

**FEBRUARY 25, 2014**  
**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, Tynalin Smiley, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Clerk Finance Officer Sherry Herring, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Central Services Director Denise Manuel, Code Enforcement Officer Mike Aiken, Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, Grant Writer Towan Kopinsky, Maintenance Superintendent Steve Mork, Mosquito Control Director Mark Cothran, Public Works Director Joe Danford, Assistant Public Works Director Jake Lewis, Sheriff Mike Harrison, Gulf County Tax Collector Shirley Jenkins, and T.D.C. Executive Director Jennifer Jenkins.

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 AGENDA / INFORMATION PACKET**

Chairman McDaniel called for public comment regarding the Consent Agenda. There being no public comment, Commissioner Bryan requested pulling Item #2 (Land's Landing Boat Ramp Repairs, Bid #1314-12, pages 22-23) from the Consent Agenda. Clerk Norris requested pulling Item #1 (correcting minutes on page 21) of the Consent Agenda to be replaced with the provided Corrected Minutes. Upon inquiry by Commissioner Bryan, Grant Writer Kopinsky discussed the bid process, stating that the County Engineer reviewed the sealed bids (#1314-12), that Palmetto Plantation met all the requirements, noting they were the low bidder. After discussion, Commissioner Bryan motioned to table Item #2 (Pages 22-23) and to approve the remainder of the Consent Agenda. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, County Attorney Novak requested that the Board add the acceptance of the Information Packet to this motion. Chairman McDaniel had no objection. The motion then passed unanimously, as follows:

1. Minutes – December 10, 2013 – Regular Meeting
  - December 17, 2013 – Public Hearing
  - December 17, 2013 – Special Meeting
  - December 19, 2013 – Emergency Meeting
  
- \*\*TABLE\*\*** 2. Bid Award #1314-12 – Land’s Landing Boat Ramp Repairs (Palmetto Plantation, LLC \* 127,580.00)
  
3. Grant Agreement – D.E.P./Florida Fish & Wildlife Conservation Commission (Gulf County’s Lighting Standards for the Marine Turtle Conservation Zone)
  
4. Invoices – County Attorney Jeremy Novak – Professional Services (Invoice #1887 \* \$28.00 \* Invoice #1888 \* \$756.00)
  - Sniffen & Spellman, P.A. – Legal Services (Invoice #11831 \* \$4,502.00 \* to be paid from Account #21111-31200)
  
  - UniFirst Corporation (Courthouse \* Invoice #2710062827 \* \$72.25 \* Invoice #2710063335 \* \$72.25 \* Invoice #2710063821 \* \$72.25 \* Invoice #2710064330 \* \$72.25 \* Maintenance \* Invoice #2710-063334 \* \$42.03 \* Invoice #2710063820 \* \$42.03 \* Invoice #2710064329 \* \$42.03 \* Public Works \* Invoice #2710062823 \* \$11.25 \* Invoice #27100633331 \* \$11.25 \* Invoice #2710063817 \* \$11.25 \* Invoice #2710064326 \* \$11.25 \* Invoice #2710063332 \* \$55.63 \* Invoice #2710063818 \* \$55.63 \* Invoice #2710064327 \* \$51.04 \* Invoice #2710063333 \* \$63.14 \* Invoice #2710063819 \* \$63.14 \* Invoice #2710064328 \* \$63.14)

(End)

**PURCHASE REQUEST/BEACH AMBASSADOR PROGRAM**

T.D.C. Executive Director Jenkins appeared before the Board to request permission to purchase vehicles (4x4 vehicle, ATV for Cape San Blas and Indian Pass, and golf cart for St. Joe Beach) and equipment (trailer) needed to start the Beach Ambassador Program through State Contract, not to exceed \$55,000.00 as budgeted. Commissioner Yeager motioned to approve this request. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

**CHANGE ORDER – VISITOR GUIDE**

T.D.C. Executive Director Jenkins appeared before the Board to request approval of a Change Order for the printing of the 2014 Visitor Guides (Bid #1213-18) to Solo Printing due to a price increase in shipping, in the amount of \$950.00. Commissioner Yeager

motioned to approve this request. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

### **RESIGNATION LETTER – CARMEN L. MCLEMORE**

Deputy Administrator Lowry discussed a resignation letter for the D.R.O.P. Program from Carmen L. McLemore, effective January 31, 2014. He requested Board approval to accept this letter. Commissioner Smiley motioned to approve this request. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed 4 to 1, with Commissioner McLemore abstaining due to personal interest. <Form 8B on file in Clerk's Office.>

### **EQUIPMENT – PUBLIC WORKS**

Public Works Director Danford appeared before the Board to discuss the purchase of a new excavator, stating there was a savings of approximately \$45,000 to \$50,000 on the purchase. He requested permission to purchase a forestry cutter, in the amount of \$18,000.00 from these savings. Upon inquiry by Commissioner McLemore, Public Works Director Danford reported that the forestry cutter will be a ground machine for clearing right-of-ways. He discussed looking into purchasing an attachment for the wheeled excavator to be able to clear from the roadways. Commissioner McLemore requested that Public Works Director Danford look into getting a machine to do both jobs. Upon inquiry by Clerk Norris, Public Works Director Danford reported the purchase would be through State Contract. Commissioner Yeager motioned to approve the purchase of a forestry cutter, in the amount of \$18,000.00 under State Contract. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

### **TABLE BID #1314-12 – LAND'S LANDING BOAT RAMP**

Grant Writer Kopinsky presented copies of Bid #1314-12 to the Board and discussed the bid process. Upon inquiry by Commissioner Bryan, Grant Writer Kopinsky reported that proof of worker's compensation was not requested for this particular bid, but it must be provided by the awarded bidder at the time of contract. After discussion, County Attorney Novak reported that no bidder submitted a local bidder preference for this bid. Commissioner Bryan discussed her concerns regarding focusing on the qualifications for this project. After discussion by members of the Board, County Attorney Novak discussed the recently adopted Purchasing and Procurement Policy, stating that the bid requirements are specific to these projects. After further discussion, County Attorney Novak recommended to table Bid #1314-12 until the Board can speak with County Engineer Clay Smallwood, III. The Board had no objection.

### **WORKSHOP – FAIR HOUSING**

Grant Writer Kopinsky reported that a Fair Housing Workshop will be held on Thursday, February 27<sup>th</sup> at 3:00 p.m., E.T. in the Board Room, stating this will be the final signing of the Deferred Payment Loan (D.P.L.) documents with the homeowners regarding the C.D.B.G.

### **BID #1314-08 – HABITAT CONSERVATION PLAN**

Chief Administrator Butler discussed Bid #1314-08 (Habitat Conservation Plan), reporting that the bids have been ranked and the top three (3) firms are: Cardno Entrix, Ecological Associates, and Scheda Ecological Associates. He recommended the Board allow the top three ranked bidders to appear before the Board to give a presentation. Commissioner Bryan motioned to approve this recommendation. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed 4 to 1, with Commissioner Yeager abstaining due to a business relationship with Preble-Rish, Inc. <Form 8B on file in Clerk's Office.>

### **CODE ENFORCEMENT – BURNED HOUSE**

Commissioner Yeager discussed being contacted regarding a burned building and the County process. Code Enforcement Officer Aiken appeared before the Board to report that a Citation of Violation / Notice of Code Enforcement Hearing had been set; noting the Hearing is scheduled for March 12, 2014 at 1:00 p.m., E.T. in the Board Room. Commissioner McDaniel discussed the process regarding Code Enforcement.

### **EMAIL NOTIFICATIONS – BOARD MEETINGS**

Upon inquiry by Commissioner Yeager, Clerk Norris reported that she discontinued the email notifications in December, 2013, stating that the Agenda and Information Packets are now posted on the County website. Commissioner Bryan discussed maintaining the email list for notification of Special or Emergency Meetings. Clerk Norris discussed the current process of notifications and stated that she would review this matter further.

### **SHERIFF / SUPERVISOR OF ELECTION RELOCATION**

Commissioner Bryan discussed concerns she received regarding the relocation of the Gulf County Sheriff's Office to the Supervisor of Elections Office Building. She discussed her conversation with Supervisor of Elections John Hanlon who reported that he does not mind moving the office, but he cannot move in 2014 due to elections. Commissioner Bryan requested the Board consider other County buildings and property for the relocation of the Gulf County Sheriff's Office. After discussion about taking R.F.Q.'s for possible available sites; Commissioner Bryan motioned to hold off on going out for R.F.Q.'s for moving the Supervisor of Elections Office and examine the buildings the County currently own. Commissioner McLemore seconded the motion for discussion. After further discussion, Commissioner Bryan amended her motion to move forward with the committee to bring a recommendation back to the Board for review. Commissioner McLemore amended his second. Chairman McDaniel called for public

comment. Barbara Radcliff of Port St. Joe appeared before the Board to discuss considering a building that the County owns. The motion then passed unanimously. Chairman McDaniel called for public comment.

### **PUBLIC RECORDS REQUEST**

Jim Garth of Port St. Joe appeared before the Board to discuss correspondence on Freedom of Information access and obtaining records, stating that in November, 2013 he requested to review public documents from the year 2000 forward regarding the Stumphole Contract with Preble-Rish, Inc. He reported that in December, 2013 he received an estimated cost of \$2,200.00; which did not include copies or supervision costs, and that it would take sixty hours to compile the requested records. Mr. Garth reported the cost was reduced to \$29.58 for him to review the records with a supervisor, stating he could not find much relating to the Stumphole Contract. He stated that when he ask where the documents were, he was told that they were in Mr. Butler's control. Upon inquiry by Chairman McDaniel, Clerk Norris reported that Mr. Garth was advised that there are records in other areas, which are normal, and that some of the records that he was looking for, could, or may have been in Mr. Butler's Office. She reported the cost for the records request was not \$29.58, stating that cost was only for the Clerk's Office to redact the files prior to review. Mr. Garth discussed his concerns regarding the filing of records and access to records. Upon inquiry by Chairman McDaniel, Mr. Garth stated that he is looking for the Stumphole Project Contracts, Inspection Reports, and the Specifications required to do this project from the year 2000 forward. Chairman McDaniel stated that the Clerk's Office is the records custodian. After discussion, Mr. Garth requested for County Staff to have a procedure that follows Florida Statute regarding record keeping and allowing accessibility to the records. Commissioner Bryan motioned to allow Mr. Garth additional time to speak. Commissioner Smiley seconded the motion. Clerk Norris reported that the records are accessible to the public, stating that the first request from Mr. Garth was voluminous and he then narrowed the request down to just contract files. After discussion, Chief Administrator Butler discussed record keeping, stating the records in his office are there for his convenience and there is no requirement for him to maintain records; that is for the Clerk of Court to do. After discussion, Deputy Administrator Lanier reported that this was a very voluminous request, stating the request was not specific, that it was vague. She reported the records within the Administration Office are copies for their convenience and the Clerk of Court receives the originals for record keeping. Deputy Administrator Lanier stated that once the request was received it was determined that it would take her thirty hours and Grant Writer Kopinsky thirty hours to complete this request. After discussion by Deputy Administrator Lanier, County Attorney Novak discussed the Public Records Request Policy that was adopted by the Board. Mr. Garth recommended that the Board review a procedure for County Staff in handling of records. Clerk Norris reported that Mr. Garth has come in with a more specific records request and Staff will be working on this request.

**ROAD ABANDONMENT – CINNAMON HILL**

County Attorney Novak discussed the Road Abandonment Policy regarding Cinnamon Hill Subdivision, stating the abandonment process has been properly noticed for a Public Hearing to be held on March 11, 2014. He requested the Board allow him to review the Abandonment Policy and bring a recommendation back to the Board regarding the advertising cost regarding the Public Hearing Notices. The Board had no objections.

**POLICY/APPRECIATION DINNER – COUNTY EMPLOYEES**

County Attorney Novak discussed the December 10, 2013 Meeting Minutes regarding a discussion and motion to adopt a policy regarding retiree dinners, stating that employee appreciation dinners were to be included in this motion, but the minutes did not reflect this. Commissioner Yeager motioned to include employee appreciation dinners, not to exceed \$300.00. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

**LEASE – INDUSTRIAL PARK**

County Attorney Novak reported that he has secured documents from Mr. Muina regarding the cost reflected in his letter to the County concerning the Industrial Park Building; stating he will submit these documents to the Clerk of Court. He also reported that Building Official Collinsworth has inspected the Building.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner Smiley, the meeting did then adjourn at 10:32 a.m., E.T.

**WARD MCDANIEL  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**