

**AUGUST 14, 2012**

**PORT ST. JOE, FLORIDA**

**REGULAR MEETING**

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman William C. Williams, III, Vice Chairman Tan Smiley, and Commissioners Ward McDaniel, and Warren J. Yeager, Jr. <Commissioner Carmen L. McLemore was absent>

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Building Inspector George Knight, Emergency Management Director Marshall Nelson, E9-1-1 Coordinator Ben Guthrie, Grant Writer Towan Kopinsky, Gulf County E.M.S. Director Houston Whitfield, Mosquito Control Director Mark Cothran, Gulf County Planner David Richardson, Public Works Director Joe Danford, Sheriff Joe Nugent, Sheriff's Office Major Bobby Plair, and T.D.C. Director Jennifer Jenkins.

Chairman Williams called the meeting to order at 9:00 a.m., E.T.

County Attorney Novak opened the meeting in prayer, and Chairman Williams led the pledge of allegiance.

**CONSENT AGENDA**

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

1. Minutes – July 10, 2012 – Regular Meeting
  - July 24, 2012 – Special Budget Meeting
  - July 24, 2012 – Regular Meeting
2. Approval of Checks and warrants for July, 2012 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
3. Agreement – Florida Department of Agriculture and Consumer Services (Gulf County Mosquito Control)
4. Invoices - Jordan & Associates – C.D.B.G. Grant Administration Services  
(Invoice #12-K15-A13 \* \$4,779.00 \* to be paid from Account #113538-31000 \* \$1,302.00 \* to be paid from Account #113535-31000 \* \$669.00 \* to be paid from Account #113554-31000)

- Jordan & Associates – C.D.B.G. Grant Activity Delivery Services  
(Invoice #11-K15-D08 \* \$1,333.38 \* to be paid from Account #113535-31000 \* \$6,858.00 \* to be paid from Account #113554-31000)
- Ken Murphy – Taping of County Commission Meetings (July, 2012 \* \$1,350.00 \* to be paid from Account #27452-34000)
- Legal Services of North Florida – Legal Aid Services (April 1 – June 30, 2012 \* \$963.44 \* to be paid from Account #71015-82000)
- Northwest Regional Library System – Annual Allocation (July-September, 2012 \* \$27,515.00 \* to be paid from Account #62271-34100)
- The Ferguson Group, LLC – Federal Lobbying Services (Invoice #0912173 \* \$6,500.00 \* to be paid from Account #21111-31200)

5. S.H.I.P. – Rehabilitation Assistance (\$40,000.00 \* Ruby Brown, Evelyn Harcus, Gillie McNair, Carl Reichert, Anita Tiller)

(End)

### **TRACTOR PURCHASE**

Public Works Director Danford requested permission to purchase a 2012 Kubota L3800, in the amount of \$19,256.00, (approved under State Contract at June 12, 2012) to be paid from T.D.C. funds, for dragging the beaches during turtle season. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded for discussion; asking if this tractor met their needs. Mr. Danford stated yes. The motion then passed unanimously (4-0).

### **PUBLIC WORKS – ADVERTISE FOR BIDS**

Public Works Director Danford requested permission to advertise to receive sealed bids for filters and other assorted items routinely used at Public Works. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion and it passed unanimously (4-0).

### **TROPICAL STORM DEBBY – PUBLIC ASSISTANCE AGREEMENT**

Emergency Management Director Nelson requested permission for the Chairman to sign and execute the Public Assistance Funding Agreement for Tropical Storm Debby, contingent upon County Attorney Novak reviewing. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion, and it passed unanimously (4-0).

### **TROPICAL STORM DEBBY – 12.5% WAIVER**

Emergency Management Director Nelson requested permission to file a waiver for the local match of 12.5%. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously (4-0).

### **FLOODPLAIN MANAGEMENT REPORT**

Planner Richardson reported that the Floodplain Management Progress Report will be presented on August 28<sup>th</sup> for adoption, as part of their CRS certification.

### **ADVERTISE FOR BIDS – ST. JOE BEACHES FIRE DEPARTMENT – ROOF REPAIRS / STUCCO**

David Richardson, Fire Chief of St. Joe Beaches Fire Department, requested permission to advertise to receive sealed bids for roof repairs and stucco work to the St. Joe Beaches fire department, stating they have the money to cover it in their budget. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion, and it passed unanimously (4-0).

### **S.H.I.P. – CONSULTING AGREEMENT**

County Attorney Novak reported that the S.H.I.P. Consulting Agreement (Florida Housing Coalition Technical Services Agreement) with Michael Chaney will expire tomorrow, and requested permission to execute an addendum to continue to work with Mr. Chaney for a period of 4 months. Commissioner Smiley motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously (4-0).

### **ANIMAL CONTROL ORDINANCE**

County Attorney Novak reported that the Animal Control Sub-committee will meet again on August 22<sup>nd</sup> at 10:00 a.m., E.T. hopefully for the third and final meeting.

### **DEEPWATER HORIZON OIL SPILL**

County Attorney Novak gave an update from the Beasley Allen Law Firm, stating they are still receiving claims data and will report back to the Board at a later date.

### **T.D.C. – VISITOR GUIDES**

County Attorney Novak discussed that T.D.C. was approved for special funding at the last meeting for additional visitor guides, stating that the exception was not noted for the additional 15,000 visitor guides, and recommended for the Board to amend the previous vote and reflect what the special exception is under the 2005 County Bid Policy, noting that the special exception is the unique quality of the product and the time sensitivity of the actual production and print. Commissioner Yeager motioned to amend the previous motion concerning the printing of additional visitor guides to include the special exception to the bid policy as noted by County Attorney. Commissioner Smiley seconded the motion, and it passed unanimously (4-0).

### **COUNTY-WIDE VOTING**

County Attorney Novak gave an update from Michael Spellman, of Sniffen & Spellman Law Firm, stating that he is expecting the additional summary report, and once received it will be distributed to the Commission.

### **WEWAHITCHKA HIGH SCHOOL – SPORTS CLAY**

On behalf of Commissioner McLemore, Commissioner McDaniel reported that Wewahitchka High School requested permission for Public Works to go to Tallahassee and pick-up a load of sports clay for the school, stating that the School Board will pay for the clay. Commissioner McDaniel motioned to approve this request. Commissioner Yeager seconded the motion, and it passed unanimously (4-0).

### **WASHINGTON GYM – RESTROOMS**

Commissioner McDaniel reported that he was contacted by a constituent concerning having no restrooms for the children at Washington Gym when closed. Commissioner Smiley reported the Board previously gave \$5,000.00 for repairs to the existing restrooms (at Peters Park), stating that the facility is almost complete.

### **RESTORE ACT**

Chairman Williams reported that there will be a meeting with all Twenty-three (23) Counties concerning the Restore Act on August 16-17, 2012.

### **MEDICAID LITIGATION**

County Attorney Novak noted they are moving forward on the Medicaid lawsuit, stating that all Florida Counties are participating in fighting this legislation (HB 5301). He reported there has been a tremendous amount of progress over the last two months. County Attorney Novak reported since the legislation was passed and signed by the Governor there have been considerable milestones accomplished in stopping the immediate certification of the accounting. He stated that as F.A.C. (Florida Association of Counties) moves forward in the lawsuit, he recommends the County accept the partial stipulation of dismissal with regards to accepting the 15% discount for the back billing, stating it will be a benefit to the County and it will not affect the County on the other pending issues before the Court. Chairman Williams agreed and discussed further. Commissioner Yeager motioned to approve this recommendation and accept the partial stipulation with regards to accepting the 15% discount. Commissioner McDaniel seconded the motion, and it passed unanimously (4-0). Chairman Williams stated that the County needs to follow the decision of F.A.C., stating if F.A.C. drops the lawsuit the County needs to drop the lawsuit.

### **TOURIST DEVELOPMENT COUNCIL**

T.D.C. Director Jenkins presented a report (on file in the Clerk's Office) to the Board and stated that on the first commission meeting of the month she will be presenting the Board with a monthly T.D.C. report for the prior month. She gave a brief high-light of her report as follows: (1) The Council adopted a guiding principles document for marketing, (2) reported the Associated Press (AP) article has reached 4.7 million viewers to date, and (3) noted the June bed tax collection is 23% up over June of last year.

### **DOMESTIC VIOLENCE TASK FORCE**

Debbie Ashbrook, Chairperson of the Domestic Violence Task Force appeared before the Board to give an update on what the Domestic Violence Task Force of Gulf County is doing, and introduced Lindsey McCleary who is the Victims Advocate for Gulf County. Ms. Ashbrook presented a packet to the Board and discussed the organization, their funding raising efforts, and public awareness programs. Ms. Ashbrook stated the public may contact them for additional information or to request the materials presented here today through their webpage at [www.gcdv.org](http://www.gcdv.org) or on Facebook. Commissioner Yeager stated this is a great program and it not only treats the victim it is also assist in public awareness. Chairman Williams discussed the homeless and nuisance ordinance and asked Ms. Ashbrook to look at the impact on the domestic violence caller and provide them with statistics. Commissioner McDaniel commented that the presentations put on by the Sheriff's Department concerning domestic violence are very useful and thanked Officer Chris Buchanan.

### **HUMMINGBIRD LANE**

Millie Schofield, of 231 Sparrow Street appeared before the Board and discussed that they have a problem and have had this problem for ten years, stating they only have one way out of their subdivision (Lake Charles Subdivision in Overstreet); noting the roads are all dirt roads. She reported when the rain started three weeks ago, their main road (Hummingbird Lane) flooded. She reported that the County came out and placed dirt; which has washed away. The county then place powdered asphalt in the area but that only made it worse, she stated. Ms. Schofield requested help from the County and presented pictures for the Board's review. Upon inquiry by Chairman Williams concerning the condition of the road since the woods burned, Ms. Schofield reported that the road has been worse since then due to the water draining from the adjacent wooded area. Commissioner McDaniel stated that the center line of the road has to be established, and the County needs to check into the possibility of paving it. Chairman Williams requested the County Engineer do a preliminary review on this and for County Attorney Novak to contact St. Joe Company concerning the adjacent property. Commissioner Yeager stated the problem is due to a storm water drainage issue.

### **WHIPPOORWILL AVENUE**

Edward (inaudible) Pack appeared before the Board and stated that the secondary road (Whippoorwill Avenue) in the Overstreet area was closed and inquired about the possibility of re-opening the road. Commissioner McDaniel stated that Chief Administrator Butler is currently working with the landowner (Taunton family) to get the road re-opened.

### **PORT ST. JOE REDEVELOPMENT AGENCY**

Gail Alsobrook, of the Port St. Joe Redevelopment Agency appeared before the Board and stated that the Port St. Joe Redevelopment Agency would be glad to help with the repairs on the restrooms after the Washington Gym closes.

There being no further business, and upon motion by Commissioner Yeager, the meeting did then adjourn at 9:36 a.m., E.T.

The meeting was then called back to order at 9:36 a.m., E.T.

**CAPE SAN BLAS SHARED USE PATH PHASE III – CHANGE ORDER #6 – C.W. ROBERTS CONSTRUCTION COMPANY, INC.**

Grant Writer Kopinsky recommended approval of change order #6 for C.W. Roberts Construction Company, Inc., a decrease in the amount of \$52,959.75 for the Cape San Blas Shared Use Path Phase III. Commissioner Yeager motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously (4-0).

There being no further business, and upon motion by Commissioner Yeager, the meeting did then adjourn at 9:37 a.m., E.T.

**WILLIAM C. WILLIAMS, III  
CHAIRMAN**

**ATTEST:  
REBECCA L. NORRIS  
CLERK**