures such as mobile homes and recreational vehicles placed on a lot or parcel of land.

*Parcel*– A designated parcel, tract or area of land established in the County’s Official Record Books, Miscellaneous Map File Book, by recorded plat, by unrecorded plat on file in the Gulf County HRS Public Health Unit, or as otherwise allowed by law, to be used, developed or built upon as a unit and has been assigned the proper parcel identification number by the Gulf County Property Assessor’s office. Use of “parcel” throughout the ordinance language is hereby interchangeable and synonymous with “lot” identically defined above.

*Non-dwelling Unit/Structure* – Any structure or building not designed or intended to be used as a dwelling unit including pre-built sheds, pole barns, free-standing canopies, etc.

*Recreational Vehicle or “R.V.”* – A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodations for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailer and self-propelled homes. For purposes of this ordinance, an RV is not considered a Risk Category II building or structure “single family dwelling” under the Florida Building Code. RV’s in Gulf County shall be defined herein as a Risk Category I structure and nature of the occupancy. Fla. Building Code 1604.5

*RV Park:* A development that is designed to accommodate RV’s on dedicated sites either through short or long term rental not to exceed 180 consecutive days.

*RV Subdivision:* A development that contains platted lots designed to accommodate RV’s either through lease or individual ownership of a platted lot.

RV and Mobile Home Parks/Subdivisions are strictly regulated and controlled by Florida Statutes and Florida Department of Health and must meet all proper regulations as well as remain in compliance with these County regulations.

*Structure* – A combination of materials to form a construction for use, occupancy or ornamentation whether installed on, above, or below the surface of the land or water. Not all structures are buildings.

### **Section 5 - Codification**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance will become and be made a part of the Gulf County Land Development Regulations; and that sections of this Ordinance may be renumbered or re-lettered and that the word “Ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the LDR is accomplished, sections of this Ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the County Administrator, or the County Administrator’s designee, without need of

public hearing, by filing a corrected or re-codified copy of same with the County Clerk of Circuit Court.

### **Section 6 – RV Regulations**

#### **A) RV Regulations within the unincorporated areas of Gulf County:**

RV's located within the unincorporated areas of the County outside the Coastal Construction Corridor (Unrestricted RV Zones) shall be permitted throughout the County in accordance with the terms set forth by the Gulf County current (6/24/13) LDR's Section 3.02.04 and summarized as follows:

- 1) One (1) RV per lot/parcel.
- 2) Lot/parcel coverage by RV and accessories is not to exceed 30% impervious area.
- 3) Lot/parcel with RV must allow for two (2) parking spaces per lot. Parking on any right of way is strictly prohibited for consideration in RV requirements.
- 4) All RV's must meet standard building setbacks.
- 5) All RV's must comply with all existing Gulf County LDR and Comprehensive Plan guidelines and requirements.

#### **B) RV's Regulations specifically within the defined Coastal Construction Corridors:**

RV's permitted within the defined Coastal Construction Corridors (Restrictive RV Zones) shall be bound to all regulations stated above and comply with the following additional restrictions:

- 1) Recorded property owners of parcel or lot within the Coastal Construction Corridor prior to January 28, 2015 shall be grandfathered to continue their use of property for personal Recreational Vehicles with the following conditions met:  
Annual permitting of the RV with Gulf County in accordance with the permitting guidelines defined herein  
Continue to meet all requirements under Section 6(A) and current Gulf County LDR guidelines  
Mandatory evacuation of all RV's within this Restrictive RV Zone within 48 hours of Gulf County Declaration of Local State of Emergency for either wind, storm or flood events.
- 2) Grandfathered "use" protection: individual title prior to the prohibited use restriction shall terminate for the defined existing owners upon any one of the following:  
Sale or any transfer of ownership from current individual named title owner(s) (joint tenancy as well as one or both named spouses shall be considered permissible individual ownership; permitting to a corporate entity or trust shall be strictly prohibited); or

Owner's death shall extinguish the grandfather provision for the parcel (pre-existing lawful spouses excluded); or

Owner's failure to comply with mandatory removal of RV from Corridor within 48 hours of declaration of Local State of Emergency by Gulf County due to a wind, storm or flood threat. Owner shall be permitted to complete the calendar year under which they received the annual RV permit and thereafter prohibited through proper restriction and regulation defined by this Ordinance.

**Exceptional circumstances:**

3) Recreational Permits for Corridor Use:

Gulf County shall issue up to two (2) recreational fourteen (14) day permits to a parcel or lot owner within the Coastal Construction Corridor (acquired after enactment of this ordinance) on an annual basis following the proper application, proof of ownership and receipt of permit to be prominently displayed on the RV during its occupancy within the Corridor. This provision shall not apply to those RV's lawfully visiting Gulf County's RV commercial parks within the Coastal Construction Corridor.

- 4) RV's located on a lot/parcel within the Corridor that are being stored and not occupied and that are located on the same lot/parcel as the occupied principal dwelling unit are permitted under these exceptions year round with proper and continual compliance of County registration, permitting, mandatory evacuations and Section 6(A) guidelines above.
- 5) The following additional exceptional RV uses shall apply for residential RV use within the Coastal Construction Corridor through application to the Gulf County Planning Department for extended occupancy and final approval of the County Commission following consideration of the Planning Development and Review Board ("PDRB"):

Construction Periods - The use and occupancy of an RV within the Coastal Construction Corridor during construction or repair of a primary dwelling unit and/or business shall be afforded consideration by the PDRB and approval of the Commission for up to 180 consecutive days and renewable upon re-application thereafter.

Emergency Periods - The use and occupancy of RV's as a dwelling unit during disaster recovery (fire, weather event, etc.) and family medical emergencies (ie. visiting Gulf County and residing in RV while family member is in care of area hospital) shall be afforded consideration by the PDRB and approval of the Commission for up to 180 consecutive days and renewable upon re-application thereafter.

Hardship Exemptions – The owner of both the same lot/parcel and RV within the defined Coastal Corridor may upon application, seek a hardship exemption other than that defined under 5(i) and (ii) above and specifically Section 6B(1) Coastal Corridors restrictions for the permitted use and occupancy with the Restricted RV Zone for no greater a period of 180 consecutive days after review by the PDRB and final approval of the Commission upon findings that:

The named applicant is the same of both the parcel/lot and the proposed occupied RV

A substantial hardship is demonstrated

The exemption will be consistent with the intent and purpose of the Gulf County LDR and Comprehensive Plan guidelines and requirements as well as the clauses and findings stated above seeking to balance and preserve public safety, property rights and coastal property protection

The application of Section 6B(1) Coastal Construction Corridor restrictions on the established lot/parcel and RV owner would be significantly outweighed by the demonstrated hardship and deleterious impacts to the applicant

Upon an applicant demonstrating to the County that a hardship is created by the requirements to comply with the ordinance and that relatively little impact will occur from the exemption, then they may be permitted upon proper application, notice, hearing and consideration of the PDRB and final approval of the County Commission to maintain continuous and uninterrupted ownership, use and occupancy for up to 180 consecutive days.

The hardship exemption shall cease and terminate immediately upon the sooner of either the removal of the hardship or the expiration of the days granted by the County Commission

**C) Miscellaneous provisions**

- 1) All RV's within Gulf County Coastal Construction Corridor shall be registered annually and receive a permit from the County for display. The issued permit shall be prominently displayed by the RV owner and clearly visible to County officials.
- 2) RV registration, application and permit fees shall be adopted annually upon recommendation and consult by the Commission with the following: County Administrative Staff, Planning and Building Department staff and County Code Enforcement officials.
- 3) Annual County registration and filing of all RV's shall include disclosure of consistency in ownership status for continued grandfather exemption.
- 4) Any and all rentals of commercial RV locations within the County shall be subject to Bed Tax Regulations under Florida Statute 125.0104 and Gulf County Ordinance 2012-03 if applicable to short term stay.

### **Section 7 - Enforcement**

- A) Gulf County Commission is authorized to enforce this ordinance and may follow the established procedures and schedule of violations and penalties set forth below to be assessed by county code enforcement officials through its established Special Magistrate hearing procedure and in accordance with Florida Statute 125.69:
- B) Violation of any provision of this ordinance shall be subject to the following penalties in addition to the loss of existing grandfather exemptions under 6B(2):  
 First violation: \$50.00 fine; \$50.00 per day thereafter  
 Second violation: \$100.00; \$50.00 per day thereafter  
 Third violation: Fine not to exceed \$500.00 and/or imprisonment in the County jail not to exceed sixty (60) days pursuant to Florida Statute 162.22.
- C) Each violation of this Ordinance shall constitute a separate offense. In the initial stages and implementation of this Ordinance (implementation period not to exceed June 1, 2015), code enforcement officials may provide violators with no more than one (1) written warning.
- D) The County shall reserve its rights to such civil and criminal remedies in law and equity as may be necessary to ensure compliance with the provisions of the section of this ordinance, including but not limited to injunctive relief to enjoin and restrain any person from violating the provisions of this section of this Ordinance and to recover such damages as may be incurred by the implementation of specific corrective actions.

### **Section 8 – Effective Date**

This Ordinance shall take effect upon final adoption and publication in accordance with the law following the proper and compliant public hearings and notice.

### **Section 9 – Severability**

It is declared to be the intent of the Board of County Commissioners of Gulf County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be affected by such holding.

### **Section 10 – Repealer**

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

### **Section 11 – Modification**

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of considerations that may arise during

public hearings. Such modifications shall be incorporated into the final version of the Ordinance adopted by the Board and filed by the Clerk to the Board.

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

Commissioner McDaniel	<u>Yes</u>	Commissioner Yeager	<u>Yes</u>
Commissioner Bryan	<u>Yes</u>	Commissioner Quinn	<u>Yes</u>
Commissioner McLemore	<u>No</u>		

**Adopted on this the 27<sup>th</sup> day of January, 2015.**  
(End)

There being no further business, and upon motion by Commissioner McLemore, the meeting did then adjourn at 7:41 p.m., E.T.

**WARD MCDANIEL  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK OF COURT**

**FEBRUARY 10, 2015**  
**PORT ST. JOE, FLORIDA**  
**REGULAR MEETING**

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

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Sherry Herring, Deputy Clerk Leanna Roberts, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Building Inspector George Knight, Central Services Director Denise Manuel, Gulf County E.M.S. Director Houston Whitfield, Deputy Grant Coordinator Kari Summers, Mosquito Control Director Mark Cothran, County Planner David Richardson, Public Works Director Joe Danford, Sheriff Mike Harrison, Tax Collector Shirley Jenkins, T.D.C. Executive Director Jennifer Jenkins, and Veterans' Service Officer Joe Paul.

Sheriff Harrison called the meeting to order at 8:59 a.m., E.T.

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

**CONSENT AGENDA / INFORMATION PACKET**

Chairman McDaniel called for public comment regarding the Consent Agenda or the Information Packet. There being no public comment, Commissioner Yeager motioned to approve the Consent Agenda and Information Packet. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously, as follows:

1. Minutes - November 25, 2014 – Regular Meeting  
           - December 9, 2014 – Regular Meeting  
           - December 18, 2014 – Special Meeting  
           - January 8, 2015 – Special Meeting
2. Approval of Checks and warrants for January, 2015 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
3. Agreement – The Standard Insurance Company (Amendment #1 \* Group Insurance \* #158433)

– Troy University (TROY Community Spirit Program)

4. Change Order – Southern States Pavement Markings, Inc. (CO #2 \* CR 386 Signing & Payment Marking \* Bid #1314-16)
5. Inventory – Gulf County Clerk of Court (Remove \* #10-389 \* Dell OptiPlex 330 \* Serial Number 4B1GHH1 \* Dell OptiPlex 330 \* Serial Number 591GHH1 \* Dell OptiPlex 330 \* Serial Number 791GHH1 \* Dell OptiPlex 330 \* Serial Number 1M02CB1 \* Dell OptiPlex 330 \* Serial Number 131GHH1 \* Dell OptiPlex 330 \* Serial Number B844CB1 \* Dell OptiPlex 330 \* Serial Number C91GHH1 \* 10-327 \* Dell Server \* Serial Number 378RY81 \* ? Server or Data Domain \* Serial Number 90P4678 \* WatchGuard Firebox \* Serial Number 70740F073-F430 \* Allied Telesyn AT-FS716E \* Serial Number IOKT2352D \* Lexmark Prospect Pro205 Printer \* Serial Number 000AL72692M \* HP Photosmart C3180 Printer \* Serial Number CN67PC31PJ \* APC Back-UPS ES350 \* Serial Number 378RY81 \* APC Back-UPS ES350 \* Serial Number 90P4678 \* IBM eServer UPS 1000T \* Serial Number AS0427230388 \* Canon DR-2050C Scanner \* Serial Number DL326826 \* Canon DR-2050C Scanner \* Serial Number DL320205 \* Canon DR-2050C Scanner \* Serial Number DL326814 \* Sampo Monitor \* Serial Number 53210516-HC00004 \* IBM Monitor \* Serial Number 23N7453 \* #10-301 \* Tatung Monitor \* Serial Number 6AH319680001 \* View Sonic Monitor \* Serial Number QC90733233220 \* #10-336 \* Tatung Monitor \* Serial Number 6AH319680014 \* Dell Monitor \* Serial Number CN-OMC040-64180-65D-OWGL \* View Sonic Monitor \* Serial Number QC9073323226 \* View Sonic Monitor \* Serial Number QC9073350107)
6. Invoice – The Ferguson Group, LLC – Federal Lobbyist (Invoice #1214554 \* \$430.33 \* to be paid from Account #21111-31200)
7. Refund Request – Gulf County Tax Collector (Parcel ID#06267-250R \* \$545.22)
8. Request – Beach Blast Triathlon (Temporarily Close U.S. Highway 98 \* April 25, 2015)

- Wewahitchka Ministerial Association (Waive Fees Honeyville Community Center \* October 8, 2015)

(End)

**HEALTHIEST WEIGHT COMMUNITY**

Gulf County Health Department Project Manager Sarah Hinds appeared before the Board to discuss the Healthy Weight Community Champion Recension Program and presented the Board with a recension award for participating in this program. Jessie Pippin, of Gulf County Health Department appeared before the Board to discuss the S.W.A.T. Program and thanked the Board for their support in this program.

**LETTER OF SUPPORT – GULF COAST PARKWAY**

Chief Administrator Butler discussed the Gulf Coast Parkway and requested permission to submit a letter of support to D.O.T. on Enterprise Zone letterhead supporting the County's route. Commissioner Yeager motioned to approve the submission of this support letter. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**CANCELLATION – BOCC BOARD MEETING**

Upon recommendation by Chief Administrator Butler, Commissioner Yeager motioned to cancel the next Board meeting (February 24, 2015). Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**ADVERTISE FOR SEALED BIDS – CLAY / FIVE POINTS LANDFILL**

Upon discussion and recommendation by Chief Administrator Butler, Commissioner Yeager motioned to advertise to receive sealed bids for clay and top soil for the closure of the Five Points Landfill. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**LIMITED MAINTENANCE AGREEMENT – HONEY HILL ROAD**

Upon discussion by Chief Administrator Butler, Commissioner McLemore motioned to accept a Limited Maintenance Agreement on Honey Hill Road to clean timber from a ditch. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**MEETING – SIDEWALK PROJECT**

Chief Administrator Butler reported that today at 2:00 p.m., he has a meeting with the project manager regarding the sidewalk project on St. Joe Beach; stating that D.O.T. has changed the plans in which the County applied for.

**RESOLUTION – SIDEWALK PROJECT**

Upon discussion by Chief Administrator Butler, Commissioner Bryan motioned to adopt a resolution supporting the application that was made to D.O.T. regarding the sidewalk project on St. Joe Beach. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously. <Received an email from Chief Administrator Butler on 03/19/2015 noting this resolution was not needed.>

**AMEND LOCAL HOUSING ASSISTANCE PLAN – S.H.I.P.**

County Attorney Novak discussed the \$300,000.00 pledge from S.H.I.P. funding to the PACES Foundation for the Gateway Manor Project and amending the Local Housing Assistance Plan (LHAP). Commissioner Yeager motioned to amend the LHOP rental strategic to submit to Florida Housing. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**MORATORIUM – BEACH DRIVING PERMITS**

Upon discussion by County Attorney Novak, Commissioner Yeager motioned to impose a moratorium on the issuance of beach driving permits until March 1, 2015. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**DONATE PROPERTY – WELLS FARGO**

County Attorney Novak discussed the property donation from Wells Fargo at 5719 Highway 71; reporting that Wells Fargo provided an affidavit that there was no hazardous material on the property. He stated that Wells Fargo is not deviating from their standard of donation program within the agreement; providing an "as is" cause. After discussion, Commissioner Bryan motioned to accept the property donation at 5719 Highway 71 from Wells Fargo, contingent upon final inspection by Staff. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**PUBLIC HEARING – PROPOSED MSTU RESOLUTIONS**

County Attorney Novak reported that on February 19, 2015 at 9:00 a.m., E.T. there will be a public hearing held to discuss three (3) proposed MSTU resolutions; stating that it has been publicly advertised on January 28<sup>th</sup>, February 4<sup>th</sup>, February 11<sup>th</sup>, and February 18<sup>th</sup>.

**YEARS OF SERVICE – COUNTY PLANNER RICHARDSON**

County Planner Richardson thanked the Board and Staff; reporting that this was his last Board meeting as the County Planner. Chairman McDaniel thanks Mr. Richardson for his years of service to the County.

**SALE EXCAVATOR EQUIPMENT – FIVE POINTS LANDFILL**

Upon discussion by Public Works Director Danford, Commissioner McLemore motioned to approve the sale of the excavator at Five Points Landfill through an auction or private sale through an equipment operator dealer. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**MONTHLY REPORT – T.D.C.**

T.D.C. Director Jenkins appeared before the Board to present the January, 2015 monthly status report; reporting that the 2015 Visitor Guides will be here soon.

**CHANGE ORDER – SOLO PRINTING**

Upon discussion by T.D.C. Director Jenkins, Commissioner Yeager motioned to approve Change Order #1 with Solo Printing; an increase in the amount of \$1,090.68. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**SIDEWALK PROJECT – ST. JOE BEACH**

T.D.C. Director Jenkins discussed the sidewalk project at St. Joe Beach; stating that if needed the T.D.C. will draft a resolution in support of the County's plans for this project.

**SUBMIT BID – STATE SOFTBALL TOURNAMENT**

Commissioner McLemore discussed submitting a bid to hold the State Softball Tournament in Gulf County. T.D.C. Director Jenkins reported that this topic was discussed at the council meeting last week and the T.D.C. expressed concern that the tournament would be held in July, 2016 and there may not be sufficient accommodations available. After further discussion, Commissioner McLemore requested that T.D.C. Director Jenkins schedule a meeting with the ball team and possibly the tournament director. After discussion by members of the Board, Commissioner McLemore motioned to move forward with submitting a bid to the State Softball Tournament Agency to host the tournament in 2016. Commissioner Yeager seconded the motion. After discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**BIKE FLORIDA**

T.D.C. Director Jenkins reported that 600 cyclist from Bike Florida will be coming back to Gulf County from March 20<sup>th</sup> through the 27<sup>th</sup>.

**PUBLIC RECORDS REQUEST – RADCLIFF**

Deputy Administrator Lanier discussed a Public Records Request (PRR #2014-69) that Mrs. Barbara Radcliff had inquired about at the last Board meeting; reporting that she believes Mrs. Radcliff has now been given a monetary amount for this request. She then read the Public Records Request that was submitted by Mrs. Barbara Radcliff. Deputy Administrator Lanier discussed her concerns regarding the reduction in Staff, working over hours to complete normal duties, and estimating the cost for detailed records request. Upon inquiry by Chairman McDaniel, Clerk Finance Officer Herring reported that the Clerk was unable to attend today's meeting. After discussion, Commissioner Bryan stated that it is our responsibility as a County government, under State Law, that we have this information available and to keep the information in a manner that can be accessed in order to provide it to the public. Discussion followed.

**GRANT ACCEPTANCE – EDWARD B. MEMORIAL JUSTICE**

Upon discussion by Deputy Administrator Lanier, Commissioner Yeager motioned to accept the F.D.L.E. Edward Byrne Memorial Justice Assistance Grant, in the amount of \$2,463.00. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**2015 TRAVEL – FAC / NACO / SMALL COUNTY COALITION**

Following discussion by Deputy Administrator Lanier, Commissioner Yeager motioned to approve the 2015 travel expenses for Florida Association of Counties (FAC), National Association of Counties (NACo), and the Small County Coalition. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**REJECT BID #1415-06 / DAVID B LANGSTON SIDEWALK PROJECT**

Following discussion by Deputy Grant Coordinator Summers, Commissioner McLemore motioned to reject Bid #1415-06 for the David Langston Sidewalk Project (only one bidder, funding agent requires at least three bids). Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**BID #1415-07 / 2014 OLD BAY CITY ROAD PROJECT**

Upon inquiry by Commissioner McLemore, Deputy Grant Coordinator Summers reported that the deadline to submit sealed bids on the 2014 Old Bay City Road CIGP Project is the 20<sup>th</sup> of February, with the bid opening to be held on February 23<sup>rd</sup>.

**COUNTYWIDE VOTING**

Upon inquiry by Commissioner Bryan regarding Countywide voting, County Attorney Novak reported that GIS Coordinator is working on the data in assembling a map regarding redistricting. He also reported that based on Mr. Spellman's final analysis, the projected first public hearing should be in April or early May.

**BEACH NOURISHMENT**

Commissioner Yeager discussed beach nourishment; reporting that there is a property owner willing to give a beach access point to assist in obtaining a higher percentage from the State match. Upon inquiry by Commissioner Yeager, County Attorney Novak recommended that the property owner attend next Thursday's meeting to be a part of the discussion.

**RECREATIONAL VEHICLE ORDINANCE**

Commissioner Yeager discussed the RV Ordinance recently adopted and amending it to exclude Highland View and Oak Grove. After discussion, Commissioner Yeager motioned to proceed with amending the Recreational Vehicle (RV) Ordinance. Commissioner Bryan seconded the motion. After discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**GOVERNMENT BUDGET – SCOP / SCRAP**

Commissioner Yeager discussed his concerns regarding the funding of the S.C.O.P. and S.C.R.A.P. from the Government (State) Budget; reporting there will be a loss of nine (9) million Statewide.

**ENTERPRISE ZONE**

Commissioner Yeager reported that he is working with the Small County Coalition and Florida Association of Counties (FAC) regarding funding Rural Areas; reporting that Enterprise Zones are going away.

**AMBULANCE BILLING**

Commissioner Yeager reported that he is working with the Legislator regarding the limit that can be charge for an ambulance fee; reporting that Legislation is wanting to set it at the Medicaid rate.

**MSTU – ½ CENT SALES TAX**

After discussion, Commissioner Yeager motioned to commit the ½ cent Sales Tax that was used for the Landfill (once the landfill is closed) to the Beach Nourishment Project to help fund the MSTU. After discussion by members of the Board, Commissioner Quinn seconded the motion for discussion. After further discussion, Commissioner Yeager withdrew his motion. Discussion followed.

**COMMISSIONER YEAGER**

Chairman McDaniel thanked Commissioner Yeager for the service he provide in fighting for Gulf County in Tallahassee.

**ADVERTISE SEALED BIDS – JARROTT DANIELS ROAD**

Upon inquiry by Chairman McDaniel, Chief Administrator Butler reported that by the end of February, the County will be ready to advertise to receive sealed bids for the Jarrott Daniels Road Project.

**YARD DEBRIS – COUNTY PICKUP**

Chairman McDaniel discussed the amended contract with Waste Pro; reporting that as of March 1, 2015 Waste Pro will no longer pick up yard debris. After discussion, Commissioner Yeager discussed the County doing one (1) more clean-sweep. Deputy Administrator Lanier reported that a notice has been placed on the County's website. After discussion by Chairman McDaniel, Commissioner McLemore stated that Waste Pro needs to mail out a notice to customers regarding the change in service. Chairman McDaniel reported that anyone that wants an extra container to place yard debris in can negotiate that with Waste Pro. He discussed his concerns regarding people dumping yard debris on the right-of-way.

**PURCHASE EQUIPMENT – DEAD LAKES CAMPGROUND**

Upon request by Chairman McDaniel, Commissioner Yeager motioned to approve the purchase of a small box blade for the Dead Lakes Campground (Dead Lakes Park), to be paid from Campground Funds. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

**DOG PARK – BEACON HILL / VETERANS MEMORIAL PARK**

Chairman McDaniel discussed his concerns regarding the dogs using the ball field as a dog park, reporting that the dogs will not be able to use the field during ball season. Commissioner Bryan stated that the dog park that is presently on site was purchased with Impact Fee money. She discussed her concerns regarding improvements that are going on through the Natural Resource Damage Assessment (NRDA) Funds; stating that a small amphitheater, restrooms improvements, pavilions, and nature trails will be completed with these funds. Commissioner Bryan discussed expanding upon the dog park once the Natural Resource Damage Assessment (NRDA) Projects are complete. Discussion followed.

The meeting did then recess at 10:35 a.m., E.T.

The meeting did then reconvene at 10:38 a.m., E.T.

**SECOND PUBLIC HEARING – FIVE YEAR CAPITAL IMPROVEMENT ORDINANCE**

Following discussion by County Attorney Novak, County Planner Richardson read the proposed ordinance by title. After discussion by members of the Board, Commissioner Bryan motioned to add a dog park for Beacon Hill/Veterans Memorial Park to the Five Year Capital Improvement Schedule. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously. Commissioner Yeager motioned to adopt the following titled Ordinance. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously. County Planner Richardson reported that he will place the dog park project under the fifth (5) year scheduling. Chairman called for public comment. There was no public comment.

**ORDINANCE NO. 2015-04**

**AN ORDINANCE PER THE REQUIREMENTS OF FLORIDA STATUTE 163.3177(3)(b) TO YEARLY REVIEW AND UPDATE THE GULF COUNTY FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE; ADOPTING BY REFERENCE THE GULF COUNTY SCHOOL DISTRICT 2014/2015 WORK PLAN; INCORPORATING BY REFERENCE THE UPDATED CONCURRENCY TRACKING DATA; PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statute 125.01 empowers the County Commissioners the power to carry on county government; and

**WHEREAS**, Florida Statute 163.3177(3)(a) requires each Comprehensive Plan to have a Capital Improvements Element; and

**WHEREAS**, Florida Statute 163.3177(3)(a)1 requires the Capital Improvements Element to implement a five (5) year capital improvements planning period; and

**WHEREAS**, the Gulf County Comprehensive Plan Capital Improvements Element has identified the five year capital improvements planning period as the Gulf County Five Year Capital Improvements Schedule; and

**WHEREAS**, the Gulf County Five Year Capital Improvements Schedule will be submitted for approval after the adoption of the Gulf County Annual Budget; and

**WHEREAS**, Florida Statute 163.3177(3)(b) requires a Five Year Capital Improvements Schedule to be reviewed annually and amended by ordinance as necessary; and

**WHEREAS**, Florida Statute 163.3180(1) stipulates that only sanitary sewer, solid waste, drainage, and potable water are subject to concurrency on a statewide basis; and

**WHEREAS**, Gulf County under the provisions of Florida Statute 163.3180(1) and 163.3180(1)(a) has opted to continue concurrency for transportation, recreation, and open space and schools; and

**WHEREAS**, Gulf County has no roadways that are operating below LOS "D" as specified in the Comprehensive Plan; and

**WHEREAS**, D.O.T. capital projects or projects subject to D.O.T. grant funding listed in the D.O.T. Five Year Transportation Plan and the Gulf County Capital Improvement Schedule are subject to budget priorities by the State of Florida/D.O.T. and projects may be advanced or delayed as necessary by D.O.T.; and

**WHEREAS**, Gulf County has no facilities operating below LOS concurrency specified in the Comprehensive Plan; and

**WHEREAS**, the Gulf County Board of County Commissioners voted to maintain solid waste concurrency by closing the County's Five Points Land Fill and transferring solid waste operation to a commercially operated transfer station; and

**WHEREAS**, the solid waste operations and transfer station are under a five (5) year contract with an additional three (3) two (2) year extensions providing an opportunity for eleven (11) years of concurrency; and

**WHEREAS**, the existing Solid Waste Escrow account will be applied to the cost of closing and monitoring Five Points Land Fill; and

**WHEREAS**, no Gulf County project is needed to eliminate a concurrency deficit, only to maintain, improve or enhance the quality of service; and

**WHEREAS**, the updated concurrency tacking data is incorporated by reference into the yearly review; and

**WHEREAS**, Gulf County adopts by reference the Gulf County School District 2014/2015 Work Plan with no financial obligations by Gulf County; and

**WHEREAS**, the capital improvement projects of the Port of Port St. Joe are referenced as an economic benefit to Gulf County with no financial obligation by Gulf County; and

**WHEREAS**, projects in the Five Year Capital Improvement Schedule for years 1, 2 and 3 are funded and projects in years 4 and 5 can be funded or projects that are proposed pending funding; and

**WHEREAS**, the City of Port St. Joe has delayed the construction of the Sports Complex and therefore the Gulf County agreement to match the City of Port St. Joe contributions up to a maximum of \$600,000 has been delayed to the fifth year of the schedule or until the local economy and the burden on the tax payers has improved; and

**WHEREAS**, the WindMark Annexation, Phase III Sewer Project for Beacon Hill by the City of Port St. Joe has delayed the construction date until additional project funding is secured; and

**WHEREAS**, the recreational projects for Beacon Hill Park, WindMark Park North, and Highland View Boat Ramp are funded by NRDA that is administered by FDEP; and

**WHEREAS**, the Indian Pass Boat Ramp Project was not approved by D.E.P. for NRDA funding and the proposed funding was moved to enhance the WindMark Park North Fishing Pier Project; and

**WHEREAS**, a public notice for both public hearings was posted at the entrance of the Gulf County Courthouse and the Robert M. Moore Administration Building on January 15, 2015; and

**WHEREAS**, the two Public Hearings for January 27, 2015 and February 10, 2015 were duly advertised in accordance with Florida Statute Section 125.66(2)(a); and

**WHEREAS**, the Gulf County Board of County Commissioners held two Public Hearings with the first on January 27, 2015 and for proposed adoption on February 10, 2015; and

**WHEREAS**, the Gulf County Board of County Commissioners has made no Goals, Objections, or Policy text changes to the Capital Improvements Element; and

**WHEREAS**, the Gulf County Board of County Commissioners updates the Five Year Capital Improvement Schedule to reflect the planning period of 2014/2015 through 2018/2019; and

**THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, AS FOLLOWS IN EXHIBIT A:**

If any part of this Ordinance is held to be unconstitutionally void or invalid, the validity of the remaining part of the Ordinance shall not be affected thereby.

Any other Ordinance or portion of any Ordinance in force at the time this Ordinance becomes effective, which may be in conflict with the provisions of this Ordinance, shall be deemed to have been replaced and repealed to the extent of such conflict, otherwise, the same shall remain in full force and effect.

This Ordinance shall become effective as provided by law.

**ADOPTED this 10<sup>th</sup> day of February, 2015.**

(End)

**QUASI-JUDICIAL HEARING – MIKE SMITH VARIANCE**

Pursuant to advertisement to hold a Public Hearing for Mike Smith (Parcel #06174-001R) for a side setback variance for a shed/pole barn, County Attorney Novak read the Public Notice and summarized the format that the Board will follow under the Quasi-Judicial Hearing process. He then called for Mr. Smith or his representative to come forward. Chairman McDaniel called for Mike Smith. No one came forward. County Attorney Novak called forward anyone that wishes to speak regarding this variance application. Chairman McDaniel called for public. No one came forward. <Clerk Finance Officer swore in Deputy Administrator Lowry.> Deputy Administrator Lowry reported on the P.D.R.B. vote regarding the Smith Variance at their February 9<sup>th</sup> meeting <form on file with Clerk.>. County Attorney Novak reported that the P.D.R.B. voted 4-0 to deny the variance application from Mike Smith for the 18 foot side setback along Jackson Street and deny a 3 ½ foot setback variance along the adjacent parcel to the West; stating the P.D.R.B. made an alternate motion to recommend to the Board to grant a 12 ½ foot variance along Jackson Street. Upon inquiry by County Attorney Novak, Commissioner Yeager stated that he spoke with Mr. Mike Smith over the phone regarding this variance application. <All other Commissioners stated that they had not had any correspondence regarding this variance request.> Commissioner Yeager motioned to follow the recommendation of the Planning Board. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously. Upon discussion by County Attorney Novak, Commissioner Yeager included in his motion to accept findings presented by the P.D.R.B. regarding this variance application <form on file with Clerk>.

### **QUASI-JUDICIAL HEARING – ELLIS SMITH, JR. VARIANCE**

Pursuant to advertisement to hold a Public Hearing for Ellis Smith, Jr. (Parcel #03806-080R) for a setback variance for a building, County Attorney Novak read the Public Notice and called for public that wished to speak regarding this variance to come forward. <Clerk Finance Officer Herring swore in Barbara Radcliff, Jake Husband, Tom Gibson, Tom Graney, and Deputy Administrator Brett Lowry.> Deputy Administrator Lowry provided the Board with a summary of the Ellis Smith, Jr. variance application. Attorney Tom Gibson appeared before the Board to discuss this variance application; reporting that the P.D.R.B. recommended the Board grant a 2 ½ foot setback on both sides. Deputy Administrator Lowry discussed the findings of the P.D.R.B. at their February 9<sup>th</sup> meeting <form on file with Clerk>. After discussion by County Attorney Novak, Deputy Administrator Lowry stated that the P.D.R.B. recommended to the Board, by a 4-0 vote, an alternative variance of a 2 ½ foot on both sides of the proposed structure into the 9 ½ foot setback requirements for a structure exceeding 25 feet in height, and additional conditions that the applicate comply and not exceed a 7 foot setback on both sidelines of the lot. Upon inquiry by County Attorney Novak, Commissioner Bryan stated that she has had numerous conversations and emails from many people, not limited to Barbara Radcliff, Tom Graney, Jim Garth, and Bo Williams, but she has not spoken to the applicant or his representative regarding this variance application. After discussion, Commissioner Yeager stated he has received emails regarding this variance application. Chairman McDaniel stated he has received numerous phone calls and emails regarding this variance application. Upon inquiry by County Attorney Novak, Commissioner McLemore stated that he had not had any discussion or correspondence regarding this variance application. Commissioner Quinn discussed speaking with Rodney Herring regarding supporting the Veterans in Gulf County. County Attorney Novak called those that were previous sworn in to appear before the Board to speak. Barbara Radcliff, of Port St. Joe appeared before the Board to discuss the P.D.R.B. recommendation; stating that she is in support of this recommendation. Tom Graney, of St. Joe Beach appeared before the Board to discuss the P.D.R.B. recommendation and the minor re-plat. Commissioner McLemore motioned to move forward with the P.D.R.B. recommendation. After discussion, Commissioner McLemore motioned to approve the P.D.R.B. recommendation. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. After discussion by County Attorney Novak, Commissioner McLemore included in his motion the affirmative statements. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

### **COUNTY BUSINESS**

Chairman McDaniel called Nadine Branch to appear to speak on county business. She nor a representative were present.

### **REPORT – ECONOMIC DEVELOPMENT COALITION**

Christy McElroy, of E.D.C. appeared before the Board to present a status report and strategic plan. Commissioner Yeager thanked Ms. McElroy for serving as the Chairman of the E.D.C. board.

**BEACH NOURISHMENT – BEACH EROSION**

Pat Hardman, of the Coastal Community Association appeared before the Board to discuss her concerns regarding the beach erosion at the Cape and the need for beach nourishment before the homes fall into the beach. She discussed the proposed MSTU and the need to look at other ways the County can fund this project. Commissioner Yeager discussed his concerns regarding the beach erosion at the Cape.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner Yeager, and unanimous vote, the meeting did then adjourn at 11:31 a.m., E.T.

**WARD MCDANIEL  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**

**FEBRUARY 19, 2015**

**PORT ST. JOE, FLORIDA**

**SPECIAL MEETING**

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

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Clerk Finance Officer Sherry Herring, Deputy Clerk Leanna Roberts, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Inspector George Knight, Grant Coordinator Towan Kopinsky, Deputy Grant Coordinator Kari Summers, Maintenance Superintendent Steve Mork, Sheriff's Department Captain Chris Buchanan, T.D.C. Executive Director Jennifer Jenkins, and Veterans' Service Officer Joe Paul.

Sheriff's Department Captain Buchanan called the meeting to order at 9:00 a.m., E.T.

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

**VETERANS SERVICE OFFICER PRESENTATION**

Veterans' Services Officer Paul appeared before the Board to read a letter from Pat Stewart, of the Florida Department of Education and presented Mr. Hartford Causey his high school diploma. Chairman McDaniel discussed his concerns regarding the Veterans and their service for this Country.

**PROPOSED RESOLUTIONS BOND REFERENDUM/MSTU**

Pursuant to advertisement to hold a Public Hearing to consider adoption of a proposed resolution, County Attorney Novak read the proposed Gulfside Beachfront resolution. After discussion, Commissioner Bryan discussed her concerns regarding the outcome if not all three sections pass the bond referendum; inquiring if the language could be changed to reflect that all three (3) must pass in order to proceed with the MSTU. County Attorney Novak reported that he could amend the proposed bond referendum ballot question, as directed by the Board. Upon inquiry by Commissioner Yeager, County Attorney Novak reported that there are approximately 240 qualified electors within this taxing unit (on the Cape). After further discussion, Michael Dombrowski, of MRD and Associates appeared before the Board to discuss the sand cost, fuel cost, dredging bids, and the erosion at Cape San Blas. He reported that D.E.P. will increase their share to 35%, if the County could create another beach access. Upon inquiry by Commissioner McLemore, Mr. Dombrowski discussed the use of the sand at the Taunton's, stating that the quality of that sand is not as good as the sand offshore and the cost involved in hauling

the sand vs. dreading offshore. After discussion, Pat Hardman, of Coastal Community Association appeared before the Board to discuss creating additional beach access spots in order to obtain additional percentage on the local share from D.E.P. She also discussed her concerns regarding the erosion at the Cape and the possible reduction of County tax revenue if the erosion is not addressed. After further discussion, Gene McCroan, of the Gulf County Supervisor of Elections appeared before the Board to report that the approximate cost for the election mail ballot is \$4,000.00; stating that the date on the proposed resolution is a good date for the Gulf County Supervisor of Elections Office. Chairman called for public comment. Dr. Murphy, of Cape San Blas appeared before the Board to discuss his concerns regarding the MSTU and the proposed resolutions. Chairman McDaniel called for public comment. Boyd Kline, of Cape San Blas appeared before the Board to discuss his concerns regarding the proposed bond referendum and the taxes that he and his wife have already paid in years past. Upon motion by Commissioner Bryan, second by Commissioner Yeager, and unanimous vote, the Board allowed additional time for Mr. Kline to speak. Chairman McDaniel directed the Clerk to add three (3) minutes on the clock. Mr. Kline discussed his concerns regarding the amount of Restore Act monies Franklin County is getting, being a land-lock County; stating that the County should use these funds to restore the beach. Chairman McDaniel called for public comment. Rolland Watson, of Cape San Blas appeared before the Board to discuss the beach erosion; stating that he is not in favor of the proposed MSTU. Steve Langford, of Cape San Blas appeared before the Board to discuss his concerns regarding the proposed resolutions. Upon motion by Commissioner Yeager, seconded by Commissioner Bryan, and unanimous vote, the Board allowed additional time for Mr. Langford to speak. Chairman McDaniel directed the Clerk to add three (3) minutes to the clock. Mr. Langford discussed forming a committee to bring solutions to the Board. Jill Davis, owner of Scallop Cove appeared before the Board to discuss her concerns regarding the Cape and using the monies from picking up the trash and debris to fund this project <Commissioner Bryan left the meeting at 10:31 a.m., E.T.>. After discussion by County Attorney Novak, Commissioner McDaniel called for public comment. Candice Warren, of Cape San Blas appeared before the Board to discuss her concerns regarding the proposed resolutions and whom is eligible to vote. Commissioner Yeager reported that there are approximately 240 registered voters that are eligible to vote, but the MSTU will be assessed on every parcel in the assigned areas. <Commissioner Bryan returned to the meeting at 10:35 a.m., E.T.> Mrs. Warren discussed placing a toll booth at the Stumphole and those that come on the beach help pay for the use of the beach <Commissioner Quinn left the meeting at 10:36 a.m., E.T.>. After discussion by Commissioner Yeager <Commissioner Quinn returned to the meeting at 10:38 a.m., E.T.>, Mr. Dombrowski appeared before the Board to state that the County can still apply for D.E.P. funding, but the County may not receive as many points for the local funding source. County Attorney Novak discussed the timeline set in Statute and the sixty (60) day window for the Supervisor of Election to prepare the ballot. Commissioner McLemore discussed tabling the proposed resolutions for further review. After further discussion by members of the Board, Chairman McDaniel called for public comment. Linda Gerald, of Cape San Blas appeared before the Board to thank the Board for what they do for the County and discuss her concerns regarding a condominium that is close to falling into the water. Chairman McDaniel called for public comment. There being no public comment,

Commissioner Yeager discussed amending the language that all three (3) areas have to pass for the MSTU to proceed, and establish a committee to work on this project. Commissioner Yeager motioned to proceed with those additions. Commissioner Bryan seconded the motion. Commissioner Yeager included in his motion that after the vote (from the registered votes in the Cape area) that the issue will come back to the Board before going forward. County Attorney Novak discussed the tax and the projected cost that will come back to the Board; requesting that the Board recess the meeting to discuss the percentage.

The meeting did recess at 10:54 a.m., E.T.

The meeting did then reconvene at 11:14 a.m., E.T.

County Attorney Novak discussed amending the proposed resolutions under Section 2A and Section 4 not to exceed eight (8) million dollars, 50% Gulfside Beachfront, 35% Gulfside Interior, and 15% Bayside, for ten (10) years. Commissioner Yeager included these amendments in his motion. After discussion by members of the Board, Commissioner Bryan withdrew her second. After further discussion by members of the Board, Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed 3 to 2, with Commissioners McLemore and Bryan voting no, as follows:

#### **RESOLUTION NO. 2015-01**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF GULF COUNTY, FLORIDA, CALLING A BOND REFERENDUM  
WITH RESPECT TO THE CAPE SAN BLAS GULFSIDE  
BEACHFRONT MUNICIPAL SERVICES TAXING UNIT CREATED  
BY GULF COUNTY ORDINANCE 2005-25 AND AMENDMENTS  
THEREAFTER, FOR THE ISSUANCE OF LIMITED GENERAL  
OBLIGATION BONDS TO FINANCE BEACH NOURISHMENT;  
AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Gulf County's beachfront is a County treasure with tremendous economic, esthetic and environmental importance; and

**WHEREAS**, it is in the best interest of the citizens of Gulf County residing within the Cape San Blas Gulfside Beachfront Municipal Services Taxing Unit (the "Gulfside Beachfront MSTU") created by Ordinance No. 2005-25 of the Board of County Commissioners of Gulf County, Florida, enacted December 13, 2005 (the "Ordinance") and as amended that all appropriate actions to maintain and nourish such beachfront be undertaken; and

**WHEREAS**, the enhancement, erosion control and nourishment of such beachfront constitutes a municipal service to residents residing within the Gulfside Beachfront MSTU; and

**WHEREAS**, the Board of County Commissioners seek this bond referendum as one of multiple funding sources and revenue contributions to the total overall nourishment and erosion control project currently estimated by County consultants at \$13,000,000; and

**WHEREAS**, the Board of County Commissioners of Gulf County desires to submit to the qualified electors of Gulf County residing within the Gulfside Beachfront MSTU the question as to whether or not Limited General Obligation Bonds should be issued to fund the erosion control and nourishment of beachfront as described in the Ordinance.

**BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY FLORIDA:**

**Section 1. Authority for this Resolution.** This Resolution is adopted pursuant to Chapter 100, Florida Statutes, as amended; Chapter 125, Florida Statutes, as amended; Art. VII, Section 12, Florida Constitution, the Ordinance, and other applicable provisions of law.

**Section 2. Bond Referendum Election on Beach Nourishment.**

a. Bond Referendum Election. A bond referendum election of the qualified electors residing in the Gulfside Beachfront MSTU in Gulf County is hereby called to be held on May 18, 2015 to determine whether or not the issuance of Limited General Obligation Bonds in an aggregate principal amount not exceeding \$8,000,000.00, payable from ad valorem taxes levied at a rate not to exceed fifty percent (50%) of the total issuance on all taxable property in the Gulfside Beachfront MSTU, shall be approved by such qualified electors to finance the cost of beach nourishment.

b. Such purposes described above shall also include other purposes appurtenant, and incidental thereto.

c. All qualified electors residing in the MSTU shall be entitled and permitted to vote in such bond referendum election.

**Section 3. Authorization of Bonds.** Subject and pursuant to the provisions hereof, Limited General Obligation Bonds of Gulf County, Florida are authorized to be issued in the aggregate principal amount of not exceeding \$8,000,000.00 (eight million dollars) to finance the cost of the purposes generally described in Section 2 of this Resolution, including allocations for administrative costs, legal fees, fees of fiscal agents and all other costs associated with the issuance of the Bonds. Such Limited Obligation Bonds may be issued in one or more series and shall be payable from ad valorem taxes levied at a rate not exceeding fifty percent (50%) of the total issuance on all taxable

property in the MTSU, maturing not later than ten (10) years. Such Bonds shall bear interest at such rate or rates not exceeding the maximum rate permitted by law at the time of the sale of the Bonds.

**Section 4. Official Ballot.** The form of ballot to be used shall be in substantially the following:

OFFICIAL BALLOT  
COUNTY OF GULF, FLORIDA  
BOND REFERENDUM ELECTION - MUNICIPAL SERVICES TAXING UNIT  
May 18, 2015

APPROVAL OF "LIMITED GENERAL OBLIGATIONS" BONDS TO FINANCE  
BEACH RENOURISHMENT.

Shall Gulf County be authorized to issue bonds to finance beach renourishment and enhancement in one or more series not exceeding a total principal amount of \$8,000,000.00 payable from an annual ad valorem tax imposed within the Cape San Blas Gulfside Beachfront Municipal Services Taxing Unit not exceeding fifty percent (50%) of the total issuance and maturing not later than 10 years and bearing interest at a rate not exceeding the maximum legal rate.

For bonds \_\_\_\_\_ Against bonds \_\_\_\_\_

**Section 5. Printing of Ballots.** The Supervisor of Elections of Gulf County is authorized and directed to have printed a sufficient number of the aforesaid ballots for use of absentee electors entitled to cast such ballots in such bond election and shall also have printed sample ballots and deliver them to the Inspectors and Clerks on or before the date and time for the opening of such bond election; and, further, is authorized and directed to make appropriate arrangements for the conduct of the election.

**Section 6. Election Procedure.** The Supervisor of Elections shall hold, administer and conduct the bond referendum election in the manner prescribed by law for holding elections in the County. Returns shall show the number of qualified electors who voted in such bond election on the proposition and the number of votes cast respectively for and against approval of the proposition. The returns shall be canvassed in accordance with law.

**Section 7. Election Results.** If a majority of the votes cast at such election in respect to the aforestated proposition shall be "For Bonds" in conjunction with the simultaneous affirmative vote in the majority "For Bonds" as well in the two adjacent taxing units referred to Cape San Blas "Gulfside Interior" and "Bayside" where such proposition shall be approved and then and thereafter the Board of County Commission authorized

and directed to pursue and secure particular Bonds, the issuance of which shall be thereby approved by the Board of County Commission, shall be issued as hereafter provided by the County. If less than a majority of the votes cast at such referendum shall be "For Bonds," in any one of the three taxing units such proposition shall be defeated in its entirety and no Bonds may be issued and no ad valorem tax shall be levied therefor.

**Section 8. Notice of Bond Referendum Election.** Notice of the bond referendum election shall be published in the manner required by law.

**Section 9. Severability.** In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, phrase, sentence, or paragraph hereof.

**Section 10. Effective Date.** This Resolution shall take effect immediately upon its adoption. The Clerk to the Board of County Commissioners shall provide the Supervisor of Elections with a certified copy of this Resolution.

**DULY** adopted this 19<sup>th</sup> day of February, 2015  
(End)

Commissioner Yeager motioned to adopt the following Gulfside Interior Municipal Services Taxing Unit (MSTU) Resolution. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed 3 to 2, with Commissioners McLemore and Bryan voting no.

#### **RESOLUTION NO. 2015-02**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, CALLING A BOND REFERENDUM WITH RESPECT TO THE CAPE SAN BLAS GULFSIDE INTERIOR MUNICIPAL SERVICES TAXING UNIT CREATED BY GULF COUNTY ORDINANCE 2005-26 AND AMENDMENTS THEREAFTER, FOR THE ISSUANCE OF LIMITED GENERAL OBLIGATION BONDS TO FINANCE BEACH NOURISHMENT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** Gulf County's beachfront is a County treasure with tremendous economic, esthetic and environmental importance; and

**WHEREAS,** it is in the best interest of the citizens of Gulf County residing within the Cape San Blas Gulfside Interior Municipal Services Taxing Unit (the "Gulfside Interior MSTU") created by Ordinance No. 2005-26 of the Board of County Commissioners of Gulf County, Florida, enacted December 13, 2005 (the "Ordinance") and as amended that all appropriate actions to maintain and nourish such beachfront be undertaken; and,

**WHEREAS**, the enhancement, erosion control and nourishment of such beachfront constitutes a municipal service to residents residing within the Gulfside Interior MSTU; and

**WHEREAS**, the Board of County Commissioners seek this bond referendum as one of multiple funding sources and revenue contributions to the total overall nourishment and erosion control project currently estimated by County consultants at \$13,000,000; and

**WHEREAS**, the Board of County Commissioners desires to submit to the qualified electors of Gulf County residing within the Gulfside Interior MSTU the question as to whether or not Limited General Obligation Bonds should be issued to fund the erosion control and nourishment of beachfront as described in the Ordinance.

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY FLORIDA:**

**Section 1. Authority for this Resolution.** This Resolution is adopted pursuant to Chapter 100, Florida Statutes, as amended; Chapter 125, Florida Statutes, as amended; Art. VII, Section 12, Florida Constitution, the Ordinance, and other applicable provisions of law.

**Section 2. Bond Referendum Election on Beach Renourishment.**

a. Bond Referendum Election. A bond referendum election of the qualified electors residing in the Gulfside Interior MSTU in Gulf County is hereby called to be held on May 18, 2015 to determine whether or not the issuance of Limited General Obligation Bonds in an aggregate principal amount not exceeding \$8,000,000.00, payable from ad valorem taxes levied at a rate not to exceed thirty five percent (35%) of the total issuance on all taxable property in the Gulfside Interior MSTU, shall be approved by such qualified electors to finance the cost of beach nourishment.

b. Such purposes described above shall also include other purposes appurtenant, and incidental thereto.

c. All qualified electors residing in the MSTU shall be entitled and permitted to vote in such bond referendum election.

**Section 3. Authorization of Bonds.** Subject and pursuant to the provisions hereof, Limited General Obligation Bonds of Gulf County, Florida are authorized to be issued in the aggregate principal amount of not exceeding \$8,000,000.00 (eight million dollars) to finance the cost of the purposes generally described in Section 2 of this Resolution, including allocations for administrative costs, legal fees, fees of fiscal agents and all other costs associated with the issuance of the Bonds. Such Limited Obligation Bonds may be issued in one or more series and shall be payable from ad valorem taxes levied at a rate not exceeding thirty five percent (35%) of the total issuance on all taxable

property in the MSTU, maturing not later than ten (10) years. Such Bonds shall bear interest at such rate or rates not exceeding the maximum rate permitted by law at the time of the sale of the Bonds.

**Section 4. Official Ballot.** The form of ballot to be used shall be in substantially the following:

OFFICIAL BALLOT  
COUNTY OF GULF, FLORIDA  
BOND REFERENDUM ELECTION - MUNICIPAL SERVICES TAXING UNIT  
May 18, 2015

APPROVAL OF "LIMITED GENERAL OBLIGATIONS" BONDS TO FINANCE  
BEACH NOURISHMENT.

Shall Gulf County be authorized to issue bonds to finance beach nourishment and enhancement in one or more series not exceeding a total principal amount of \$8,000,000.00 payable from an annual ad valorem tax imposed within the Cape San Blas Gulfside Interior Municipal Services Taxing Unit not exceeding thirty five (35%) of the total issuance and maturing not later than 10 years and bearing interest at a rate not exceeding the maximum legal rate.

For bonds \_\_\_\_\_ Against bonds \_\_\_\_\_

**Section 5. Printing of Ballots.** The Supervisor of Elections of Gulf County is authorized and directed to have printed a sufficient number of the aforesaid ballots for use of absentee electors entitled to cast such ballots in such bond election and shall also have printed sample ballots and deliver them to the Inspectors and Clerks on or before the date and time for the opening of such bond election; and, further, is authorized and directed to make appropriate arrangements for the conduct of the election.

**Section 6. Election Procedure.** The Supervisor of Elections shall hold, administer and conduct the bond referendum election in the manner prescribed by law for holding elections in the County. Returns shall show the number of qualified electors who voted in such bond election on the proposition and the number of votes cast respectively for and against approval of the proposition. The returns shall be canvassed in accordance with law.

**Section 7. Election Results.** If a majority of the votes cast at such election in respect to the aforesaid proposition shall be "For Bonds" in conjunction with the simultaneous affirmative vote in the majority "For Bonds" as well in the two adjacent taxing units referred to Cape San Blas "Gulfside Beachfront" and "Bayside" where such proposition shall be approved and then and thereafter the Board of County Commission

authorized and directed to pursue and secure particular Bonds, the issuance of which shall be thereby approved by the Board of County Commission, shall be issued as hereafter provided by the County. If less than a majority of the votes cast at such referendum shall be "For Bonds," in any one of the three taxing units, such proposition shall be defeated in its entirety and no Bonds may be issued and no ad valorem tax shall be levied therefor.

**Section 8. Notice of Bond Referendum Election.** Notice of the bond referendum election shall be published in the manner required by law.

**Section 9. Severability.** In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, phrase, sentence, or paragraph hereof.

**Section 10. Effective Date.** This Resolution shall take effect immediately upon its adoption. The Clerk to the Board of County Commissioners shall provide the Supervisor of Elections with a certified copy of this Resolution.

**DULY** adopted this 19<sup>th</sup> day of February, 2015.  
(End)

Commissioner Yeager motioned to adopt the following Bayside Municipal Services Taxing Unit (MSTU) Resolution. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed 3 to 2, with Commissioners McLemore and Bryan voting no <Commissioner Bryan left the meeting at 11:31 a.m., E.T.>.

### **RESOLUTION NO. 2015-03**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, CALLING A BOND REFERENDUM WITH RESPECT TO THE CAPE SAN BLAS BAYSIDE MUNICIPAL SERVICES TAXING UNIT CREATED BY GULF COUNTY ORDINANCE 2005-27 AND AMENDMENTS THEREAFTER, FOR THE ISSUANCE OF LIMITED GENERAL OBLIGATION BONDS TO FINANCE BEACH NOURISHMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Gulf County's beachfront is a County treasure with tremendous economic, esthetic and environmental importance; and

**WHEREAS**, it is in the best interest of the citizens of Gulf County residing within the Cape San Blas Bayside Municipal Services Taxing Unit (the "Bayside MSTU") created by Ordinance No. 2005-27 of the Board of County Commissioners of Gulf County, Florida, enacted December 13, 2005 (the "Ordinance") and as amended that all appropriate actions to maintain and nourish such beachfront be undertaken; and

**WHEREAS**, the enhancement, erosion control and nourishment of such beachfront constitutes a municipal service to residents residing within the Bayside MSTU; and

**WHEREAS**, the Board of County Commissioners seek this bond referendum as one of multiple funding sources and revenue contributions to the total overall nourishment and erosion control project currently estimated by County consultants at \$13,000,000; and

**WHEREAS**, the Board of County Commissioners of Gulf County desires to submit to the qualified electors of Gulf County residing within the Bayside MSTU the question as to whether or not Limited General Obligation Bonds should be issued to fund the erosion control and nourishment of beachfront as described in the Ordinance.

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY FLORIDA:**

**Section 1. Authority for this Resolution.** This Resolution is adopted pursuant to Chapter 100, Florida Statutes, as amended; Chapter 125, Florida Statutes, as amended; Art. VII, Section 12, Florida Constitution, the Ordinance, and other applicable provisions of law.

**Section 2. Bond Referendum Election on Beach Nourishment.**

a. **Bond Referendum Election.** A bond referendum election of the qualified electors residing in the Bayside MSTU in Gulf County is hereby called to be held on May 18, 2015 to determine whether or not the issuance of Limited General Obligation Bonds in an aggregate principal amount not exceeding \$8,000,000.00, payable from ad valorem taxes levied at a rate not to exceed fifteen percent (15%) of the total issuance on all taxable property in the Bayside MSTU, shall be approved by such qualified electors to finance the cost of beach nourishment.

b. Such purposes described above shall also include other purposes appurtenant, and incidental thereto.

c. All qualified electors residing in the MSTU shall be entitled and permitted to vote in such bond referendum election.

**Section 3. Authorization of Bonds.** Subject and pursuant to the provisions hereof, Limited General Obligation Bonds of Gulf County, Florida are authorized to be issued in the aggregate principal amount of not exceeding \$8,000,000.00 (eight million dollars) to finance the cost of the purposes generally described in Section 2 of this Resolution, including allocations for administrative costs, legal fees, fees of fiscal agents and all other costs associated with the issuance of the Bonds. Such Limited Obligation Bonds may be issued in one or more series and shall be payable from ad valorem taxes

levied at a rate not exceeding fifteen percent (15%) of the total issuance on all taxable property in the MTSU, maturing not later than ten (10) years. Such Bonds shall bear interest at such rate or rates not exceeding the maximum rate permitted by law at the time of the sale of the Bonds.

**Section 4. Official Ballot.** The form of ballot to be used shall be in substantially the following:

OFFICIAL BALLOT  
COUNTY OF GULF, FLORIDA  
BOND REFERENDUM ELECTION - MUNICIPAL SERVICES TAXING UNIT  
May 18, 2015

APPROVAL OF "LIMITED GENERAL OBLIGATIONS" BONDS TO FINANCE  
BEACH RENOURISHMENT.

Shall Gulf County be authorized to issue bonds to finance beach renourishment and enhancement in one or more series not exceeding a total principal amount of \$8,000,000.00 payable from an annual ad valorem tax imposed within the Cape San Blas Bayside Municipal Services Taxing Unit not exceeding fifteen percent (15%) of the total issuance and maturing not later than 10 years and bearing interest at a rate not exceeding the maximum legal rate.

For bonds \_\_\_\_\_ Against bonds \_\_\_\_\_

**Section 5. Printing of Ballots.** The Supervisor of Elections of Gulf County is authorized and directed to have printed a sufficient number of the aforesaid ballots for use of absentee electors entitled to cast such ballots in such bond election and shall also have printed sample ballots and deliver them to the Inspectors and Clerks on or before the date and time for the opening of such bond election; and, further, is authorized and directed to make appropriate arrangements for the conduct of the election.

**Section 6. Election Procedure.** The Supervisor of Elections shall hold, administer and conduct the bond referendum election in the manner prescribed by law for holding elections in the County. Returns shall show the number of qualified electors who voted in such bond election on the proposition and the number of votes cast respectively for and against approval of the proposition. The returns shall be canvassed in accordance with law.

**Section 7. Election Results.** If a majority of the votes cast at such election in respect to the aforesaid proposition shall be "For Bonds" in conjunction with the simultaneous affirmative vote in the majority "For Bonds" as well in the two adjacent taxing units referred to Cape San Blas "Gulfside Interior" and "Gulfside Beachfront" where such

proposition shall be approved and then and thereafter the Board of County Commission authorized and directed to pursue and secure particular Bonds, the issuance of which shall be thereby approved by the Board of County Commission, shall be issued as hereafter provided by the County. If less than a majority of the votes cast at such referendum shall be "For Bonds," in any one of the three taxing units such proposition shall be defeated in its entirety and no Bonds may be issued and no ad valorem tax shall be levied therefor.

**Section 8. Notice of Bond Referendum Election.** Notice of the bond referendum election shall be published in the manner required by law.

**Section 9. Severability.** In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, phrase, sentence, or paragraph hereof.

**Section 10. Effective Date.** This Resolution shall take effect immediately upon its adoption. The Clerk to the Board of County Commissioners shall provide the Supervisor of Elections with a certified copy of this Resolution.

**DULY** adopted this 19<sup>th</sup> day of February, 2015.  
(End)

### **ROAD PAVING**

Upon discussion by Deputy Grant Coordinator Summers, Commissioner McLemore motioned to award Bid #1415-07 for the 2014 Old Bay City Road C.I.G.P. Project, Phase II to GAC Contractors, Inc., (low bidder), in the amount of \$2,555,569.00. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

Chief Administrator Butler discussed reviewing the Gas Tax Road Bond issue and bringing a recommendation back before the Board. Commissioner McLemore discussed looking at this project. Board agreed to allow Staff to bring the information before the Board at the next regular meeting.

Deputy Grant Coordinator Summers reported that the total grant amount was \$2,083,984.00 and the engineering contact was for \$260,498.00; stating that the project (2014 Old Bay City Road Project, Phase II \* Bid #1415-07) will have to be shortened to fit the available funds. Commissioner McLemore reported that there is remaining 4.9 miles left of this project. County Engineer Smallwood appeared before the Board to report that these funds will take the project a little over three (3) miles; stating that D.O.T. has scheduled funding to finish this project for the end of this year. Upon inquiry by Commissioner McLemore, County Engineer Smallwood discussed submitting a Notice of Award to the bidder and then the contractor will get their bond, insurance, and contract in order before receiving a Notice to Proceed.

Upon inquiry by Commissioner Yeager, County Engineer Smallwood reported that the bids for the Jarrott Daniels Road project are getting close to being ready to advertise. He reported that they are working on getting 30A and 30B designed and permitted.

Following discussion by County Attorney Novak, Commissioner McLemore motioned to approve a Change Order (Bid #1415-07 for the 2014 Old Bay City Road C.I.G.P. Project, Phase II with GAC Contractors, Inc.). Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

**BEACH DRIVING**

Commissioner McLemore stated that the matter regarding beach driving has been resolved. County Attorney Novak discussed the moratorium that the Board voted to impose until March 1<sup>st</sup> regarding the issuance of the beach driving permits. Joshua Paillet, of Cape San Blas appeared before the Board to discuss implementing a system that the public could call in to verify if the beach driving permit is valid.

There being no further business, and upon motion by Commissioner McLemore, the meeting did then adjourn at 11:42 a.m., E.T.

**WARD MCDANIEL  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**



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GULF COUNTY BCC  
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3407	03/12/2015	WIRE	004010 ELECTRONIC FEDERAL TAX PA	62,303.25			
3408	03/12/2015	WIRE	040903 EXPERTPAY FOR EMPLOYERS	704.62			
3409	03/12/2015	WIRE	004230 NATIONWIDE RETIREMENT SOL	2,644.00			
3412	03/02/2015	WIRE	006126 CENTENNIAL BANK	5,488.22			
3413	03/03/2015	WIRE	006126 CENTENNIAL BANK	205.00			
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3415	03/06/2015	WIRE	000401 FLORIDA DIVISION OF RETIR	48,113.24			
3416	03/10/2015	WIRE	005572 PUBLIC RISK MANAGEMENT OF	89,468.86			
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3418	03/12/2015	WIRE	006126 CENTENNIAL BANK	1,908.99			
3419	03/12/2015	WIRE	005897 AMERICAN FIDELITY ASSURAN	5,995.57			
3421	03/17/2015	WIRE	006126 CENTENNIAL BANK	205.00			
3422	03/20/2015	WIRE	000142 FLORIDA DEPT. OF REVENUE	248.06			
3424	03/24/2015	WIRE	000116 BD.CO.COMMISSIONERS P/R	125,767.73			
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3428	03/26/2015	WIRE	040903 EXPERTPAY FOR EMPLOYERS	704.62			
3429	03/26/2015	WIRE	004230 NATIONWIDE RETIREMENT SOL	2,644.00			
3435	03/24/2015	WIRE	004654 CARDMEMBER SERVICE	24,300.96			
3436	03/24/2015	WIRE	006126 CENTENNIAL BANK	749.45			
3437	03/26/2015	WIRE	006126 CENTENNIAL BANK	1,858.99			
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105361	03/02/2015	PRINTED	005976 SNIFFEN & SPELLMAN, P.A.	1,590.44			
105362	03/06/2015	PRINTED	000128 ROY LEE CARTER	1,200.00			
105363	03/06/2015	PRINTED	000151 GCEC	1,380.27			
105364	03/06/2015	PRINTED	000186 DAVID RICHES IGA WEGA	234.85			
105365	03/06/2015	PRINTED	000189 ST JOE AUTO PARTS	1,614.86			
105366	03/06/2015	PRINTED	000189 ST JOE AUTO PARTS	1,169.31			
105367	03/06/2015	PRINTED	000190 ST JOE HARDWARE	1,846.41			
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105370	03/06/2015	PRINTED	000190 ST JOE HARDWARE	11.97			
105371	03/06/2015	PRINTED	000194 ST JOE NATURAL GAS CO	3,180.46			
105372	03/06/2015	PRINTED	000203 SOUTHERN CLEANING SUPPLY	178.16			
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105374	03/06/2015	PRINTED	000222 CITY OF WEHAITCHKA	346.41			
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105376	03/06/2015	PRINTED	000495 THOMPSON TRACTOR CO.	567.61			
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105378	03/06/2015	PRINTED	000876 BOB BARKER COMPANY, INC	1,677.28			
105379	03/06/2015	PRINTED	000894 ST JOE RENT ALL, INC.	1,966.82			
105380	03/06/2015	PRINTED	001002 FISHERS BUILDING SUPPLY	24.45			
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105382	03/06/2015	VOID	001318 MIZE PLUMBING GLASS AND				
105383	03/06/2015	PRINTED	001429 LEROY HILL COFFEE COMPANY	22.50			
105384	03/06/2015	PRINTED	001643 BAYSIDE LUMBER & BUILDING	554.17			
105385	03/06/2015	PRINTED	001648 HARRIS BUSINESS MACHINES	46.89			
105386	03/06/2015	PRINTED	001731 HAROLDS AUTO PARTS	10.16			
105387	03/06/2015	PRINTED	001731 HAROLDS AUTO PARTS	328.08			
105388	03/06/2015	PRINTED	001731 HAROLDS AUTO PARTS	561.05			
105389	03/06/2015	PRINTED	002029 DUREN'S PIGGLY WIGGLY	32.35			



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GULF COUNTY BCC  
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105393	03/06/2015	PRINTED	ADVANCE AUTO PARTS	84.49
105394	03/06/2015	PRINTED	UNIFIRST CORPORATION	66.75
105395	03/06/2015	PRINTED	UNIFIRST CORPORATION	10.00
105396	03/06/2015	PRINTED	GRAINGER	62.06
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105402	03/06/2015	PRINTED	J.V. GANDER, DISTRIBUTORS	68.24
105403	03/06/2015	PRINTED	MEDIACOM-SOUTHEAST LLC	69.95
105404	03/06/2015	PRINTED	MARK COTHAN	122.59
105405	03/06/2015	PRINTED	S & W HEALTHCARE CORPORAT	353.77
105406	03/06/2015	PRINTED	NEECE TIRE & AUTO SERVICE	2,751.13
105407	03/06/2015	PRINTED	SYSCO-GULF COAST	3,108.60
105408	03/06/2015	PRINTED	FAIRPOINT COMMUNICATIONS	683.56
105409	03/06/2015	PRINTED	AUTO-CHLOR SERVICES, LLC	298.00
105410	03/06/2015	PRINTED	EMS CONSULTANTS, LTD	3,411.34
105411	03/06/2015	PRINTED	ST. JOE ELECTRIC SUPPLY	609.13
105412	03/06/2015	PRINTED	XEROX CORPORATION	369.70
105413	03/06/2015	PRINTED	XEROX CORPORATION	238.32
105414	03/06/2015	PRINTED	ROK TECHNOLOGIES, INC	400.00
105415	03/06/2015	PRINTED	POLICE LEGAL SCIENCES, IN	1,080.00
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105418	03/06/2015	PRINTED	J&A COMPUTERS	75.00
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105422	03/06/2015	PRINTED	GOOGLE INC.	4,809.01
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105440	03/13/2015	PRINTED	KENDALL MURPHY	1,350.00
105441	03/13/2015	PRINTED	BAY COUNTY BOARD COUNTY	2,946.00



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GULF COUNTY BCC  
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105445	03/13/2015	PRINTED	001002 FISHERS BUILDING SUPPLY	44.98			
105446	03/13/2015	PRINTED	001132 PRECISION COMMUNICATIONS	218.00			
105447	03/13/2015	PRINTED	001318 MIZE PLUMBING, GLASS AND	287.30			
105448	03/13/2015	PRINTED	001377 FIRST COMMUNICATIONS	224.75			
105449	03/13/2015	PRINTED	001604 MARSHALL NELSON	30.00			
105450	03/13/2015	PRINTED	001643 BAYSIDE LUMBER & BUILDING	6.81			
105451	03/13/2015	PRINTED	001648 HARRIS BUSINESS MACHINES	219.15			
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105457	03/13/2015	PRINTED	002836 FLORIDA LEAGUE OF CITIES,	3,750.00			
105458	03/13/2015	PRINTED	003017 BO KNOWS PEST CONTROL	85.00			
105459	03/13/2015	PRINTED	003204 DEWAYNE STRADER	50.00			
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105461	03/13/2015	PRINTED	003433 SHIRLEY JENKINS	152.72			
105462	03/13/2015	PRINTED	003508 MORGANELLI & ASSOCIATES	1,011.00			
105463	03/13/2015	PRINTED	004142 MEL MAGIDSON, JR., P.A.	61.25			
105464	03/13/2015	PRINTED	004249 STATE OF FLORIDA	3,700.39			
105465	03/13/2015	PRINTED	004361 SISTERS	272.50			
105466	03/13/2015	PRINTED	004495 BOUND TREE MEDICAL, LLC	932.15			
105467	03/13/2015	PRINTED	004553 J.V. GANDER, DISTRIBUTORS	1,513.98			
105468	03/13/2015	PRINTED	004553 J.V. GANDER, DISTRIBUTORS	331.56			
105469	03/13/2015	PRINTED	004553 J.V. GANDER, DISTRIBUTORS	167.24			
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105475	03/13/2015	PRINTED	004826 MRD ASSOCIATES, INC.	14,923.09			
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105479	03/13/2015	PRINTED	005282 UPS	410.81			
105480	03/13/2015	PRINTED	005317 AUTO-CHLOR SERVICES, LLC	177.50			
105481	03/13/2015	PRINTED	005429 GULF STATE CHEMICAL & WE	295.60			
105482	03/13/2015	PRINTED	005640 ST. JOE ELECTRIC SUPPLY	114.56			
105483	03/13/2015	PRINTED	005684 VERIZON WIRELESS	1,083.08			
105484	03/13/2015	PRINTED	005684 VERIZON WIRELESS SERVICES	327.89			
105485	03/13/2015	PRINTED	005809 DOLLAR GENERAL CHARGE SAL	116.37			
105486	03/13/2015	PRINTED	005936 XEROX CORPORATION	146.19			
105487	03/13/2015	PRINTED	005936 XEROX CORPORATION	40.00			
105488	03/13/2015	PRINTED	005961 BAYSIDE FLORIST & GIFT, L	5,032.75			
105489	03/13/2015	PRINTED	005976 SNIFFEN & SPELLMAN, P.A.	165.00			
105490	03/13/2015	PRINTED	006152 JENNIFER M. JENKINS	5,182.75			
105491	03/13/2015	PRINTED	006161 HALIFAX MEDIA GROUP	2,219.10			
105492	03/13/2015	PRINTED	006178 GORDON TRACTOR, INC	446.18			
105493	03/13/2015	PRINTED	006180 RENTAL, LLC				



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FOR CASH ACCOUNT: 00100 10110

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105496	03/13/2015	PRINTED	BRIAN J EDDINS	1,500.00			
105497	03/13/2015	PRINTED	JOSEPH R. BAYBA JR.	400.00			
105498	03/13/2015	PRINTED	FRIEIGHTQUOTE.COM, INC	1,030.37			
105499	03/13/2015	PRINTED	OUTPOST DESIGN	5,600.00			
105500	03/13/2015	PRINTED	INDEPENDENT HEALTH SERVIC	408.13			
105501	03/13/2015	PRINTED	INDEPENDENT HEALTH SERVIC	3,017.48			
105502	03/13/2015	PRINTED	DANIEL A KENNY	200.00			
105503	03/13/2015	PRINTED	MICHAEL NELSON	132.60			
105504	03/13/2015	PRINTED	ADRIANNE WOODWARD	315.00			
105505	03/13/2015	PRINTED	RACHEL JACKSON	15.00			
105506	03/13/2015	PRINTED	AG-PRO LLC	689.00			
105507	03/13/2015	PRINTED	REBECCA L. NORRIS	878.01			
105508	03/13/2015	VOID	JENNIFER M. JENKINS	.00			
105509	03/17/2015	PRINTED	FLORIDA COMBINED LIFE	6,900.47			
105510	03/17/2015	PRINTED	REBECCA L. NORRIS	4,366.34			
105511	03/17/2015	PRINTED	COMPBENEFITS	1,367.88			
105512	03/17/2015	PRINTED	LEGALSHIELD	41.85			
105513	03/20/2015	PRINTED	SHIRLEY JENKINS	167.10			
105514	03/23/2015	PRINTED	GCEC	1,842.71			
105515	03/23/2015	PRINTED	CITY OF PORT ST JOE	3,930.38			
105516	03/23/2015	PRINTED	ST JOE NATURAL GAS CO	25.88			
105517	03/23/2015	PRINTED	LIGHTHOUSE UTILITIES	166.25			
105518	03/23/2015	PRINTED	CULLIGAN	14.75			
105519	03/23/2015	PRINTED	CULLIGAN	28.50			
105520	03/23/2015	PRINTED	CULLIGAN	387.59			
105521	03/23/2015	PRINTED	CULLIGAN	16.50			
105522	03/23/2015	PRINTED	CULLIGAN	38.45			
105523	03/23/2015	PRINTED	TEK DISTRIBUTORS, INC.	70.45			
105524	03/23/2015	PRINTED	GARLICK ENVIRONMENTAL	1,215.00			
105525	03/23/2015	PRINTED	PURCHASE POWER	123.00			
105526	03/23/2015	PRINTED	COMBINED INSURANCE SERVIC	1,600.00			
105527	03/23/2015	PRINTED	COASTAL BUSINESS PRODUCTS	325.91			
105528	03/23/2015	PRINTED	AGENCY FOR HEALTH CARE AD	3,460.00			
105529	03/23/2015	PRINTED	FAIRPOINT COMMUNICATIONS	3,441.35			
105530	03/23/2015	PRINTED	RELIABLE COPY PRODUCTS	102.31			
105531	03/23/2015	PRINTED	DOLLAR GENERAL CHARGE SAL	67.53			
105532	03/23/2015	PRINTED	COBRA ADMINISTRATIVE SOLU	76.97			
105533	03/23/2015	PRINTED	XEROX CORPORATION	81.99			
105534	03/23/2015	PRINTED	KONICA MINOLTA BUSINESS S	57.82			
105535	03/23/2015	PRINTED	DUKE ENERGY FLORIDA, INC.	12,939.75			
105536	03/23/2015	PRINTED	LIBERTY CO CLERKS OFFICE	9,984.00			
105537	03/23/2015	PRINTED	WASTE PRO OF FLORIDA, INC	166.68			
105542	03/27/2015	PRINTED	ACTION FIRE & SAFETY	217.00			
105543	03/27/2015	PRINTED	GULF COUNTY ARC	131.25			
105544	03/27/2015	PRINTED	GULF COUNTY SHERIFFS	198,413.95			
105545	03/27/2015	PRINTED	GULF COUNTY SHERIFFS	1,500.00			
105546	03/27/2015	PRINTED	DAVID RICHES IGA WEA	67.00			
105547	03/27/2015	PRINTED	DAVID RICHES IGA WEA	155.11			
105548	03/27/2015	PRINTED	ST JOE AUTO PARTS	57.65			
105549	03/27/2015	PRINTED	ST JOE AUTO PARTS	703.63			



P 5  
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GULF COUNTY BCC  
AP CHECK RECONCILIATION REGISTER

04/08/2015 09:12  
838dljyle

FOR CASH ACCOUNT: 00100 10110

FOR: Void and Uncleared

CHECK # CHECK DATE TYPE VENDOR NAME

UNCLEARED

CLEARED BATCH CLEAR DATE

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
105550	03/27/2015	PRINTED	000189 ST JOE AUTO PARTS	63.11			
105551	03/27/2015	PRINTED	000190 ST JOE HARDWARE	541.30			
105552	03/27/2015	PRINTED	000190 ST JOE HARDWARE	85.55			
105553	03/27/2015	PRINTED	000190 ST JOE HARDWARE	8.58			
105554	03/27/2015	PRINTED	000194 ST JOE NATURAL GAS CO	1,195.73			
105555	03/27/2015	PRINTED	000203 SOUTHERN CLEANING SUPPLY	457.45			
105556	03/27/2015	PRINTED	000215 WALLACE PUMP & SUPPLY	470.37			
105557	03/27/2015	PRINTED	000222 CITY OF WEWAHITCHKA	2,311.87			
105558	03/27/2015	PRINTED	000244 HOLLEY INC.	111.78			
105559	03/27/2015	PRINTED	000495 THOMPSON TRACTOR CO.	1,515.53			
105560	03/27/2015	PRINTED	000894 ST JOE RENT ALL INC.	3,537.48			
105561	03/27/2015	PRINTED	000906 COMFORTER FUNERAL HOME	260.00			
105562	03/27/2015	PRINTED	000931 PREBLE-RISH, INC.	2,160.00			
105563	03/27/2015	PRINTED	001106 LEAF	185.17			
105564	03/27/2015	PRINTED	001141 CULLIGAN	7.95			
105565	03/27/2015	PRINTED	001162 TEK DISTRIBUTORS, INC.	385.43			
105566	03/27/2015	PRINTED	001401 WARREN J. YEAGER	400.00			
105567	03/27/2015	PRINTED	001429 LEROY HILL COFFEE COMPANY	131.10			
105568	03/27/2015	PRINTED	001643 BAYSIDE LUMBER & BUILDING	130.41			
105569	03/27/2015	PRINTED	001648 HARRIS BUSINESS MACHINES	46.89			
105570	03/27/2015	PRINTED	001731 HAROLDS AUTO PARTS	733.88			
105571	03/27/2015	PRINTED	001731 HAROLDS AUTO PARTS	186.24			
105572	03/27/2015	PRINTED	001731 HAROLDS AUTO PARTS	524.57			
105573	03/27/2015	PRINTED	001731 HAROLDS AUTO PARTS	8.46			
105574	03/27/2015	PRINTED	001731 HAROLDS AUTO PARTS	4.98			
105575	03/27/2015	PRINTED	001811 BAY COUNTY SOLID WASTE	137.49			
105576	03/27/2015	PRINTED	001908 BAY LINCOLN DODGE CHRYSLER	76.65			
105577	03/27/2015	PRINTED	001920 MED-TECH RESOURCE, INC.	79.49			
105578	03/27/2015	PRINTED	002029 DUREN'S PIGGLY WIGGLY	75.39			
105579	03/27/2015	PRINTED	002029 DUREN'S PIGGLY WIGGLY	89.45			
105580	03/27/2015	PRINTED	002074 SUNBELT FIRE APPARATUS	704.41			
105581	03/27/2015	PRINTED	002258 MARIANNA AUTO PARTS	439.28			
105582	03/27/2015	PRINTED	002455 DONNIE'S TOTAL PRIDE PEST	45.00			
105583	03/27/2015	PRINTED	002638 G & C SUPPLY CO., INC.	287.46			
105584	03/27/2015	PRINTED	002657 CHIEF/LAW ENFORCEMENT SU	89.98			
105585	03/27/2015	PRINTED	002660 CDW GOVERNMENT INC.	478.40			
105586	03/27/2015	PRINTED	002846 NAFECO	147.42			
105587	03/27/2015	PRINTED	003136 PEAVY & SON CONSTRUCTION	2,087.00			
105588	03/27/2015	PRINTED	003365 CARMEN L. MCLEMORE	400.00			
105589	03/27/2015	PRINTED	003433 SHIRLEY JENKINS	119,875.75			
105590	03/27/2015	PRINTED	003594 MARTRONICS, INC.	190.73			
105591	03/27/2015	PRINTED	003764 COASTAL DESIGN & LANDSCAP	90.00			
105592	03/27/2015	PRINTED	004047 QUADMED, INC.	170.00			
105593	03/27/2015	PRINTED	004160 UNIFIRST CORPORATION	133.50			
105594	03/27/2015	PRINTED	004160 UNIFIRST CORPORATION	20.00			
105595	03/27/2015	PRINTED	004380 GRAINGER	213.84			
105596	03/27/2015	PRINTED	004495 BOUND TREE MEDICAL, LLC	830.75			
105597	03/27/2015	PRINTED	004568 MEDIACOM	160.43			
105598	03/27/2015	PRINTED	004659 REBECCA L. NORRIS	18.50			
105599	03/27/2015	PRINTED	004659 REBECCA L. NORRIS	117,742.00			
105600	03/27/2015	PRINTED	004660 RAMSEYS' PRINTING & OFFIC	3,506.41			
105601	03/27/2015	PRINTED	004736 MARK COTHRAN	4.00			



P 6  
apchkrcc

GULF COUNTY BCC  
AP CHECK RECONCILIATION REGISTER

04/08/2015 09:12  
838dlyle

FOR CASH ACCOUNT: 00100 10110  
FOR: Void and Uncleared

CHECK # CHECK DATE TYPE VENDOR NAME

UNCLEARED

CLEARED BATCH CLEAR DATE

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED
105602	03/27/2015	PRINTED	004744 DASH MEDICAL GLOVES	101.98
105603	03/27/2015	PRINTED	004785 S & W HEALTHCARE CORPORAT	450.10
105604	03/27/2015	PRINTED	004820 MILLER HEATING & AIR COND	150.00
105605	03/27/2015	PRINTED	004964 NEECE TIRE & AUTO SERVICE	489.60
105606	03/27/2015	PRINTED	005115 CATHEY CONSTRUCTION & DEV	71,780.89
105607	03/27/2015	PRINTED	005123 FIRST IN SERVICES, LLC	2,789.55
105608	03/27/2015	PRINTED	005230 SHERWIN-WILLIAMS	118.17
105609	03/27/2015	PRINTED	005261 SYSCO-GULF COAST	3,398.66
105610	03/27/2015	PRINTED	005264 FAIRPOINT COMMUNICATIONS	535.97
105611	03/27/2015	PRINTED	005282 UPS	188.15
105612	03/27/2015	PRINTED	005317 AUTO-CHLOR SERVICES, LLC	188.15
105613	03/27/2015	PRINTED	005429 GULF STATE CHEMICAL & WE	505.50
105614	03/27/2015	PRINTED	005434 DERMATEC DIRECT	565.40
105615	03/27/2015	PRINTED	005445 EMS CONSULTANTS, LTD	165.99
105616	03/27/2015	PRINTED	005640 ST. JOE ELECTRIC SUPPLY	4,046.51
105617	03/27/2015	PRINTED	005708 CREATIVE PRODUCT SOURCE,	830.37
105618	03/27/2015	PRINTED	005780 PANAMA ALTERNATOR & START	299.22
105619	03/27/2015	PRINTED	005809 DOLLAR GENERAL CHARGE SAL	285.00
105620	03/27/2015	PRINTED	005914 WARD MCDANIEL	52.00
105621	03/27/2015	PRINTED	005930 NOVAK LAW GROUP, PLLC	400.00
105622	03/27/2015	PRINTED	005946 GARY M. PABLO, MD	14,946.00
105623	03/27/2015	PRINTED	005993 KONICA MINOLTA BUSINESS S	833.33
105624	03/27/2015	PRINTED	006161 HALIFAX MEDIA GROUP	97.51
105625	03/27/2015	PRINTED	006178 GORDON TRACTOR, INC	970.60
105626	03/27/2015	PRINTED	006205 PENGUIN MANAGEMENT, INC	429.14
105627	03/27/2015	PRINTED	006243 JOHN M HANLON	948.00
105628	03/27/2015	VOID	006245 MITCH BURKE	60,491.41
105629	03/27/2015	PRINTED	006246 JACKSON, KELLI	.00
105630	03/27/2015	PRINTED	006258 DESTINATION MARKETING ASS	175.00
105631	03/27/2015	PRINTED	006266 PCMG, INC	1,325.00
105632	03/27/2015	PRINTED	006433 SANDY QUINN	2,663.97
105633	03/27/2015	PRINTED	006436 BJ'S AUTO REPAIR	14.95
105634	03/27/2015	PRINTED	006474 CITY OF MONTGOMERY (AL)	69.99
105635	03/26/2015	PRINTED	000421 INT. UNION OF OPER. ENG.	500.00
105636	03/26/2015	PRINTED	004160 UNIFIRST CORPORATION	157.50
105637	03/26/2015	PRINTED	004290 UNITED WAY OF NORTHWEST F	293.24
105638	03/27/2015	PRINTED	006245 MITCH BURKE	56.00
105639	03/31/2015	PRINTED	006472 DAVID ZELSKI	117,454.00
				6,000.00
298 CHECKS CASH ACCOUNT TOTAL				3,288,406.14
				.00



# GULF COUNTY ASSET / INVENTORY ACTIVITY FORM

CONSENT  
DATE 4/6/15 *cc*

Initiating Department: Public Works

Check type of Activity below:

Asset Acquisition  
 Asset Purchase

Amount	Invoice#	Invoice Date	Vendor Name
<i>Attach a copy of this form to the invoice when submitting to the Clerk's Office for payment</i>			

Asset Donation

Donation From	Asset Description	Value

Improvement to Existing Asset

Describe the Need For and Description Of the Improvement, Attach a copy if necessary

Asset Transfer To

Receiving Department -- Name \_\_\_\_\_

Surplus (useable condition but no longer needed by Department)

Asset Disposal

<input type="checkbox"/> Retired (check reason) <input type="checkbox"/> Sold <input type="checkbox"/> Trade-in <input type="checkbox"/> Donate <input type="checkbox"/> Return to other Government	Retirement Reason: <input type="checkbox"/> Obsolete / No longer needed <input checked="" type="checkbox"/> Non-Repairable <input checked="" type="checkbox"/> Repair Not Cost Effective <input type="checkbox"/> Cannibalized <input type="checkbox"/> Other	
---	---	--

FILED FOR RECORD  
 REBECCA L. NORRIS  
 CLERK OF CIRCUIT COURT  
 GULF COUNTY, FLORIDA  
 15 MAR 23 AM 8:50

Enter Information for Asset/Inventory Activity checked above (Use Attachment if needed)			
Department/Location	Asset Tag #	Description	Serial Number
Road Department	100-518	Ice-O- Matic Ice Machine	C21304930Z
Road Department	100-584	Scottsman Ice Machine	0610320013342

Enter Information for Vehicles, Heavy Equipment, Trailers (Use Attachment if needed)			
Vehicle Tag Number	Year, Make Model	Vehicle Identification No.	Odometer Miles

Other Information : \_\_\_\_\_

**Department / Location Approval**

*Forms not properly signed or incomplete forms will be returned to the Department*

*Lee Collinsworth* 3/16/15

Department Head Signature \* Date

\* As Department Head/Custodian, I understand that I am responsible for keeping track of the property under my custodianship and for locating and showing all property to the county auditor during the annual audit of the Capital Assets.

**Board of County Commissioners  
Consent Agenda Approval**

\_\_\_\_\_

Date

*Approval must be obtained before transferring, disposing, or accepting an asset. Submit the completed form to the Clerk's Office for inclusion in the Board's Consent Agenda.*





**GULF COUNTY PUBLIC WORKS**

1001 Tenth St.  
 Port St. Joe, Florida 32456  
 Phone (850) 227-1401 Fax (850) 229-9521  
 publicworks@gulfcountry-fl.gov



# Memorandum

**To:** Gulf County Board of County Commissioners  
**From:** Mark Cothran *MC*  
**Date:** April 6, 2015  
**Re:** Sale of Vehicles to TDC

FILED FOR RECORD  
 REBECCA L. MORRIS  
 CLERK OF CIRCUIT COURT  
 GULF COUNTY, FLORIDA  
 15 APR - 7 PM 2: 06

Public Works requests the Gulf County Board of County Commissioners permission to sale the following vehicles to TDC:

70-586	2000 Chevrolet 4X4	2GCEK19T9Y1212205	\$3,000.00
70-604	1996 Ford F150	1FTEF14N8TLB10569	\$1,000.00

The funds should be deposited into the public works equipment line item number 28151912-64000.

CONSENT  
 DATE 4/14/15 *MC*

# INVOICE

**From:** Gulf County Public Works  
1001 Tenth St.  
Port St. Joe, FL 32456

**To:** Gulf County Tourist Development  
15 Captain Fred's Place  
Port St. Joe, FL 32456



**For:** Vehicle Purchase

---

April 6, 2015

70-586	2000 Chevrolet 4X4 2GCEK19T9Y1212205	Tag #131780	\$3,000.00
70-604	1996 Ford F-150 1FTEF14N8TLB10569	Tag #139960	\$1,000.00
	<b>Total</b>		<b>\$4,000.00</b>

FILED FOR RECORD  
REBECCA L. NORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
15 APR -7 PM 2:06





04/06/2015 14:20  
838kcoll

GULF COUNTY BCC  
FIXED ASSET WORKSHEET

ASSET # 000000000002346

CLASS 42 ON-ROAD LICENSE  
SUBCL 42 ON-ROAD VEHICLE  
COMMODITY 70 PUBLIC WORKS/SO  
DEPT 70 PUBLIC WORKS/SO  
LOC CODE  
LOC MEMO  
ROOM  
STORAGE LOC

MASTER ASSET  
ADD'L DESC  
FUND SOURCE  
ACQUIS METH  
ACQUIS DATE  
ACQUIS COST  
ACRES  
QTY  
UNIT PRICE  
PURCH MEMO  
SOY BOOK  
CURRENT BOOK  
EST SALVAGE  
REPL COST  
LAST INVENT  
IMPROVE MEMO  
RETIRE DATE  
DISP CODE  
DISP PRICE  
SALE PRICE

STATUS A ACTIVE  
CONDITION E EXCELLENT  
CUSTODIAN PUBLIC WORKS/SOLID WA  
TITLEHOLDER  
TAG # 70-586  
SERIAL # 2GCEK19T9Y1212205  
MANUFACTURER CHEV CHEV  
MODEL K1500  
MODEL YEAR 2000  
LICENSE # 131780

VEND # 1654  
PO # 39154  
DOCUMENT # 39154  
INVOICE # 39154  
INV DATE 11/27/2000  
INV AMT 22,700.00

DESCRIPTION 2000 CHEVROLET 4X4 K1500 SILVERADO TRUCK  
TAG #131780, FINANCED-CAPITAL CITY  
MAINT CONT N INSURED CARRIED N  
VENDOR DESC G INSURED VAL  
TYPE G EXPIRE DATE 0.00  
ANNUAL COST 0.00 POLICY CST  
MEMO TALKED TO ELAI

TITLE #80023211, COUNTY  
PURCHASE  
11/27/2000  
22,700.00  
1 22,700.00  
WEWA AUTOMOTIVE CNTR.

DEPRECIATE Y  
DEPREC PRIN 22,700.00  
FIRST YR/PR 2001/02 LAST YR/PR 2011/12  
EST LIFE 10  
PERIODS TAKEN 120  
ACCUM DEPREC 22,700.00

DEPRECIATE Y  
DEPREC PRIN 22,700.00  
FIRST YR/PR 2001/02 LAST YR/PR 2011/12  
EST LIFE 10  
PERIODS TAKEN 120  
ACCUM DEPREC 22,700.00

G/L Accounts			
TYPE DESC	ORG	OBJ	PERCENT
1 ASSET	GFAAG	40000	100.00
2 CONTRA	GFAAG	31511	100.00
5 DEPRECIATION EXPENSE	GFAAG	59000	100.00
6 ACCUMULATED DEPRECIATION	GFAAG	16790	100.00

PO Accounts		
ORG	OBJ	AMOUNT



GULF COUNTY BCC  
FIXED ASSET WORKSHEET

04/06/2015 14:25  
838kcoll

ASSET # 01687  
 CLASS 42 ON-ROAD LICENSE  
 SUBCL 42 ON-ROAD VEHICLE  
 COMMODITY 70 PUBLIC WORKS/SO  
 DEPT 70 PUBLIC WORKS/SO  
 LOC CODE BEARDEN  
 LOC MEMO 70504789  
 ROOM  
 STORAGE LOC 70504789  
 STATUS A ACTIVE  
 CONDITION E EXCELLENT  
 CUSTODIAN PUBLIC WORKS/SOLID WA  
 TITLEHOLDER  
 TAG # 70-604  
 SERIAL # 1FTEF14N8TLB10569  
 MANUFACTURER FORD FORD  
 MODEL F150  
 MODEL YEAR 1996  
 LICENSE # 139960

MASTER ASSET  
 ADD'L DESC 11  
 FUND SOURCE A1  
 ACQUIS METH PURCHASE  
 ACQUIS DATE 01/01/1996  
 ACQUIS COST 16,403.00  
 ACRES 0.000  
 QTY 1  
 UNIT PRICE 16,403.00  
 PURCH MEMO COOK-WHITHEAD CK#19124

TRUCK  
 TITLE#70504789, TAG#139960  
 A1  
 PURCHASE

DESCRIPTION 1996 FORD F150 PICKUP TRUCK GOLD  
 MAINT CONT Y  
 VENDOR NAME Mi  
 G  
 INSURED CARRIER N  
 INSURED VAL 16,403.00  
 EXPIRE DATE  
 POLICY CST 0.00  
 MEMO INSURED 1/25/9

DEPRECIATE N  
 DEPREC PRIN 0.00  
 FIRST YR/PR /00  
 LAST YR/PR /00  
 EST LIFE 10  
 PERIODS TAKEN 0  
 ACCUM DEPREC 0.00

SOY BOOK 16,403.00  
 CURRENT BOOK 16,403.00  
 EST SALVAGE 0.00  
 REPL COST 16,403.00  
 LAST INVENT 09/30/1998  
 IMPROVE MEMO

RETIRE DATE  
 DISP CODE  
 DISP PRICE 0.00  
 SALE PRICE 0.00

INV DATE 01/26/1996  
 INV AMT 16,403.00

PO # 2115  
 DOCUMENT # 15006  
 INVOICE # 15006

G/L Accounts

TYPE DESC	ORG	OBJ	PROJ	PERCENT
1 ASSET	GFAAG	4000		100.00
2 CONTRA	GFAAG	31511		100.00

PO Accounts

ORG	OBJ	PROJ	AMOUNT



GULF COUNTY  
2015 MAR 32 AM 10:39  
BOARD OF COUNTY  
COMMISSIONERS

OFFICE OF  
COUNTY  
ATTORNEY

March 30, 2015

Terrell K. Arline  
County Attorney  
[tarline@baycountyfl.gov](mailto:tarline@baycountyfl.gov)

Donald J. Banks  
Assistant County Attorney  
[dbanks@baycountyfl.gov](mailto:dbanks@baycountyfl.gov)

Jennifer W. Shuler  
Assistant County Attorney  
[jshuler@baycountyfl.gov](mailto:jshuler@baycountyfl.gov)

340 West 11th Street  
Panama City, FL 32401

Telephone (850) 248-8175  
Telefax (850) 248-8189

Gulf County Board of County Commissioners  
1000 Cecil G. Costin, Str. Blvd.  
Port St. Joe, FL 32456  
Attn: Chairman

RE: Amended Interlocal Agreement for Medical Examiner Services

Enclosed please find an Amended Interlocal Agreement for Medical Examiner Services for your signature.

Please return the executed signature page to me in the envelope provided. When the Agreement has been fully executed, I will send you a certified copy.

If you have any questions or concerns, please feel free to give me a call.

Sincerely,

Kelli Brooks, Legal Assistant  
[kbrooks@baycountyfl.gov](mailto:kbrooks@baycountyfl.gov)

FILED FOR RECORD  
BEREGAL MORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
15 APR -9 PM 12:43

77  
AGENDA  
ONLY  
4-14-15  
LL

AMENDED INTERLOCAL AGREEMENT  
FOR MEDICAL EXAMINER SERVICES

This Agreement amends the Amended Interlocal Agreement for Medical Services dated October 1, 2014, between BAY COUNTY, and CALHOUN COUNTY, GULF COUNTY, HOLMES COUNTY, JACKSON COUNTY, and WASHINGTON COUNTY to recognize that Dr. Jay M. Radtke, M.D.P.A. is the interim medical examiner for the 14<sup>th</sup> District.

WITNESSETH.

WHEREAS, on October 1, 2014, the parties executed AMENDED INTERLOCAL AGREEMENT FOR MEDICAL EXAMINER SERVICES with Dr. Michael D. Hunter, M.D., P.A. to provide medical examiner services to the 14<sup>th</sup> District; and

WHEREAS, Dr. Michael Hunter resigned from the position of Medical Examiner for the 14<sup>th</sup> District effective March 21, 2015; and

WHEREAS, pursuant to Section 406.15, Florida Statutes the State Attorney appointed Dr. Jay M. Radtke, M.D., P.A. to serve as interim Medical Examiner for the 14<sup>th</sup> District beginning on March 22, 2015, until a District Medical Examiner is appointed by the Governor; and

WHEREAS, on March 22, 2015, Bay County entered into an AGREEMENT FOR INTERIM MEDICAL EXAMINER SERVICES with Jay M. Radtke, M.D., P.A. a copy of which is attached as Exhibit A; and

WHEREAS, the parties desire to amend the AMENDED INTERLOCAL AGREEMENT FOR MEDICAL EXAMINER SERVICES to incorporate the Agreement with Dr. Radkte, which is based on the same costs as the previous contract with Dr. Hunter.

NOW, THEREFORE, in consideration of the mutual understandings and agreements the parties agree as follows:

1. The parties authorize Bay County to pay Dr. Jay Radtke, M.D., P.A., for services and costs as Interim Medical Examiner for the 14<sup>th</sup> District based upon the AGREEMENT FOR INTERIM MEDICAL EXAMINER SERVICES attached as Exhibit A.
2. Prior the end of the fiscal year or September 31, 2015, Bay County shall provide an accounting to the parties of the total costs for providing interim medical examiner services and will reallocate such additional expenses to the parties based upon the apportioned allocation of Total Costs set forth in the Amended Interlocal Agreement, which the parties agree to pay to Bay County within thirty (30) days.



CALHOUN COUNTY, acting by and through its Board of County Commissioners

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

GULF COUNTY, acting by and through its Board of County Commissioners

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

Chairman

HOLMES COUNTY, acting by and through its Board of County Commissioners

Chairman

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

JACKSON COUNTY, acting by and through its Board of County Commissioners

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

WASHINGTON COUNTY, acting by and through its Board of County Commissioners

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

AGREEMENT FOR INTERIM MEDICAL EXAMINER SERVICES  
BETWEEN BAY COUNTY AND JAY M. RADTKE, M.D., P.A.

THIS AGREEMENT FOR INTERIM MEDICAL EXAMINER SERVICES is made between the BOARD OF COUNTY COMMISSIONERS OF BAY COUNTY, FLORIDA ("County") and JAY M. RADTKE, M.D., P.A. ("Medical Examiner").

WHEREAS, Section 406.15 , Florida Statutes, authorizes the State Attorney for the 14<sup>th</sup> Judicial Circuit ("State Attorney") to appoint a competent physician to act as medical examiner in the absence of the District Medical Examiner or associate medical examiner; and

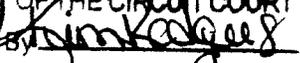
WHEREAS, due to the resignation of Dr. Michael Hunter effective March 21, 2015, the State Attorney has appointed Jay M. Radtke, MD to serve as the Interim Medical Examiner until a District Medical Examiner is appointed by the Governor pursuant to Section 406.06, Florida Statutes; and

WHEREAS, Chapter 406, Florida Statutes, authorizes the County to establish salaries, fees and expenses for medical examiner services.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the County and the Medical Examiner agree as follows:

ARTICLE I. SCOPE OF SERVICES

A. The Medical Examiner agrees to furnish his services, labor, and staff necessary for the complete performance of the work of the Medical Examiner for District 14 ("District"), which includes Bay, Calhoun, Gulf, Holmes, Jackson and Washington Counties

 A CERTIFIED TRUE COPY  
BILL KINSAUL CLERK  
OF THE CIRCUIT COURT  
By   
Deputy Clerk

("Counties"), and to perform the duties of the District Medical Examiner required under Chapter 406, Florida Statutes.

B. The Medical Examiner shall have the sole duty and responsibility for implementation of office policies, including but not limited to its employees and employee work schedules, as permitted by law or regulation.

#### ARTICLE II. TIME FOR PERFORMANCE

This Agreement shall begin on March 22, 2015, and shall terminate as provided below.

#### ARTICLE III. COMPENSATION

The County shall pay for the services under this Agreement on an annual basis in the sum of \$640,202.00, payable in equal monthly installments of \$53,350.00 on the first day of each month throughout the term of this Agreement. Payment for the period of time from March 22, 2015 through March 31, 2015 shall be prorated and paid on March 22, 2015. In addition to the compensation for services provided above, the Medical Examiner shall be provided an annual Operational Budget comprising equipment costs and operating expenses in the amount of \$130,000.00. A copy of the Professional Services and Operational Budget is attached as Exhibit 1. The Medical Examiner shall submit invoices that are consistent with the approved Operational Budget to the County Budget Officer and, upon approval by the County Manager or his/her designee, the Clerk shall pay such invoices and debit the appropriate account within the Operational Budget. Upon request from the Medical Examiner, the County Budget Officer may amend the accounts within the Operational Budget provided that the total amount of the Operational Budget is never

exceeded. Should this Agreement be terminated prior to the end of a month, the County shall pay the Medical Examiner a portion of the above stated monthly amount for Professional Services, based upon the number of days of the month during which services were rendered, and shall pay all invoices incurred prior to such termination that are chargeable to the Operational Budget.

#### ARTICLE IV. DEPOSITIONS.

The Medical Examiner shall appear as an expert witness for hearings, trials or depositions in connection with work performed as the Medical Examiner pursuant to this Agreement. Such appearances shall be made without charge to the Counties, the State Attorney's office or any other prosecuting agency within the District, or the Public Defender's office or an attorney appointed by the Public Defender's office to serve in that capacity within the District, provided that the County for which such appearances are made is a party to the Interlocal agreement between the Counties ("Interlocal Agreement").

#### ARTICLE V. PRIVATE PRACTICE.

A. The Medical Examiner may engage in the private practice of medicine pursuant to section 406.06(4), Florida Statutes, insofar as this practice does not interfere with those duties to be performed as Medical Examiner.

B. Any work, including but not limited to consulting work and professional expert testimony that is not performed by the Medical Examiner pursuant to the provisions of this Agreement shall be at the discretion of the Medical Examiner according to section 406.09, Florida Statutes, and the Medical Examiner may receive compensation from third parties for such work, provided that the Medical Examiner shall remit to Bay County the

amounts set out in Schedule A attached, for the use of Bay County Medical Examiner facilities ("Facility") for such work.

ARTICLE VI. WORK AFTER TERMINATION OR DEPARTURE.

The Medical Examiner after departure from office of the Medical Examiner of the District or termination under this Agreement will respond to appropriate legal subpoenas for deposition, trial testimony and any and all other legal proceedings that relates to criminal cases, in connection with work performed as Medical Examiner, without fees or further remuneration beyond the salary received during the term of this Agreement. In such event, Bay County shall pay for travel based on the then current Bay County rates for official business travel.

ARTICLE VII. EQUIPMENT AND FACILITIES

A. From the funds provided in the Operational Budget, the Medical Examiner agrees to furnish all equipment not otherwise provided by the County that is necessary for the complete performance of the work of the Medical Examiner. At the termination of this Agreement, all equipment purchased with funds from the Operational Budget shall be transferred to the County for the benefit of the 14<sup>th</sup> District Medical Examiner's Office.

B. The Medical Examiner shall provide direction to the Counties for the transport of deceased persons, but shall be responsible to take direction and control only upon their arrival at the Facility. The transportation of deceased persons to and from the Facility shall not be an expense of the Medical Examiner, but shall be an expense of the Counties.

C. In the event of a mass casualty, as determined by circumstances and judgment of the Medical Examiner, the County shall make arrangements for mass transportation and/or storage at the direction of the Medical Examiner. Costs associated with such arrangements shall be paid for by the County.

D. The Medical Examiner shall pay for the costs of all outside consultation fees and all services supplied to the Facility from the Operational Budget, including but not limited to water, gas, heat, light, power, garbage collection, janitorial service, telephone service and medical waste disposal; except that the County shall provide, from funds that are outside the Operational Budget, all grounds and building maintenance and pest control which is furnished to the Facility.

#### ARTICLE VIII. REPORTING AND MAINTENANCE OF RECORDS

A. The Medical Examiner shall fulfill all reporting and maintenance of record requirements pursuant to Chapter 406.13, Florida Statutes. The Medical Examiner shall further fulfill reporting requirements as may be imposed by any of the Counties or the State.

B. All records of the Medical Examiner, except for client records protected by client confidentiality rules or regulations established by the State, are subject to the provisions of the Public Records Law, Chapter 119, Florida Statutes. The Medical Examiner shall maintain such financial records in accordance with generally accepted governmental accounting principles to assure proper accounting of funds and compliance with the provisions of this Agreement.

C. All records and contracts required by this Agreement shall be available for audit, inspection or copying during normal business hours and as often as any of the Counties may deem necessary, except for client records protected by client confidentiality rules or regulations established by the State. Any of the Counties shall have the right to obtain and inspect any audit pertaining to the performance of this Agreement made by any local, state or federal agency.

D. The Medical Examiner shall retain all records and supporting documents related to this Agreement in accordance with all applicable laws, rules and regulations, including the retention schedule for Medical Examiner records promulgated by the Secretary of State, Bureau of Archives and Records Management. Upon the termination of this Agreement, such records and supporting documents will be conveyed to the successor Medical Examiner.

ARTICLE IX. COMPLIANCE WITH LOCAL, STATE AND FEDERAL  
RULES, REGULATIONS AND LAWS

The performance of this Agreement shall be in compliance with all applicable laws, orders and codes of the federal, state and local governments.

ARTICLE X. SUBCONTRACTS

The County shall not be liable to any person, firm or corporation that contracts with, subcontracts with, or provides goods or services to the Medical Examiner, or for debts or claims accruing to such parties against the Medical Examiner. County shall pay expenses for subcontracts incurred by the Medical Examiner under the Operational Budget.

ARTICLE XI. CONTRACTUAL RELATIONSHIP BETWEEN THE PARTIES

The relationship of the Medical Examiner shall be that of an independent contractor. Nothing herein contained shall be construed as vesting or delegating to the Medical Examiner or any of the officers, employees, personnel, agents, or subcontractors of the Medical Examiner any right, interest or status as an employee, agent or servant of the County.

ARTICLE XII. INDEMNIFICATION

A. The Medical Examiner shall indemnify, keep and save harmless the Counties and their agents, officials and employees, against all injuries, deaths, losses, damages, claims, patent claims, suits, liabilities, judgments, costs and expenses, which may accrue against the Counties which may result from activities of the Medical Examiner caused through the negligence or omission of the Medical Examiner or his employees, or of a subcontractor to the Medical Examiner or his employees ("Indemnification Claim"). The Medical Examiner shall, at his own expense, appear, defend and pay all charges of attorneys and all costs and other expenses reasonably incurred by the Counties as a result of an Indemnification Claim. The Medical Examiner shall, at the Medical Examiner's expense, satisfy and discharge any judgment rendered against the Counties as a result of an Indemnification Claim. The Medical Examiner expressly understands and agrees that any insurance protection required by this Agreement, or otherwise provided by the Medical Examiner, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the Counties required by this Agreement.

B. Indemnity shall continue ever after termination of this Agreement and until such time as any and all claims arising from the Medical Examiner's performance or failure to perform under the terms of this Agreement have been finally settled, regardless of when such claims are made.

C. In the event that any action, suit or proceeding is brought against any of the Counties as a result of an Indemnification Claim, such County shall promptly give notice thereof in writing to the Medical Examiner by certified mail addressed to the Medical Examiner. Upon receipt of notice, the Medical Examiner, at his own expense, shall defend against such Indemnification Claim and take all such steps as may be necessary or proper to prevent a judgment against such County.

#### ARTICLE XIII. INSURANCE

A. General. The Medical Examiner shall procure and maintain the following described insurance. The insurance requirements shall not limit the liability of the Medical Examiner. The County does not represent that these types or amounts of insurance are sufficient or adequate to protect the Medical Examiner's interest or liabilities, but are merely minimums.

Except for workers' compensation and professional liability, the Medical Examiner insurance policies shall be endorsed to name the County as an additional insured of the County's interests arising from this agreement.

The Medical Examiner waives the right of subrogation against the County.

The Medical Examiner shall require each of his associates and/or subcontractors to procure and maintain, until completion of that

associate's/subcontractor's work, insurance of types and to the limits specified in paragraphs B(1) to (5) inclusive below. It shall be the responsibility of the Medical Examiner to ensure that all his associates/subcontractors comply with all of the insurance requirements contained herein relating to such associates/subcontractors.

B. Coverage. Except as otherwise stated, the amounts and types of insurance shall conform to the following minimum requirements:

1. Professional Liability/Errors or Omissions -The Medical Examiner and associates shall maintain professional liability or errors or omissions insurance with a minimum limit of \$1,000,000 per occurrence.

If a claims made form of coverage is provided, the retroactive date of coverage shall be no later than the inception date of claims made coverage, unless the prior policy was extended indefinitely to cover prior acts.

Coverage shall be extended beyond the policy year either by a supplemental extended reporting period (ERP) of as great duration as available, and with no less coverage and with reinstated aggregate limits, or by requiring that any new policy provide a retroactive date no later than the inception date of claims made coverage.

2. Worker's Compensation - The Medical Examiner shall purchase and maintain workers' compensation insurance for all workers' compensation obligations imposed by state law and employers liability limits of at least \$100,000 each accident and each employee and \$500,000 policy limit for disease.

3. General, Automobile, and Excess or Umbrella Liability - The Medical Examiner shall purchase and maintain coverage on forms no more restrictive than the

latest editions of the Commercial General Liability and Business Auto policies of the Insurance Services office.

Minimum limits of \$1,000,000 per occurrence for all liability must be provided, with excess or umbrella insurance making up the difference, if any, between the policy limits of underlying policies (including employers liability required in the Workers' Compensation Section) and the amount of coverage required.

#### Commercial General Liability

Coverage A, shall include premises, operations, products and completed operations, independent contractors, contractual liability covering this agreement, and broad form property damage coverage.

Coverage B, shall include personal injury.

Coverage C, medical payments, is not required.

Occurrence Form - the occurrence form of Commercial General Liability must be provided.

#### Business Auto Liability

Business Auto Liability coverage is to include bodily injury and property damage arising out of operation, maintenance or use of any auto, including, owned, non-owned and hired automobiles and employee non-ownership use.

#### Watercraft/ Aircraft Liability

If the Medical Examiner or associates provision of services involves utilization of watercraft or aircraft, watercraft and/or aircraft liability coverage must be

**PUBLIC NOTICE**

**NOTICE IS HEREBY GIVEN** that the Gulf County Board of County Commissioners will hold public hearings to discuss and consider the adoption of the following Ordinance Amendment with the following title:

**AN ORDINANCE AMENDMENT TO THE “GULF COUNTY RV ORDINANCE” WHEREBY AMENDING THE POLICIES REGULATING RECREATIONAL VEHICLES (RV)’S AND THEIR LOCATION, PLACEMENT, RV’S PER PARCEL, USE AND STORAGE OF RV’S WITHIN BOTH UNINCORPORATED GULF COUNTY AND WITHIN THE COASTAL CONSTRUCTION CORRIDOR; WHICH HAS BEEN COMMONLY REFERRED TO AS “GULF COUNTY RV ORDINANCE”; FOR SAID POLICIES TO BE FURTHER AMENDED, BE CODIFIED AND BECOME PART OF THE GULF COUNTY LAND DEVELOPMENT REGULATIONS (LDR); PROVIDING FOR REPEALER, SEVERABILITY AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARINGS; AND PROVIDING FOR AN EFFECTIVE DATE.**

A public reading, introduction and public hearing will be held during the Gulf County Board of County Commissioner’s Regular Meeting on Tuesday, April 14<sup>th</sup> at 9:00 a.m. est. in the County Commissioner’s meeting room in the Robert M. Moore Administration Building, Gulf County Courthouse Complex, Port St. Joe, Florida.

A second public reading, introduction and final public hearing will be held during the Gulf County Board of County Commissioner’s Regular Meeting on Tuesday, April 28<sup>th</sup> at the designated time of 9:00 a.m. est. as specifically authorized by a formal majority plus one vote of the Board of County Commission and shall be held in the County Commissioner’s meeting room in the Robert M. Moore Administration Building, Gulf County Courthouse Complex, Port St. Joe, Florida.

All interested persons may appear and be heard with respect to the proposed Ordinances. If a person decides to appeal any decisions made by the Gulf County Commission with respect to any matter considered at this hearing, he/she will need a record of the proceedings and that for such purpose he/she may need to ensure a verbatim record of the proceedings made and which would include any evidence upon which the appeal is to be based.

A copy of the current Ordinance is available for inspection on weekdays between the hours of 9:00 a.m. est., and 5:00 p.m. est. at the Office of the Clerk of Court, Gulf County Courthouse, 1000 C.G. Costin, Sr., Blvd., Port St. Joe, Florida, 32456.

BOARD OF COUNTY COMMISSIONERS  
GULF COUNTY, FLORIDA

BY: WARD MCDANIEL, CHAIRMAN

*Administrative:*

Ad Dates: April 1, 2015 and April 15, 2015 in The News Herald

Ad #2015-24

Publish in as general advertisement and not in the legal advertisement or classified section per F.S. 125.66

Invoice: Gulf County Board of County Commissioners

Additional posting per request and direction of County Administration and County Attorney's offices:

Public posting on Gulf County Courthouse, Gulf County Administration Building entrance, Gulf County Commission Website all before or on the dates provided for publication and notice

The advertisement in the News Herald shall conform to the following specifications per Fla. Stat. 125.66 :

*The required advertisement shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be placed in a newspaper of general paid circulation in the county and of general interest and readership in the community pursuant to chapter 50, not one of limited subject matter. It is the legislative intent that, whenever possible, the advertisement shall appear in a newspaper that is published at least 5 days a week unless the only newspaper in the community is published less than 5 days a week.*

provided to include bodily injury and property damages arising out of ownership, maintenance or use of any watercraft or aircraft, including owned, non-owned and hired.

Umbrella or Excess Liability

Umbrella Liability insurance is preferred, but an Excess Liability equivalent may be allowed. Whichever type of coverage is provided, it shall not be more restrictive than the underlying insurance policy coverages.

4. Business Auto Policy - Coverage must be afforded on a form no more restrictive than the latest edition of the Business Auto Policy filed by the Insurance Services Office and must include:

- a) Minimum limits of \$300,000 per occurrence combined single limit for Bodily Injury Liability and Property Damage Liability, Excess/Umbrella carrier;
- b) All owned vehicles; and
- c) Hired and non-owned vehicles.

C. Certificates of Insurance Requirements - A Certificate of Insurance evidencing the insurance coverage specified in the previous paragraphs (1) to (4) inclusive shall be filed with County' Risk Management Division confirming policy effective date same as this Agreement. The required certificates shall name the types of policies provided and shall also refer specifically to this Agreement and insurance section. The certificates shall contain a 30-day Notice of Change, Cancellation or Non-renewal, and if the insurance policy designated on the certificate expires prior to the expiration of this Agreement, renewal Certificates of Insurance shall be furnished 30 days prior to the date of their expiration.

ARTICLE XIV. TERMINATION

A. It is agreed that the County may terminate this Agreement at any time for cause, and may also terminate this agreement with or without cause by giving at least ninety (90) days prior written notice to the Medical Examiner. Medical Examiner may terminate this Agreement at any time by giving at least ninety (90) days' prior written notice to the County. Notwithstanding the forgoing, this Agreement shall terminate on the effective date of a contract between the County and the District Medical Examiner appointed by the Governor pursuant to Section 406.06, Florida Statutes.

B. The County may terminate this Agreement immediately or temporarily withhold payment of funds upon determination that:

1. The conditions of this Agreement have not been met;
2. The Medical Examiner is no longer licensed to practice medicine in the State of Florida;
3. The Medical Examiner has been convicted or adjudged guilty of a felony or any misdemeanor involving the moral turpitude of the Medical Examiner; or
4. The Medical Examiner becomes physically or mentally incompetent or incapable of performing and rendering the services contemplated by this Agreement.

Such termination or notification of intent to withhold funds shall be in writing. The notice shall specify the manner in which and the extent to which the Medical Examiner has failed to comply with the terms of this Agreement. If funds are withheld for failure to comply with conditions of this Agreement, payment will be made as promptly as possible

but in no event later than thirty (30) days after the Medical Examiner has complied with the condition.

ARTICLE XV. MEDIATION OVER BUDGET AND PAYMENTS.

In the event of a dispute between the parties over a budgeting or payment matter, the parties agree to make good faith efforts to resolve the dispute in an attempt to maintain their relationship. If the parties cannot reach an agreement, they will engage the services of a mediator certified to handle civil disputes within the state courts of Florida. The parties will bear the costs of the mediation equally. If the parties cannot reach an agreement through mediation, the Medical Examiner agrees to resign his commission effective thirty (30) days after receipt of a request in writing from the County.

ARTICLE XVI. ASSIGNMENT

This Agreement shall not be assigned without the written consent of the parties. Notwithstanding the foregoing, the Medical Examiner may have professional services performed by another qualified physician during any time when he is on vacation, incapacitated, or otherwise unavailable. The costs of such professional services shall be borne by the Medical Examiner and by the affected County in Catastrophic Circumstances pursuant to Article XVII, below. The Medical Examiner shall review the autopsies of any other physician providing Medical Examiner services for the District and countersigning any and all autopsy reports or documents relating to said autopsies. Any other physicians providing Medical Examiner services for the District shall also provide the Medical Examiner with copies of notes, synopsis of the case and any documents relied on in

forming a conclusion so that the Medical Examiner may testify as to the information provided.

ARTICLE XVII. CATASTROPHIC CIRCUMSTANCES AND EMERGENCIES.

A. Catastrophic Circumstances shall be defined as any single disaster, or series of disasters, which results in the inaccessibility of, and/or the interruption of utilities, and/or damage to the Medical Examiner Facility, and which results in the Medical Examiner being presented with bodies which come under Medical Examiner jurisdiction and require identification, inspection and/or autopsy. The determination for autopsy requirement rests with the Medical Examiner, in guidance and compliance with Chapter 406, Florida Statutes. In the event of Catastrophic Circumstances, the Medical Examiner may temporarily retain additional employees and/or order the transportation of bodies to other Medical Examiners in order to meet the Medical Examiners' obligations under law. If the Medical Examiner is on vacation, incapacitated, or otherwise unavailable, the Medical Examiner's assignee under Article XVI of this Agreement may likewise retain additional employees and/or order the transportation of bodies to ensure that the Medical Examiner's obligations are met. Regardless whether the additional employees or transportation of bodies is ordered by the Medical Examiner or by the Medical Examiner's assignee, the County shall reimburse the Medical Examiner for the cost of such services for Catastrophic Circumstances upon the Medical Examiner's demonstrating that the services were necessary to the performance of the Medical Examiner's obligations under the law.

B. In the event of a disaster and the subsequent activation of any of the Counties' Emergency Operations Centers, the Medical Examiner will be notified directly and he

and/or his staff will have the opportunity to participate as essential staff in the planning and implementation of emergency operations as they pertain to the duties performed by the Medical Examiner under Chapter 406, F.S. In order to accomplish this, the Medical Examiner will be provided with emergency communication devices, alternate power sources and refrigerated trucks as needed for the operation of the Facility and the preservation of the dead in an expedient fashion.

#### ARTICLE XVIII. MISCELLANEOUS

A. This Agreement contains the entire understanding of the parties. It may not be changed orally but only by an agreement in writing signed by the party against whom enforcement of any waiver, change, modification, extension, or discharge is sought.

B. Headings in this Agreement are for convenience only and shall not be used to interpret or construe its provisions.

C. If any provision of this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be deemed severable, shall not be affected, and shall remain in full force and effect.

D. This Agreement shall be interpreted and construed under the laws of Florida.

#### ARTICLE XIX. EFFECTIVE DATE.

The Effective Date of this Agreement shall be the date a fully executed copy is filed with the Clerk.

ARTICLE XX. EXECUTION.

The parties execute this Agreement.

MEDICAL EXAMINER

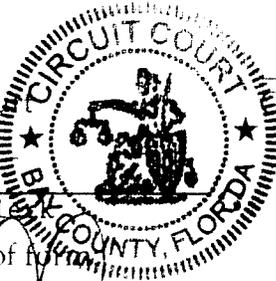
*[Handwritten signature of Jay M. Radtke]*

Jay M. Radtke, M.D., P.A.

ATTEST:

BAY COUNTY, FLORIDA

*[Handwritten signature of Bill Kinsaul]*  
Bill Kinsaul, Clerk of the Court



*[Handwritten signature of Guy M. Tunnell]*  
Guy M. Tunnell, Chairman

By: *[Handwritten signature of Kim Rodgers]*  
Kim Rodgers, Deputy Clerk

Approved as to correctness of form

*[Handwritten signature of Bay County Attorney]*  
Bay County Attorney



Board Approved: March 3, 2015

SCHEDULE A

Effective 10/01/04

Morgue Fee, Full Autopsy	\$175.00
Morgue Fee, Examination	\$ 87.50
Body Handling, Extended Morgue Stay (<48 Hours)	\$100.00



A CERTIFIED TRUE COPY  
BILLY KINSAUL CLERK  
OF THE CIRCUIT COURT  
By *Kim Kogel*  
Deputy Clerk

FILED FOR RECORD  
FEDERAL MORRIS  
COURT OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
15 APR -8 PM 12:44  
104

**SUPPLEMENTAL AGREEMENT 2015-8.1**  
**St. Joseph Peninsula, Gulf County, Florida**  
*Sea Turtle and Escarpment Monitoring 2015*  
March 31, 2015

**SCOPE OF WORK**

The last load of sand was placed within the limits of the 7.5-mile "St. Joseph Peninsula Beach Restoration Project" [PROJECT] on January 03, 2009. Pursuant to the U.S. Fish and Wildlife (USFWS) Biological Opinion FWS Log 4-P-07-056 (Item 10 of the Terms and Conditions – Protection of Species), and the terms of the Gulf County Habitat Conservation Plan (HCP), Sea Turtle and Escarpment Monitoring is required to be conducted on an annual basis. This SCOPE OF WORK is to supply all personnel, labor, materials and incidentals required to conduct the required monitoring surveys and reporting, including supervision, equipment and tools, and all services and responsibilities prescribed or implied, which are necessary for complete performance of these services and obligations. The WORK of the St. Joseph Peninsula Turtle Patrol [TURTLE PATROL] will be conducted under the Florida Fish and Wildlife Conservation (FWC) Marine Turtle Permit held by the University of Florida IFAS Unit Wildlife Ecology and Conservation. The following services will be provided by the TURTLE PATROL and MRD ASSOCIATES, INC. [MRD] to GULF COUNTY [COUNTY]:

**1.0. MONITORING SERVICES**

**1.1. Survey Limits and Timeframes**

The surveys shall be conducted daily between May 1<sup>st</sup> and October 31<sup>st</sup>, and shall cover the entire 5.9-mile length of the "County Beach Segment" [PROJECT] that extends from the southern boundary of the St. Joseph Peninsula State Park (R-74.8) south to the Stumphole Revetment at R-105.5 (south). The nesting surveys shall be conducted daily between sunrise and 09:00 a.m. and consist of one round-trip "sweep" of the PROJECT. The Florida Park Service will be responsible for conducting daily monitoring, relocation services, data collection and reporting for the 1.6 mile "State Park Beach Segment".

**1.2. Monitoring, Relocation and Data Collection**

Crawl and nesting activity data shall be obtained. Data collected during surveys will include number and type of false crawls, number of nests, and location of nests. Crawl and nest locations will be marked with a hand-held sub-meter GPS and will be recorded in latitude and longitude. Any abnormalities in crawls or nests will be documented as well as any signs of disorientation in the nesting female. The following measurements will be taken and recorded: crawl width, crawl length, height of crawl (and/or nest) above the mean high water mark, distance from nest to nearby structures (natural or man-made), number of eggs, and depth to top of clutch. The nest will be marked with four stakes, flagging tape, and a FWC turtle sign. Additional stakes will be placed in the dune in case the nesting stakes are removed.

All nests will be checked daily during the morning "sweep" for signs of disturbance, depredation or erosion. The number of nests inundated, lost to erosion, disturbed or depredated will be recorded. Beginning at 45 days incubation, nests will be observed for signs of hatching. Hatching inventories will be conducted following all standard FWC protocols. Hatching emergences will be observed for signs of disorientation. Data collected will include the number of: un-hatched eggs, depredated eggs, live pipped

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AGENDA ONLY  
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eggs, dead pipped eggs, live hatchlings in the nest, dead hatchlings in the nest, hatchlings emerged, hatchlings disoriented and hatchlings depredated.

### **1.3. Reports**

Reports on all nesting activity shall be prepared for the nesting season and shall include daily report sheets noting all activity, nesting success rates, hatching success of all relocated nests, hatching success of a representative sampling of nests left in place (if any), names of all personnel involved in nest surveys and relocation activities, and any other information or data listed in Task 1.2 above. Data should be reported separately for the restored areas (R-74.8 to R-105.5) and for the un-restored length of adjacent southern beach (R-105.5 to R-109, if available). Summaries of nesting activity shall be submitted in electronic format (Excel spreadsheets).

### **1.4. Dead, Injured or Threatened Sea Turtle**

Upon locating a dead, injured, or sick endangered or threatened sea turtle specimen, initial notification must be made to the FWC at 1-888-404-FWCC. Care should be taken in handling sick or injured specimens to ensure effective treatment and care and in handling dead specimens to preserve biological materials in the best possible state for later analysis of cause of death. In conjunction with the care of sick or injured endangered or threatened species or preservation of biological materials from a dead animal, the finder has the responsibility to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.

### **1.5. Weekly Escarpment Surveys**

Weekly escarpment surveys of the PROJECT (R-74.8 to R-105.5) shall be conducted during the sea turtle monitoring (May 1<sup>st</sup> to October 31<sup>st</sup>), and shall include the following:

*The number of escarpments and their location relative to DNR-DEP reference monuments shall be recorded during each weekly survey and reported relative to the length of the beach surveyed (e.g., 50% scarps). Notations on the height of these escarpments shall be included (0 to 2 feet, 2 to 4 feet, and 4 feet or higher) as well as the maximum height of all escarpments.*

Weekly escarpment survey results shall be submitted to the COUNTY or their representative and FWC within three (3) days of survey completion. An annual summary of escarpment surveys and actions taken must be submitted to the COUNTY and FWC by December 15<sup>th</sup> of the same year.

## **2.0. MONITORING PROGRAM OVERSIGHT AND REPORTING**

The services under Section 2.0 are to supply all personnel and labor required to provide oversight and reporting services of the daily monitoring surveys. Monitoring oversight services will extend from April 1<sup>st</sup> through December 15<sup>th</sup> upon completion of the annual monitoring report. Daily services will extend from May 1<sup>st</sup> to October 31<sup>st</sup> (sea turtle nesting season). These oversight services include, but not limited to:

- 2.1. Provide oversight, direction and monitor the progress of the TURTLE PATROL members on FWC/USFWS methods and procedures in conducting, reporting and nest monitoring and relocation services (Task 1.2 above) to ensure that the permit conditions are met. This shall include escarpment monitoring and reporting.

- 2.2. Coordinate with the TURTLE PATROL to ensure that daily survey schedules are met;
- 2.3. Coordinate with the TURTLE PATROL and COUNTY on the weekly escarpment survey and reporting. These reports shall be submitted by the TURTLE PATROL to the COUNTY or their representative and FWC within three (3) days of survey completion;
- 2.4. Compile and review the data collected by the TURTLE PATROL to ensure the information and format requirements are met;
- 2.5. Review the annual monitoring report. Summaries of nesting activity shall be submitted in electronic format (Excel spreadsheets). All reports should be submitted to the COUNTY and FWC by December 15<sup>th</sup> of the same year; and,
- 2.6. Oversee the relocation of turtle nests – only if relocation is required.

#### **DELIVERABLES**

Refer to individual tasks.

#### **PROJECT SCHEDULE AND COMPENSATION**

This Scope of Work will commence on April 1, 2015 and end on March 31, 2016. The COUNTY shall pay MRD the lump sum fees and expenses of \$39,564.00 for this work and the COUNTY will be invoiced twice – ½ (\$19,782.00) in April 2015 and ½ (\$19,782.00) in July 2015.




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Michael R. Dombrowski, President  
 MRD Associates, Inc.

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Ward McDaniel, Chair  
 Gulf County Board of County Commissioners

## SUPPLEMENTAL AGREEMENT 2015-8.2

### St. Joseph Peninsula Beach Restoration Project

Post-Construction Shorebird Monitoring Services

March 31, 2015

### SCOPE OF WORK

Pursuant to Pursuant to the U.S. Fish and Wildlife (USFWS) Biological Opinion FWS Log 4-P-07-056 (Item 12 of the Terms and Conditions – Protection of Species), annual shorebird surveys are required between February 15, 2015 and February 14, 2016. The shorebird monitoring will cover the entire 5.9-mile length of the “County Beach Segment” [PROJECT] that extends from the southern boundary of the St. Joseph Peninsula State Park (R-74.8) south to the Stumphole Revetment at R-105 (south). The Florida State Parks staff conducts shorebird monitoring within the St. Joseph Peninsula State Park (north of V-74.8). MRD ASSOCIATES, INC. [MRD] will provide the following services for GULF COUNTY [COUNTY]:

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REBECCA L. NORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA  
15 APR -8 PM 12:04

#### Task 5.0. SHOREBIRD MONITORING PROGRAM

Surveys for nesting and non-breeding shorebirds will be conducted by trained, dedicated individuals (Shorebird Monitor) with proven shorebird identification skills and avian survey experience. The surveys will be conducted by Ms. Barbara Ells and will use the following survey protocols:

- a) Bi-monthly (once every two weeks) surveys shall be conducted between February 15, 2015 and February 14, 2016 under this authorization.
  1. At Least one of the bi-monthly surveys April through October shall occur on a weekend to document the amount of recreational pressure potentially occurring along the PROJECT shoreline.
- b) Nesting shorebird surveys of the PROJECT limits shall continue through August or through fledgling or loss of identified nests or hatchlings, whichever is later. Non-breeding surveys shall be conducted concurrently with nesting surveys and extend to February 2016.
- c) Surveys will be conducted by traversing the length of the PROJECT area and visually inspecting, using binoculars or spotting scope, for the presence of shorebirds exhibiting breeding behavior.
- d) An ATV will be used to cover large project areas and will be operated at a speed of less than 6 mph, shall be run at or below the high-tide line, and the Shorebird Monitor will stop at no greater than 200 meter intervals to visually inspect for nesting activity.
- e) Once breeding is confirmed by the presence of a scrape, eggs, or young, the Bird Monitor will notify the Regional Non-game Biologist of the FWC at (561) 648-3205 within 24 hours.
  1. All breeding activity will be reported to the FWC Beach-Nesting Bird website (<http://myfwc.com/shorebirds/BNB/default.asp>) within one week of data collection.
  2. Observations of breeding and non-breeding shorebirds should be reported to the Shorebird- Seabird Occurrence Database within one month of collection.
- f) Surveys of the Gulf beaches for piping plover use within the PROJECT limits shall be documented bi-monthly and concurrently with nesting and non-breeding surveys. Information shall be maintained in a database (i.e., Access or Excel). Negative survey data and the amount and type of recreational pressures will also be documented. Locations of piping plovers shall be recorded using a Global Positioning System (GPS) and incorporated into the database. When piping plovers are seen, the habitat type (intertidal area, mid-beach etc.) and behavior (foraging, roosting, etc.) should also be recorded into the spreadsheet.
- g) Data collected on non-breeding shorebirds will be compatible with, and reported to, the

SUPPLEMENTAL AGREEMENT 2015-8 2

St. Joseph Peninsula Beach Restoration Project - MRD Associates - Shorebird Monitoring Services 2015

Shorebird-Seabird Occurrence Database (<http://myfwc.com/shorebirds/Obs/default.asp>). Surveys for non-breeding shorebirds will be conducted once every 2 weeks. The purpose of this data collection is to provide valuable information on the use of restored beaches to shorebirds.

#### **FINAL DELIVERABLES**

Refer to individual Task Descriptions.

#### **PROJECT SCHEDULE**

Bi-monthly (once every two weeks) surveys shall be conducted for a one-year period between February 15, 2015 and February 14, 2016.

#### **COMPENSATION AND METHOD OF PAYMENT**

The COUNTY shall pay MRD the "Not-To-Exceed" fees and expenses of \$10,800.00 for this work. MRD will invoice the COUNTY for three-quarters of the fees and expenses in May 2015 and the balance (one-quarter) upon completion of the work in February 2016.




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Michael R. Dombrowski, President  
MRD Associates, Inc.

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Ward McDaniel, Chair  
Gulf County Board of County Commissioners

**Lynn Lanier**

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**From:** Ben Guthrie <bguthrie@gulfcounty-fl.gov>  
**Sent:** Tuesday, April 07, 2015 2:38 PM  
**To:** 'Lynn Lanier'  
**Subject:** RE: Declined: Staff Budget Meeting

My only budget concern right now is seeing what June will bring. That is when we get the first 911 funds collected under the new law. The State 911 Board is going to keep us whole for two months, but not sure what will happen after that. We do know that there will be a significant decrease in revenue.

*Benjamin S. Guthrie*, ENP  
 EM/E-911 Coordinator  
 Gulf County Board of County Commissioners  
 1000 Cecil G Costin Sr Blvd, Bldg 500  
 Port St Joe, FL 32456  
 Phone: 850-229-9111  
 Fax: 850-229-9115  
 Email: [bguthrie@gulfcounty-fl.gov](mailto:bguthrie@gulfcounty-fl.gov)

**From:** Lynn Lanier [<mailto:llanier@gulfcounty-fl.gov>]  
**Sent:** Tuesday, April 07, 2015 2:32 PM  
**To:** 'Ben Guthrie'  
**Subject:** RE: Declined: Staff Budget Meeting

Ben,  
 Tomorrow morning is the staff meeting and Thursday is a staff budget meeting. Two different items.  
 If you have any budget items, please email them to me and I will bring up for you to the staff on Thursday.

Thanks and have a safe trip.

*Lynn Lanier*  
*Central Services Director*

1000 Cecil G. Costin Sr. Blvd., Room 302  
 Port Saint Joe, FL 32456  
 (850) 229-6106  
 (850) 229-9252 Fax  
 (850) 227-8973 Cell  
[llanier@gulfcounty-fl.gov](mailto:llanier@gulfcounty-fl.gov)

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-----Original Appointment-----

**From:** Ben Guthrie [<mailto:bguthrie@gulfcountry-fl.gov>]

**Sent:** Tuesday, April 07, 2015 2:19 PM

**To:** 'Lynn Lanier'

**Subject:** Declined: Staff Budget Meeting

**When:** Thursday, April 09, 2015 8:00 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Board Room

Lynn,

I had this on my calendar for tomorrow morning and was planning on being there. I will be out on Thursday traveling with my son to Utah. Is there anything I need to do for you guys prior to the staff meeting?



**SACRED HEART HOSPITAL  
ON THE GULF**  
3801 E Hwy 98  
Port St. Joe, FL 32456

Invoice No. 3-26-15-A

**INVOICE**

BILL TO

Name **Gulf County Board of County Commissioners**  
Address **1000 Cecil G. Costin, Sr. Blvd, Room 148**  
City **Port St. Joe** State **FL** ZIP **32456**

Date **03/26/2015**

Attention: E Sherry Herring

	Description	TOTAL
	<b>FY2015 Gulf County Half-cent Sales Tax</b> <i>in support of Sacred Heart Hospital on the Gulf according to the MOU</i>	<b>\$462,086.00</b>
	This invoice is for the period of:  <b>FY2015</b>	
	Please Remit Payment to following address:  <b>Sacred Heart Health System</b> <b>5130 Bayou Blvd. Pensacola, FL 32503</b> <b>Attn: Geri Meacham</b>	

TOTAL **\$462,086.00**

2015 MAR 26 AM 9:39

FILED FOR RECORD  
REBECCA L. HERRING  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA

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4-14-15  
LL



**SACRED HEART HOSPITAL  
ON THE GULF**

3801 E Hwy 98  
Port St. Joe, FL 32456

Invoice No. 3-26-15-B

**INVOICE**

BILL TO

Name **Gulf County Board of County Commissioners**  
Address **1000 Cecil G. Costin, Sr. Blvd, Room 148**  
City **Port St. Joe** State **FL** ZIP **32456**

Date **03/26/2015**

Attention: E Sherry Herring

	Description	TOTAL
	<b>FY2014 Gulf County Half-cent Sales Tax</b> <i>in support of Sacred Heart Hospital on the Gulf according to the MOU</i>	<b>\$44,482.00</b>
	This invoice is for the period of:	
	<b>FY2014 Catch-up</b>	
	Please Remit Payment to following address:	
	<b>Sacred Heart Health System</b> <b>5130 Bayou Blvd. Pensacola, FL 32503</b> <b>Attn: Geri Meacham</b>	

**TOTAL** \$44,482.00

2015 MAR 26 AM 9:39

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REBECCA L. NORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA

RECEIVED  
4-14-15  
CC



**SACRED HEART HOSPITAL  
ON THE GULF**

3801 E Hwy 98  
Port St. Joe, FL 32456

Invoice No. 3-26-15-C

**INVOICE**

BILL TO

Name **Gulf County Board of County Commissioners**  
Address **1000 Cecil G. Costin, Sr. Blvd, Room 148**  
City **Port St. Joe** State **FL** ZIP **32456**

Date **03/26/2015**

Attention: E Sherry Herring

	Description	TOTAL
	<p><b>FY2013 Gulf County Half-cent Sales Tax</b> <i>in support of Sacred Heart Hospital on the Gulf according to the MOU</i></p>	<p><b>\$44,482.00</b></p>
	<p>This invoice is for the period of:</p>	
	<p><b>FY2013 Catch-up</b></p>	
	<p>Please Remit Payment to following address:</p>	
	<p><b>Sacred Heart Health System</b> <b>5130 Bayou Blvd. Pensacola, FL 32503</b> <b>Attn: Geri Meacham</b></p>	

TOTAL **\$44,482.00**

2015 MAR 26 AM 9:39

FILED FROM RECORDS  
REBECCA L. MORRIS  
CLERK OF CIRCUIT COURT  
GULF COUNTY, FLORIDA

ACENDA  
4-14-15  
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