

# PORT ST. JOE, FLORIDA

JUNE 26, 2007

## REGULAR MEETING

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

Others present were: County Attorney Timothy McFarland, Clerk Becky Norris, Clerk Executive Administrator Towan Kopinsky, Clerk Finance Officer Carla Hand, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, Emergency Management Director Marshall Nelson, Grant Writer Loretta Costin, Human Resources Director Denise Manuel, Planner David Richardson, Assistant Planner Sarah White, Road Department Superintendent Bobby Knee, Assistant Road Department Superintendent Chris Wood, Solid Waste Director Joe Danford, T.D.C. Director Paula Pickett, and Sheriff's Office Major Joe Nugent.

Major Nugent called the meeting to order at 6:04 p.m., E.T.

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

### CONSENT AGENDA

Upon motion by Commissioner Traylor, second by Commissioner Peters, and unanimous (4-0) vote, the Board approved the following Consent Agenda items.

1. Minutes - June 5, 2007 - Workshop
  - June 5, 2007 - Special Meeting
  - June 11, 2007 - Regular Meeting
  - June 12, 2007 - Emergency Meeting
  
2. Invoice - M.R.D. Associates - Erosion Control Project (#846 \*  
\$21,913.63 / #847 \* \$58,756.14 \* to be paid from  
Account #43137-31000)
  - Piggly Wiggly - Firemens' Appreciation Dinner (#100030153 \*  
\$182.15 \* to be paid from Account #32122- 52000)
  
  - Walker's Dixie Dandy - Firemens' Appreciation Dinner (#23 \*  
\$277.00 \* to be paid from Account #32122- 52000)
  
3. Purchase Request - South Gulf County Fire Department (to purchase a  
Fire Rescue Skid (RKO Enterprises \* \$9,950.00)

(End of Consent Agenda)

## **STUMPHOLE PROJECT / F.D.O.T.**

Howard Lovett, of Florida Department of Transportation, appeared before the Board to discuss the proposed Stumphole Revetment Project on S.R. 30E. Linda Boucrou, Project Manager for Bulcret & Associates, gave a Power Point presentation and discussed the options that F.D.O.T. are considering (build-up of rock revetment or construction of a bridge). Mr. Lovett stated that F.D.O.T. needs to know if the Board concurs with these 2 options. Upon inquiry by Patricia Hardman regarding funding for the project, Mr. Lovett stated there is presently no funding available beyond P.D.& E. After further discussion, Commissioner Traylor motioned that the Board have no objection to these options. Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

## **“GULF COUNTY MOMENT”**

Amy Rogers, President of the Local Chapter of the N.A.A.C.P., appeared before the Board to discuss creation of the National Association for Advancement of Colored People, and stated that the local chapter was created in December, 1970. She then presented a plaque to Commissioner Peters (for assisting with funding for their organization), and certificates to the following members of the local chapter who have recently completed training:

Paulette Beachum  
Raymond Rogers, Jr.  
Valencia Marsh

James Hamilton  
Debra Heath  
Johnnie Peterson

Eugene Jones  
Bertha Harris  
Joseph Foxworth

## **A.R.P.C./F.D.O.T. FIVE-YEAR PLAN**

Bruce Ballister, of the Apalachee Regional Planning Council, appeared before the Board to discuss the Florida Department of Transportation's Five-Year Plan, and to state that he will submit the Stumphole Project for consideration for funding. He stated that none of the A.R.P.C. roads were approved for funding in the Five-Year Plan last year, and he discussed other projects that will be submitted and/or have been considered for submittal (left turn lane on Marina Drive, 3-laning of U.S. Highway 98 at the site of the new hospital, revised access at the Post Office, facility expansion for the Port Authority, etc.). Mr. Ballister also discussed the T.R.I.P. funding with Calhoun and Jackson Counties. Upon inquiry by Commissioner Barnes regarding the possibility of getting a red light at S.R. 71 and Garrison Avenue (near the Post Office), Mr. Ballister stated that unless there is a fatal accident there, it is unlikely that F.D.O.T. would install a light at that location.

## **MAYOR - CITY OF PORT ST. JOE**

Newly-elected City of Port St. Joe Mayor Mel Magidson, Jr. appeared before the Board to discuss that he is looking forward to working with the County, and hopes they can resolve the issues they have had regarding the annexation interlocal agreement. Chairman Williams stated that Mayor Magidson has agreed to attend the next town hall meeting in Highland View to discuss the new sewer system with the residents. Upon inquiry by Commissioner Peters regarding notices of meetings between Mayor Magidson and Chairman Williams, Chairman Williams stated that the Sunshine Law does not apply to meetings between the Mayor and Chairman because they do not serve on the same Board.

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

The Board then considered the following recommendations from the June 20, 2007 meeting of

the Planning & Development Review Board:

### **VARIANCE / ALTERNATIVE PARKING PLAN - ASHWOOD DEVELOPMENT COMPANY**

Pursuant to advertisement to hold a public hearing to consider approval of a variance for a beach access alternative parking plan at Ovation Subdivision at Cape San Blas by Ashwood Development Company, County Attorney McFarland read the public hearing notice and called for public comment. Michael Hammond, of Preble-Rish, Inc., discussed that this is an agreement and should be contingent upon County Attorney McFarland and Chief Administrator Butler approving the perpetual easement. Chief Administrator Butler stated that this agreement will provide the public with 65 parking spaces for beach access. Commissioner Barnes motioned to approve this plan, contingent upon review by County Attorney McFarland and Chief Administrator Butler. Commissioner Traylor seconded the motion for discussion and, following discussion, the motion passed unanimously (4-0).

### **VARIANCE REQUEST APPROVAL - CARD PROPERTIES**

Pursuant to advertisement to hold a public hearing to consider a request for variance of the development regulations by Card Properties (Parcel ID #06269-975R \* S18, T9S, R11W), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Traylor motioned to approve this variance request, as recommended by the Planning & Development Review Board. Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

### **TABLED VARIANCE REQUEST - SHIPP**

Pursuant to advertisement to hold a public hearing to consider a request for variance of the development regulations by Ruskin Shipp (Parcel ID #03817-001R \* S5, T7S, R11W) that was previously tabled, County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Traylor motioned to approve this variance request, and Commissioner Barnes seconded the motion. The motion then passed unanimously (4-0).

### **LARGE-SCALE MAP AMENDMENT - COTTAGES AT COASTAL PINES, L.L.C.**

Pursuant to advertisement to hold a public hearing to consider approval of a large-scale map amendment for Cottages at Coastal Pines, L.L.C. (Parcel ID #03323-195R \* 40.86 acres in S8, T5S, R10W), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Barnes motioned to proceed with the process for this large-scale map amendment to change this property from Agricultural to Residential. Commissioner Traylor seconded the motion, and it passed unanimously (4-0).

### **PRELIMINARY PLAT APPROVAL - COTTAGES AT COASTAL PINES**

Pursuant to advertisement to hold a public hearing to consider preliminary plat approval for Cottages at Coastal Pines, L.L.C. (Parcel ID#03323-195R \* 40.86 acres in S5 & S8, T5S, R10W \* 73 units), County Attorney McFarland read the public hearing notice and called for

public comment. There being no public comment, Planner Richardson discussed contingencies regarding this plat. Commissioner Traylor motioned to approve the preliminary plat of Cottages at Coastal Pines, subject to all Federal, State and local development regulations both stated and unstated. Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

### **D.C.A. GRANT APPLICATION**

Upon request by Grant Writer Costin, Commissioner Peters motioned to apply for a grant from the Florida Department of Community Affairs to fund updating of addresses for the upcoming census. Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

### **PURCHASE REQUEST / PIPE - AMERICUS AVENUE DITCH PROJECT (BID #0607-11)**

Upon request by Road Department Superintendent Knee, Commissioner Peters motioned to allow the purchase of pipe for the Americus Avenue Ditch Project from H.D. Supply Waterworks, in the total amount of \$490,682.80 (to be paid from Priority Road Bond Funds). Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

### **INVOICE - G.A.C. / ROAD BOND PAVING PROJECT (BID #0607-11)**

Upon request by Road Department Superintendent Knee, Commissioner Traylor motioned to allow payment of G.A.C. Contractors Invoice #5004, in the amount of \$990,256.00, for work completed on the Road Bond Paving Program (based on his approval). Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

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

Upon request by Road Department Superintendent Knee, Commissioner Barnes motioned to allow payment of Preble-Rish, Inc. Invoice #65218, in the amount of \$13,642.00, for work on the Americus Avenue Ditch Project (to be paid from Road Bond Funds). Commissioner Traylor seconded the motion, and it passed unanimously (4-0).

### **INVOICE - PEBBLE BEACH / ROAD BOND PAVING PROJECT (BID #0607-11)**

Upon request by Road Department Superintendent Knee, Commissioner Barnes motioned to allow payment of St. Joe Hardware Invoice #277530, in the amount of \$9.50, for materials for the Pebble Beach project (to be paid from Road Bond Funds). Commissioner Traylor seconded the motion, and it passed unanimously (4-0).

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

Upon request by Road Department Superintendent Knee, Commissioner Traylor motioned to allow payment of Gulf Atlantic Culvert Company Invoice #49224, in the amount of \$851.18, for pipe purchased for South Louise Avenue in Howard Creek (to be paid from Road Bond Funds). Commissioner Barnes seconded the motion, and it passed unanimously (4-0).

### **CONTRACT - V.M.S. / RIGHT-OF-WAY GRASS-CUTTING**

Road Department Superintendent Knee reported that he has executed the new contract with V.M.S. for the County to provide grass-cutting services at a 3% increase over the prior contract, as approved by the Board.

## **EQUIPMENT REPAIR - PUBLIC WORKS / SOLID WASTE DEPARTMENT**

Upon request by Solid Waste Director Danford, Commissioner Peters motioned for Beard Equipment Company to repair landfill equipment on a sole-source basis, in the approximate amount of \$16,000.00 (to be paid from Solid Waste Grant Funds). Commissioner Peters seconded the motion, and it passed unanimously (4-0).

## **APPOINTMENT - TOURIST DEVELOPMENT COUNCIL**

T.D.C. Director Pickett reported that the City of Port St. Joe has appointed City Commissioner Arthur (Perky) White to serve as their representative on the T.D.C. (to replace John Reeves).

## **MOVIE PRESENTATION - T.D.C.**

T.D.C. Director Pickett thanked the City of Port St. Joe for allowing them to use Frank Pate Park as an outdoor theater for their movie presentation for the public.

## **E.A.R. PRESENTATION / PUBLIC HEARING**

Planner Richardson reported that copies of the County's Evaluation and Appraisal Report will be ready for public distribution next week, and requested that a Special Meeting be scheduled on July 24<sup>th</sup> at 5:00 p.m., E.T. to discuss this and other Comprehensive Plan issues. Upon his inquiry, the Board agreed for him to charge (reproduction costs) for copies of the E.A.R.

## **APPOINTMENT / E.D.C. - GULF COAST WORKFORCE BOARD**

Chief Administrator Butler reported that E.D.C. is requesting the appointment of Chuck Edwards to replace Rich Wynn on the Gulf Coast Workforce Board. Upon motion by Commissioner Peters, second by Commissioner Traylor, and unanimous (4-0) vote, the Board approved this request.

## **NEW VOTING PRECINCTS**

Chief Administrator Butler reported that he met with Supervisor of Elections Griffin, and she has agreed to consolidate some of the voting precincts to reduce costs. Upon his request, Commissioner Peters motioned for G.I.S. to prepare the legal descriptions for the new precinct areas so they can proceed with the ordinance process to make the changes. Commissioner Barnes seconded the motion, and it passed unanimously.

## **BUILDING INSPECTIONS / CITY OF WEWAHITCHKA**

Chief Administrator Butler discussed a letter from the City of Wewahitchka requesting that the County give them 15% of the building permit fees generated in the city limits, stating that the City has contacted him stating they wish to withdraw this letter and asked the Board to reconsider no longer providing their inspections. Chairman Williams discussed that based upon the recent Building Department audit, the County will no longer be able to provide inspections for either of the Cities.

## **COUNTY PROBATION SERVICES**

Chief Administrator Butler discussed that the Board agreed to advertise to receive proposals for a company to provide the County's Probation Services, stating that they could agree to piggy-back Bay County's bid with Judicial Corrections Services, Inc., who provides probation services and they charge only what is collected in probation fees (no additional charges for space, supplies, etc.). Commissioner Peters motioned to rescind his previous motion to advertise to receive sealed bids for probation services, and to proceed with piggy-backing Bay County's bid. Commissioner Traylor seconded the motion, and it passed unanimously (4-0). Chief Administrator Butler reported he will present the proposed contract for the Board's approval.

## **2007-08 PROPOSED BUDGET**

Chief Administrator Butler discussed that the legislature is requiring that Gulf County adopt a budget for 2007-08 that is 9% below the current year budget and gave a Power Point presentation (Goals & Objectives, Core Services, Cost Reduction of Nine Percent Required in Ad Valorem Tax, Policy Changes Creating Budget Reductions/Savings, Budgets Requiring Increases, Recommendations for Budgeted Decreases, Outside Agencies Affected, Constitutional Officers' Budgets, Possible Revenue New/Amended Assessments, Possible Revenue Cost Shifts, and Possible Revenue). After discussion by members of the Board regarding the loss of jobs and services this will cause in Gulf County, G.A.C. Representative Andrew Rowell stated that G.A.C. has agreed to try to hire as many of the laid-off County employees as possible. Chairman Williams stated that he also wants to negotiate with The St. Joe Company regarding possible jobs at the new hospital location. Upon motion by Commissioner Traylor, second by Commissioner Barnes, and unanimous (4-0) vote, the Board agreed for the Chairman to proceed with this negotiation.

## **EMERGENCY ORDINANCES / GAS TAXES**

County Attorney McFarland reported that he has drafted an emergency ordinance for adoption of the 1-5 Cent Second Local Option Gas Tax as requested by the Board, and he read the proposed ordinance by title. Commissioner Traylor motioned to adopt the emergency ordinance, and Commissioner Barnes seconded the motion. The motion then failed with a vote of 3 to 1, with Chairman Williams voting no (there must be a unanimous vote for adoption of an emergency ordinance).

County Attorney McFarland reported that he has drafted an emergency ordinance for adoption of the 1 Cent Ninth Local Option Gas Tax as requested by the Board, and he read the proposed ordinance by title. Commissioner Traylor motioned to adopt the emergency ordinance, and Commissioner Barnes seconded the motion. The motion then failed with a vote of 3 to 1, with Chairman Williams voting no (there must be a unanimous vote for adoption of an emergency ordinance).

Upon inquiry, County Attorney McFarland stated that these ordinances must be adopted prior to July 1<sup>st</sup> to become effective January 1, 2008 and he stated that the Communications Services Tax must be adopted by September 1<sup>st</sup> to become effective January 1, 2008.

## **RESOLUTION / OIL DRILLING & EXPLORATION - GULF OF MEXICO**

County Attorney McFarland read a proposed ordinance in support of oil drilling & exploration in the Gulf of Mexico. Upon motion by Commissioner Peters, second by Commissioner

Traylor, and unanimous (4-0) vote, the Board adopted the following resolution.

**RESOLUTION NO. 2007-16**

**WHEREAS**, The United States now relies on imported oil and gas to meet the majority of its energy needs; and

**WHEREAS**, much of this oil and gas is imported from nations that are now embroiled in political turmoil; and

**WHEREAS**, the ever-increasing fuel and energy costs resulting from the factors above have adversely effected the quality of life for the citizens of the United States and, in particular, Gulf County; and

**WHEREAS**, the combination of these factors makes it inevitable that additional domestic oil and gas exploration will be required; and

**WHEREAS**, the permitting process for the additional leasing of areas in the Gulf of Mexico for oil and gas exploration and production is under way; and

**WHEREAS**, the supply and provisioning of the work effort in these lease areas does not entail any activities or infrastructure that are harmful to the environment or damaging to the aesthetics of Gulf County; and

**WHEREAS**, the principle of redundancy suggests that several ports should be equipped to provide this service so that provisions can continue to be supplied even if there is storm damage to the infrastructure at one or more of the ports; and

**WHEREAS**, the deepwater harbor at the Port of Port St. Joe is ideally situated geographically to service the oil and gas facilities as they develop in the Eastern Gulf; and

**WHEREAS**, the Port of Port St. Joe is Florida's only remaining undeveloped natural port suitable for logistical support and services to oil and gas field exploration activities; and

**WHEREAS**, the development of the Port of Port St. Joe was selected as one of the top priorities by the Gulf County Economic Development Council and the Gulf County Inter-Agency Task Force; and

**WHEREAS**, the State of Florida is supporting the development of the Port of Port St. Joe with funding and policies to establish inter-modal infrastructure; and

**WHEREAS**, the provision of goods and services to prospective off-shore activities presents a critically needed economic development opportunity to create well-paying employment opportunities with on-shore jobs in Gulf County;

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

1. The Board of County Commissioners of Gulf County, Florida, with the full concurrence of the Port St. Joe Port Authority, hereby supports oil and gas exploration in the Eastern Gulf of Mexico, with proper safeguards to avoid disruption of the environment or the training needs of the military; and

2. That Gulf County supports the development by the Port St. Joe Port Authority of facilities to support the movement of workers, supplies, equipment, and materials required by the energy exploration and supply effort; and
3. That Gulf County and the Port St. Joe Port Authority will cooperate in the permitting processes and other governmental prerequisites for the development of the facilities necessary for the on\_shore operations that support the energy exploration and supply effort; and
4. The Gulf County Board of County Commissioners urges all private businesses, as well as local, regional, State, and Federal governmental agencies to give top-most priority to the development of the support services capabilities and necessary infrastructure to enable the Port of Port St. Joe to achieve the economic benefits for the citizens of Gulf County and surrounding counties.

**DULY** adopted this 26<sup>th</sup> day of June, 2007.

(End of Resolution)

### **2007-08 BUDGET / EMERGENCY ORDINANCES**

Chairman Williams discussed the proposed emergency gas tax ordinances, stating that he wants time to review the ordinances prior to their approval.

### **T.S. ALBERTO "BUY-OUT" PROPERTIES / ADVERTISE FOR BIDS TO SELL**

Commissioner Traylor discussed a portion of property the County owns on Mitchell Road (it was a flooded property purchased through the Tropical Storm Alberto "Buy-Out" Program several years ago), stating that he would like for the County to sell the property. After discussion by County Attorney McFarland, Commissioner Traylor motioned to advertise to receive sealed bids to sell this property. Commissioner Peters seconded the motion, and it passed unanimously (4-0).

### **CHANGE ORDER - ROAD BOND PAVING PROJECT (BID #0607-11)**

Upon motion by Commissioner Traylor, second by Commissioner Barnes, and unanimous (4-0) vote, the Board approved a change order to the Road Bond Paving Project for striping on old C.R. 22, not to exceed \$7,000.00.

### **PARKING LOT / A.R.C. BUILDING**

Commissioner Peters discussed the rear and front parking area of the old Association of Retarded Citizens building that is to be paved, and requested that G.A.C. Contractors take care of this as soon as possible.

### **SPECIAL PROJECTS PAYMENT**

Upon motion by Commissioner Barnes, second by Commissioner Peters, and unanimous (4-

0) vote, the Board agreed to pay St. Joe Hardware Invoice #277530, in the amount of \$9.50 (sacrete for culvert ends, from District 5 Special Projects funds (this was purchased prior to the spending freeze approved by the Board).

### **LIMITED MAINTENANCE - MOONRISE AVENUE**

Commissioner Barnes discussed a request from the residents on Moonrise Avenue for the County to perform limited maintenance on their road, and he presented a signed waiver from them. Upon motion by Commissioner Traylor, second by Commissioner Barnes, and unanimous (4-0) vote, the Board approved the limited maintenance contingent upon receiving an easement.

### **GRANT - HIGHLAND VIEW PARK**

Chairman Williams reported that notification was received that the County was awarded a \$200,000.00 F.R.D.A.P. Grant for the Donnie Wayne Brake Memorial Park in Highland View.

### **BOAT TRAFFIC - BOAT RAMPS**

Chairman Williams discussed that he has been contacted regarding the need for boat traffic regulations in White City, Highland View and Overstreet, and requested permission to meet with Harbor Master Jim Townsend and Florida Fish & Wildlife Representatives regarding this matter. Upon motion by Commissioner Traylor, second by Commissioner Barnes, and unanimous (4-0) vote, the Board approved this request.

### **SEWER SYSTEM / ECONOMIC DEVELOPMENT - HIGHLAND VIEW**

Raymond Burrows, of Highland View, appeared before the Board to discuss the various issues Gulf County has faced and is currently facing, and discussed the sewer system that is being installed in Highland View. <Upon motion by Commissioner Traylor, second by Commissioner Barnes, and unanimous (4-0) vote, the Board extended Mr. Burrows' speaking time by 3 minutes>. Mr. Burrows discussed all of the problems that the residents have already experienced and stated that this new system is not going to work if the power goes out. <Upon motion by Commissioner Peters, second by Commissioner Barnes, and unanimous (4-0) vote, the Board extended Mr. Burrows' speaking time by 3 minutes>. Chairman Williams discussed that the Board has done all they can do, stating that they have attempted to pre-pay the tap fees for the residents and they are working with the new Mayor regarding these issues. Mr. Burrows stated that with all the problems they are having, he does not believe the system will be finished in a year.

### **BUILDING DEPARTMENT / 2007-08 BUDGET**

Commissioner Peters discussed the proposed budget cut for 2007-08 in the Building Department (\$85,000.00 / 22% decrease instead of 9%), stating that he would like to amend this to only reduce it by 9%. Chairman Williams requested that this be discussed at the budget meeting on Thursday, June 28<sup>th</sup> .

There being no further business and upon motion by Commissioner Peters, second by

Commissioner Traylor, and unanimous (4-0) vote, the meeting did then adjourn at 8:18 p.m., E.T.

**BILL WILLIAMS**  
**CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS**  
**CLERK**