

**PORT ST. JOE, FLORIDA**

**DECEMBER 11, 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 Carmen L. McLemore, Billy E. Taylor, and Nathan Peters, Jr.

Others present were: County Attorney Timothy McFarland, Clerk Becky Norris, Clerk Executive Administrator Towan Kopinsky, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, Emergency Management Director Marshall Nelson, G.I.S. Director Scott Warner, Grant Writer Loretta Costin, Human Resources Director Denise Manuel, Planner David Richardson, Solid Waste Director Joe Danford, and Sheriff Joe Nugent.

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

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

**DECEMBER 25<sup>TH</sup> REGULAR MEETING CANCELLATION**

Upon motion by Commissioner Traylor, second by Commissioner Barnes, and unanimous vote, the Board cancelled their regular meeting scheduled for Tuesday, December 25, 2007.

**BOARD REORGANIZATION**

Commissioner Barnes motioned to appoint Commissioner Billy E. Traylor as Chairman and Commissioner Nathan Peters, Jr. as Vice Chairman for 2008 (effective the first regular meeting in January). Commissioner McLemore seconded the motion, and it passed unanimously.

**CONSENT AGENDA**

Upon motion by Commissioner McLemore, second by Commissioner Peters, and unanimous vote, the Board approved the Consent Agenda, after removal of pages 44-46 (St. Joseph Bay Humane Society Invoice for \$395.00), as follows:

1. Minutes - November 27, 2007 - Regular Meeting
2. Appointments - Tourist Development Council (T.D.C. - Jason Bogan & Charles Pettis)

3. Bid Advertisements - Sale of a 1968 GMC 7500 Truck for Wetappo Fire Department
4. Change Order - Honeyville Community Center Septic System (Bailey & Son's Diversified, Inc. \* Bid #0607-40 \* \$3,819.00 Incr.)
5. Engineering Proposal - Preble-Rish, Inc. (Stumphole Revetment Grant Project \* \$264,475.00)
6. Fire Tax Reimbursement Request to City of Port St. Joe (Windmark Beach D.R.I. Agreement)
7. Grant Modification - Sheriff's Office (Edward Byrne Memorial Justice / J.A.G. Grant \* \$994.99 Decrease)
8. Invoice - Ausley & McMullen - Gulf Pines Hospital Litigation (#61971 \* \$490.00 \* to be paid from Account #21111-33000)
  - Bay Medical Center - H.C.R.A. (#0728100552 \* \$392.20 / #0728700178 \* \$3,391.29 \* to be paid from Account #51462-31500)
  - Cathey Construction & Development - Honeyville Community Center/Storm Shelter (#8 \* Bid #0607-13 \* \$40,040.45 \* to be paid from Account #31325-62000)
  - Cathey Construction & Development - Courthouse Roof (#11 \* Bid #0607-07 \* \$48,148.20 \* to be paid from Account #26219-62100)
  - County Attorney Timothy McFarland (November, 2007 \* \$10,632.00 \* to be paid from Account #21314-31100)
  - G.A.C. Contractors - Road Bond Paving Program (#5307 \* Bid #0607-11 \* \$211,397.70 \* to be paid from Account #41441-63000)
  - Gulf Coast Children's Advocacy Center (08/06/07 \* \$350.00 / 11/05/07 \* \$350.00 \* to be paid from Account #21111-31300)
  - M.R.D. Associates - St. Joseph Peninsula Permit Processing (#983 \* \$2,665.62 \* to be paid from Account #43137-31000)

- Preble-Rish, Inc. - Cape Shared-Use/Bike Path (#65422 \* \$28,680.00 \* to be paid from Account #40341-31000)
- Rumberger, Kirk & Caldwell - General Employment Matters (File #G214-107990 \* #719559 \* \$8,145.66 \* to be paid from Account #21111-31200)
- St. Joseph Bay Humane Society - Animal Control Services (\$395.00 & \$1,519.00 \* to be paid from Account #43262-82000)  
**\*\*BCC TABLED \$395.00 Invoice\*\***
- Windolf Construction - Gulf County Welcome Center (Bid #0607-16 \* #3 \* \$79,768.60 \* to be paid from Account #27452-81001)

9. Landfill Tipping Fees - Request to write-off \$155.83 charge to Gulf Coast Electric for tipping fees for work that was done for the benefit of the County)
10. S.H.I.P. - Rehabilitation Assistance (Angela Kemp - \$18,000.00 / Lukesha Myers - \$18,000.00 / Eleese Adkins - \$5,500.00)
11. Subdivision Replat Approval / Agreement - Ovation Phase 2
12. Travel - NACo 2008 Legislative Conference (3/1-5/08 \* Washington, D.C.)
13. Invoice - Cathey Construction & Development - Courthouse Roof (#11 \* Bid #0607-07 \* \$48,148.20 \* to be paid from Account #26219-62100)

(End of Consent Agenda)

### **INVOICE - ST. JOSEPH BAY HUMANE SOCIETY**

Commissioner McLemore discussed the high cost of euthanizing animals (in reference to the \$395.00 invoice from St. Joseph Bay Humane Society for animals euthanized in November, 2007). Sandy Christie, of St. Joseph Bay Humane Society, discussed their agreement with the County for 2007-08, and the costs associated with euthanizing the animals. After further discussion, the Board tabled the invoice and appointed Chairman Williams, Chief Administrator Butler, and Animal Control Officer Rowland Jones to meet with the Humane Society to work out a solution regarding this matter.

### **PUBLIC HEARING / RESOLUTION - E.M.S. TAX ASSESSMENTS**

Pursuant to advertisement to hold a public hearing to consider adoption of a resolution electing to use the uniform method of collecting E.M.S. Tax Assessments levied within the County, County Attorney McFarland read the proposed resolution by title. There being no

public comment and upon motion by Commissioner Traylor, second by Commissioner McLemore, and unanimous vote, the Board adopted the following resolution.

**RESOLUTION NO. 2007-51**

A RESOLUTION OF GULF COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING EMS TAX ASSESSMENTS LEVIED WITHIN THE ENTIRE AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gulf County, Florida (the "County") is contemplating the imposition of special assessments for the provision of emergency medical services and facilities pursuant to Section 125.271, Florida Statutes; and

WHEREAS, the County intends to use the uniform method for collecting non-ad valorem tax assessments for the cost of providing emergency medical services and facilities pursuant to Section 125.271, Florida Statutes, to property within the entire area of the County as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such tax assessments to be collected annually commencing in November 2008, in the same manner as provided for ad valorem taxes; and

WHEREAS, the County held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED:

1. Commencing with the Fiscal Year beginning on October 1, 2008, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the County, the County intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing emergency medical services and facilities pursuant to Section 125.271, Florida Statutes. Such non-ad valorem assessments shall be levied within the entire area of the County. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

2. The County hereby determines that the levy of the tax assessments is needed to fund the cost of emergency medical services and facilities pursuant to Section 125.271, Florida Statutes, within the entire area of the County.

3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Gulf County Tax Collector, and the Gulf County Property Appraiser by January 10, 2008.

4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 11<sup>th</sup> day of December, 2007.

EXHIBIT "A"  
NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING EMS TAX  
ASSESSMENTS

Gulf County, Florida (the "County") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied pursuant to Section 125.271 Florida Statutes and other governing applicable Florida Laws, within the entire area of the County, for the cost of providing emergency medical services and facilities, solid waste management services and facilities, mosquito control services and facilities, commencing for the Fiscal Year beginning on October 1, 2008. The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 6:00 p.m. on December 11, 2007 at the Gulf County Boardroom, 1000 Cecil G. Costin Sr. Blvd., Room 302, Port St. Joe, Florida 32456. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the County Offices, 1000 Cecil G. Costin Sr. Blvd., Room 302, Port St. Joe, Florida 32456. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Clerk at (850) 229-6111, seven (7) days prior to the date of the hearing.

DATED this 9<sup>th</sup> day of November, 2007.

By Order of:

William C. Williams, III - Chairman

Gulf County, Florida

Ad Dates: November 15, November 22, November 29, December 6, 2007

Ad #2007-122

Ad Size: Legals

Invoice: Gulf County BCC

EXHIBIT "B"

The boundary lines of Gulf County are as follows: Beginning at a point in the Apalachicola River where said river is intersected by the section line between sections

twenty-three and twenty-six, township three south, range nine west; thence west on said section line and other section lines across the remainder of ranges nine west and ranges ten and eleven west to the southwest corner of section nineteen, township three south, range eleven west, at the Bay County line; thence south on the range line between ranges eleven and twelve west, concurrent with the eastern boundary of Bay County, to the Gulf of Mexico; thence south and easterly through said gulf, including the waters of the Gulf of Mexico within the jurisdiction of the State of Florida, to a point where the Forbes line would intersect said boundary line; thence northeasterly with said line until same crosses the waters of the Apalachicola River; thence northerly up the thread of said river to the place of beginning.

(End of Resolution)

### **PUBLIC HEARING / RESOLUTION - SOLID WASTE TAX ASSESSMENTS**

Pursuant to advertisement to hold a public hearing to consider adoption of a resolution electing to use the uniform method of collecting Solid Waste Management Services and Facilities Tax Assessments levied within the County, County Attorney McFarland read the proposed resolution by title. There being no public comment and upon motion by Commissioner Peters, second by Commissioner Barnes, and unanimous vote, the Board adopted the following resolution.

#### **RESOLUTION NO. 2007-52**

A RESOLUTION OF GULF COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING SOLID WASTE MANAGEMENT SERVICES AND FACILITIES TAX ASSESSMENTS LEVIED WITHIN THE ENTIRE AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gulf County, Florida (the "County") is contemplating the imposition of special assessments for the provision of Solid Waste Management Services and facilities pursuant to Section 125, Florida Statutes; and

WHEREAS, the County intends to use the uniform method for collecting non-ad valorem tax assessments for the cost of providing Solid Waste Management Services and facilities pursuant to Section 125, Florida Statutes, to property within the entire area of the County as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such tax assessments to be collected annually commencing in November 2008, in the same manner as provided for ad valorem taxes; and

WHEREAS, the County held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED:

1. Commencing with the Fiscal Year beginning on October 1, 2008, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the County, the County intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing Solid Waste Management Services and facilities pursuant to Section 125, Florida Statutes. Such non-ad valorem assessments shall be levied within the entire area of the County. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

2. The County hereby determines that the levy of the tax assessments is needed to fund the cost of Solid Waste Management services and facilities pursuant to Section 125, Florida Statutes, within the entire area of the County.

3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Gulf County Tax Collector, and the Gulf County Property Appraiser by January 10, 2008.

4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 11<sup>th</sup> day of December, 2007.

EXHIBIT "A"  
NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING EMS TAX  
ASSESSMENTS

Gulf County, Florida (the "County") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied pursuant to Section 125.271 Florida Statutes and other governing applicable Florida Laws, within the entire area of the County, for the cost of providing emergency medical services and facilities, solid waste management services and facilities, mosquito control services and facilities, commencing for the Fiscal Year beginning on October 1, 2008. The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 6:00 p.m. on December 11, 2007 at the Gulf County Boardroom, 1000 Cecil G. Costin Sr. Blvd., Room 302, Port St. Joe, Florida 32456. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the County Offices, 1000 Cecil G. Costin Sr. Blvd., Room 302, Port St. Joe, Florida 32456. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Clerk at (850) 229-

6111, seven (7) days prior to the date of the hearing.

DATED this 9<sup>th</sup> day of November, 2007.

By Order of:

William C. Williams, III - Chairman

Gulf County, Florida

Ad Dates: November 15, November 22, November 29, December 6, 2007

Ad #2007-122

Ad Size: Legals

Invoice: Gulf County BCC

#### EXHIBIT "B"

The boundary lines of Gulf County are as follows: Beginning at a point in the Apalachicola River where said river is intersected by the section line between sections twenty-three and twenty-six, township three south, range nine west; thence west on said section line and other section lines across the remainder of ranges nine west and ranges ten and eleven west to the southwest corner of section nineteen, township three south, range eleven west, at the Bay County line; thence south on the range line between ranges eleven and twelve west, concurrent with the eastern boundary of Bay County, to the Gulf of Mexico; thence south and easterly through said gulf, including the waters of the Gulf of Mexico within the jurisdiction of the State of Florida, to a point where the Forbes line would intersect said boundary line; thence northeasterly with said line until same crosses the waters of the Apalachicola River; thence northerly up the thread of said river to the place of beginning.

(End of Resolution)

#### **PUBLIC HEARING / RESOLUTION - SOLID WASTE TAX ASSESSMENTS**

Pursuant to advertisement to hold a public hearing to consider adoption of a resolution electing to use the uniform method of collecting Mosquito Control Services and Facilities Tax Assessments levied within the County, County Attorney McFarland read the proposed resolution by title. There being no public comment and upon motion by Commissioner Traylor, second by Commissioner Barnes, and unanimous vote, the Board adopted the following resolution.

#### **RESOLUTION NO. 2007-53**

A RESOLUTION OF GULF COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING MOSQUITO CONTROL SERVICES AND FACILITIES TAX ASSESSMENTS LEVIED WITHIN THE ENTIRE AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION;

AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gulf County, Florida (the "County") is contemplating the imposition of special assessments for the provision of Mosquito Control Services and Facilities pursuant to Section 125, Florida Statutes; and

WHEREAS, the County intends to use the uniform method for collecting non-ad valorem tax assessments for the cost of providing Mosquito Control Services and Facilities pursuant to Section 125, Florida Statutes, to property within the entire area of the County as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such tax assessments to be collected annually commencing in November 2008, in the same manner as provided for ad valorem taxes; and

WHEREAS, the County held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED:

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2. The County hereby determines that the levy of the tax assessments is needed to fund the cost of Mosquito Control Services and Facilities pursuant to Section 125, Florida Statutes, within the entire area of the County.

3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Gulf County Tax Collector, and the Gulf County Property Appraiser by January 10, 2008.

4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 11<sup>th</sup> day of December, 2007.

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Year beginning on October 1, 2008. The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 6:00 p.m. on December 11, 2007 at the Gulf County Boardroom, 1000 Cecil G. Costin Sr. Blvd., Room 302, Port St. Joe, Florida 32456. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the County Offices, 1000 Cecil G. Costin Sr. Blvd., Room 302, Port St. Joe, Florida 32456. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Clerk at (850) 229-6111, seven (7) days prior to the date of the hearing.

DATED this 9<sup>th</sup> day of November, 2007.

By Order of:

William C. Williams, III - Chairman

Gulf County, FLORIDA

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#### EXHIBIT "B"

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(End of Resolution)

**PUBLIC HEARING / ORDINANCE - OVERSTREET FIRE CONTROL DISTRICT**

Pursuant to advertisement to hold a public hearing to consider adoption of an ordinance modifying the boundaries of the Overstreet Fire Control District, County Attorney McFarland read the proposed ordinance by title. There being no public comment and upon motion by Commissioner Traylor, second by Commissioner McLemore, and unanimous vote, the Board adopted the following ordinance.

### **ORDINANCE NO. 2007-18**

AN ORDINANCE OF GULF COUNTY, FLORIDA MODIFYING THE BOUNDARIES OF THE OVERSTREET FIRE CONTROL DISTRICT, A DEPENDENT FIRE CONTROL DISTRICT OF GULF COUNTY, FLORIDA, PROVIDING FOR A LEGAL DESCRIPTION OF THE MODIFIED BOUNDARIES OF SUCH DISTRICT, PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Overstreet Fire Control District is a Dependent Fire Control District within Gulf County, Florida; and

WHEREAS, rural areas of Gulf County have continued to develop such that such emerging areas of development now require fire protection in areas previously consisting of woodlands; and

WHEREAS, Gulf County, Florida is charged with the reenactment, modification or repeal of such Dependant Fire Control Districts pursuant to Chapter Law 1992-129, Laws of Florida; and

WHEREAS, additional revenues are needed to fund the increased fire protection services required within the hereinafter described area;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, as follows:

1. The boundaries of the Overstreet Fire Control District are hereby modified and the boundaries of such Dependant Fire Control District shall be hereinafter as set forth on Exhibit A attached hereto.
2. This Ordinance shall become effective as provided by law upon approval by majority of the voting members of the Gulf County Board of County Commissioners.
3. Any and all provisions of this Ordinance found to be contrary to law shall be severed from the Ordinance and any and all remaining provisions of the Ordinance or those laws superceded by such Ordinance shall remain in full force and effect.

ADOPTED this 11<sup>th</sup> day of December, 2007.

**EXHIBIT "A"**

Amend the boundary of the Overstreet Fire Control District as defined in Florida Chapter Law 78-513 to:

Begin at the Southwest corner of Section 19, Township 6 South, Range 11 West, thence East along section lines to the Southeast corner of Section 23, Township 6 South, Range 10 West, thence North along section lines to the Northeast corner of Section 2, Township 6 South, Range 10 West, thence West along section lines to the Northwest corner of Section 6, Township 6 South, Range 10 West, thence North along section lines to the Northeast corner of Section 1, Township 5 South, Range 11 West, thence West along section lines to the Northwest corner of Section 6, Township 5 South, Range 11 West, thence South along county boundary section lines to the Point of Beginning.

(End of Ordinance)

**PUBLIC HEARING / ORDINANCE - TUPELO FIRE CONTROL DISTRICT**

Pursuant to advertisement to hold a public hearing to consider adoption of an ordinance modifying the boundaries of the Tupelo Fire Control District, County Attorney McFarland read the proposed ordinance by title. There being no public comment and upon motion by Commissioner McLemore, second by Commissioner Traylor, and unanimous vote, the Board adopted the following ordinance.

**ORDINANCE NO. 2007-19**

AN ORDINANCE OF GULF COUNTY, FLORIDA MODIFYING BOUNDARIES OF THE TUPELO FIRE CONTROL DISTRICT, A DEPENDENT FIRE CONTROL DISTRICT OF GULF COUNTY, FLORIDA, PROVIDING FOR A LEGAL DESCRIPTION OF THE MODIFIED BOUNDARIES OF SUCH DISTRICT, PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Tupelo Fire Control District is a Dependent Fire Control District within Gulf County, Florida, and

WHEREAS, rural areas of Gulf County have continued to develop such that such emerging areas of development now require fire protection in areas previously consisting of woodlands, and

WHEREAS, Gulf County, Florida is charged with the reenactment, modification or repeal of such Dependant Fire Control Districts pursuant to Florida Chapter Law 92-129, and

WHEREAS, additional revenues are needed to fund the increased fire protection services required within the hereinafter described area,

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, as follows:

1. The boundaries of the Tupelo Fire Control District are hereby modified and the boundaries of such Dependant Fire Control District shall be hereinafter as set forth on Exhibit A attached hereto.
2. This Ordinance shall become effective as provided by law upon approval by majority of the voting members of the Gulf County Board of County Commissioners.
3. Any and all provisions of this Ordinance found to be contrary to law shall be severed from the Ordinance and any and all remaining provisions of the Ordinance or those laws superceded by such Ordinance shall remain in full force and effect.

ADOPTED this 11<sup>th</sup> day of December, 2007.

#### **EXHIBIT "A"**

Amend the boundary of the Tupelo Fire Control District as defined in Florida Chapter Law 70-696 to:

A portion of lands that lies within the boundary lines beginning at the Southwest corner of Section 31, Township 4 South, Range 11 West, thence North along county boundary section lines to the Northwest corner of Section 30, Township 3 South, Range 11 West, thence East along county boundary section lines to the intersection of the boundaries of Calhoun, Gulf and Liberty counties, thence South along the river water way until the river intersects the section lines of Township 5 South and Township 6 South, thence West along section line to the Southwest corner of Section 31, Township 5 South, Range 10 West, thence North along section lines to the Northwest corner of Section 6, Township 5 South, Range 10 West, thence West along section line to the Point of Beginning, excluding that part of said boundary which lies within the corporate limits of the City of Wewahitchka.

(End of Ordinance)

#### **PUBLIC HEARING LAND USE ORDINANCE (PRICE)**

Pursuant to advertisement to hold a public hearing to consider adoption of a small-scale map amendment ordinance for Willard B. Price (Parcel ID #01048-050R \* S11, T6S, R9W \* 3 Acres), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner McLemore motioned to adopt the following ordinance changing the land use from Agricultural to Residential. Commissioner

Barnes seconded the motion and it passed unanimously.

**ORDINANCE NO. 2007-20**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF GULF COUNTY, FLORIDA BY AND THROUGH PROCEDURES REQUIRED FOR SMALL-SCALE MAP AMENDMENTS PURSUANT TO AUTHORITY UNDER STATE STATUES SECTION 163.3187, SPECIFICALLY CHANGING A PORTION PARCEL ID #01048-050R, 3 ACRES OF LAND LYING AND BEING PART OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 9 WEST, GULF COUNTY, FLORIDA FROM AGRICULTURAL TO RESIDENTIAL LOW DENSITY PROVIDING AN EFFECTIVE DATE.

(Complete Ordinance on file with Clerk)

**PUBLIC HEARING LAND USE ORDINANCE (TAUNTON)**

Pursuant to advertisement to hold a public hearing to consider adoption of a small-scale map amendment ordinance for Daniel Taunton (Parcel ID #01359-005R \* S35, T3S, R10W \* .78 Acre), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner McLemore motioned to adopt the following ordinance changing the land use from Agricultural to Residential. Commissioner Barnes seconded the motion and it passed unanimously.

**ORDINANCE NO. 2007-21**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF GULF COUNTY, FLORIDA BY AND THROUGH PROCEDURES REQUIRED FOR SMALL-SCALE MAP AMENDMENTS PURSUANT TO AUTHORITY UNDER STATE STATUES SECTION 163.3187, SPECIFICALLY CHANGING A PORTION PARCEL ID #01359-005R, .78 ACRES OF LAND LYING AND BEING PART OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 10 WEST, GULF COUNTY, FLORIDA FROM AGRICULTURAL TO RESIDENTIAL LOW DENSITY PROVIDING AN EFFECTIVE DATE.

(Complete Ordinance on file with Clerk)

**PUBLIC HEARING LAND USE ORDINANCE (BUCCIERI)**

Pursuant to advertisement to hold a public hearing to consider adoption of a small-scale map amendment ordinance for Samuel and Tammy Buccieri (Parcel ID #01101-050R \* S30, T6S, R9W \* 2.25 Acres), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner McLemore motioned to adopt the following ordinance changing the land use from Agricultural to Residential. Commissioner Barnes seconded the motion and it passed unanimously.

**ORDINANCE NO. 2007-22**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF GULF COUNTY, FLORIDA BY AND THROUGH PROCEDURES REQUIRED FOR SMALL-SCALE MAP AMENDMENTS

PURSUANT TO AUTHORITY UNDER STATE STATUES SECTION 163.3187, SPECIFICALLY CHANGING A PORTION PARCEL ID #01101-050R, 2.25 ACRES OF LAND LYING AND BEING PART OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 9 WEST, GULF COUNTY, FLORIDA FROM AGRICULTURAL TO RESIDENTIAL LOW DENSITY PROVIDING AN EFFECTIVE DATE.

(Complete Ordinance on file with Clerk)

### **PUBLIC HEARING SCHOOL FACILITIES ELEMENT TRANSMITTAL**

Pursuant to advertisement to hold a public hearing to consider transmittal of the Comprehensive Plan School Facilities Element, no public comment was received. After discussion by Planner Richardson, Commissioner Traylor motion to transmit the School Facilities Element to D.C.A. Commissioner Peters seconded the motion, and it passed unanimously.

### **GRANT WHITE CITY BOAT RAMP**

Upon discussion by Grant Writer Costin, Commissioner Peters motioned to execute the \$95,000.00 grant agreement for the White City Board Ramp. Commissioner McLemore seconded the motion, and it passed unanimously.

### **BIDS / STUMPHOLE REVETMENT PROJECT**

Upon discussion by Grant Writer Costin that the County has received the Notice to Proceed, Commissioner Barnes motioned to advertise to receive sealed bids for the Stumphole Revetment Project. Commissioner McLemore seconded the motion, and it passed unanimously.

### **BIDS / DONNIE WAYNE BRAKE PARK**

Upon discussion by Grant Writer Costin, Commissioner McLemore motioned to advertise to receive sealed bids for coating of the tennis court at the Donnie Wayne Brake Park in Highland View. Commissioner Peters seconded the motion, and it passed unanimously.

### **INVOICE ENGINEERING - LAKE GROVE ROAD S.C.O.P. PROJECT**

Upon discussion by Grant Writer Costin, Commissioner Traylor motioned to approve payment of Invoice #65433 from Preble-Rish, Inc., in the amount of \$85,824.00, for work done on the C. R. 22A S.C.O.P. project. Commissioner McLemore seconded the motion, and it passed unanimously.

### **GRANT APPLICATIONS HONEYVILLE STORM SHELTER**

Grant Writer Costing discussed the availability of 3 grants through Emergency Management for equipment, a pet shelter, and educational materials for the Honeyville Alternate E.O.C./ Storm

Shelter. Upon motion by Commissioner McLemore, second by Commissioner Peters, and unanimous vote, the Board agreed to apply for these grants.

### **COMMUNITY BUDGET ISSUE REQUESTS (C.B.I.R.)**

Grant Writer Costin discussed possible requests to be submitted to the State for C.B.I.R. funding and after discussion, Commissioner McLemore motioned to apply for funding for (1) Phase III of the Beaches Sewer System, (2) White City Sewer System, and (3) Courthouse Facilities. Commissioner Peters seconded the motion, and it passed unanimously. Chairman Williams discussed inviting Representative Patronis and Senator Lawson to meet with the Board regarding these requests.

### **RESOLUTION INMATE MEDICAL EXPENSES**

After discussion by Deputy Administrator Lanier, Commissioner Barnes motioned to adopt the following resolution regarding health care expenses for prisoners. Commissioner McLemore seconded the motion, and it passed unanimously.

#### LOSS OF FEDERAL ENTITLEMENT BENEFITS RESOLUTION NO. 2007-54

WHEREAS, U.S. Code of Federal Regulations, Title 42, Part 435.1009 states that federal financial participation (FFP) is not available in expenditures for services provided to individuals who are inmates of public institutions, and

WHEREAS, States being unable to assume the federal share of providing medical services to FFP eligible persons being held in county jails and detention facilities, tend to terminate or sometimes suspend eligibility, and

WHEREAS, this immediate cessation of benefits occurs prior to the issuance of formal charges or conviction, and

WHEREAS, counties must provide medical services to all persons incarcerated in local jails and detention facilities, and

WHEREAS, as the result of this regulation to immediately cease FFP for medical benefits, all costs of medical care must be borne solely by counties;

NOW THEREFORE BE IT RESOLVED that the Gulf County Board of County Commissioners requests and strongly urges Congress to amend necessary federal regulation to allow federal financial participation for medical benefits to incarcerated individuals until convicted and sentenced to secure detention.

ADOPTED this 11<sup>th</sup> Day of December, 2007.

(End of Resolution)

### **AWARD BID #0708-06 / PUBLIC WORKS VEHICLES**

Upon recommendation by Solid Waste Director Danford, Commissioner Traylor motioned to award the bid for sale of vehicles, as follows.

A)	1 - Lowboy Trailer (#70-231)	Mack Hair - \$1,363.00
B)	1 - 1986 Chevrolet Blazer (#295-65)	Steve Shiver - \$165.93
C)	1 - 1985 Chrysler 250 Van (#70-556)	Steve Shiver - \$25.00
D)	1 - 1994 White Ford Club Wagon Van (#25-154)	Steve Shiver - \$25.00
E)	1 - 1995 Dodge Ram 3500 Van (#75-21)	Steve Shiver - \$25.00
F)	1 - 1985 Dodge Custom 350 Truck (#75-77)	Steve Shiver - \$25.00
G)	1 - 1993 Dodge D150 Pickup Truck (#70-471)	Steve Shiver - \$25.00
H)	1 - 1994 Dodge B350 Van (#75-26)	Steve Shiver - \$25.00

### **BIRD FLU TESTING MOSQUITO CONTROL**

Solid Waste Director Danford reported that Gulf County has been requested by the Florida Department of Agriculture to participate in testing for bird flu and, after discussion, Commissioner Barnes motioned to allow the Mosquito Control Department to participate in this testing. Commissioner McLemore seconded the motion, and it passed unanimously.

### **DOG-FLY SPRAYING MOSQUITO CONTROL**

Solid Waste Director Danford reported that the State has discontinued their dog-fly spraying (by airplane) program.

### **VIDEO BOARD MEETING**

Planner Richardson discussed that the main camera in the Board Room is not working tonight, and stated that there will be reduced quality of the video of this meeting.

### **FIRE TAXES WINDMARK BEACH**

Chief Administrator Butler reported that according to the Annexation Agreement, the City of Port St. Joe was to pay the fire taxes collected for Windmark Beach to the County. He stated that they did not pay last year, and have not paid this year, and requested permission to submit a letter to them regarding this payment. Upon motion by Commissioner Traylor, second by Commissioner Peters, and unanimous vote, the Board agreed to request these funds from the City of Port St. Joe.

### **CHANGE ORDER ROAD PAVING / CITY OF PORT ST. JOE**

Chief Administrator Butler discussed a request from the City of Port St. Joe for a \$97,900.00 change order to the Road Bond Paving Program for paving they need that is not part of the Road Bond Program (they would pay the cost from their own funds). After discussion, County Attorney McFarland recommended that the City piggy-back the County's bid with G.A.C. (they would have a separate contract at the same rate). Upon motion by Commissioner Peters, second by Commissioner Barnes, and unanimous vote, the Board agreed to follow County

Attorney McFarland's recommendation regarding this matter.

### **FLOODING/DRAINAGE ISSUE**

Chief Administrator Butler reported that he, Solid Waste Director Danford, and Public Works Director Shearer will meet with a representative of D.E.P. tomorrow regarding the culverts placed under C. R. 30A (to alleviate flooding in Gulf Pines Subdivision), which D.E.P. feels may need to be removed.

### **BUDGET/ALTERNATIVE REVENUE COMMITTEE**

Chief Administrator Butler reported that the Budget/Alternative Revenue Committee has been meeting, and will have a report ready for the Board by the next regular meeting.

### **WORKMEN'S COMPENSATION LOSS RATIO**

Chief Administrator Butler reported on the worker's comp loss ratio history for 2000-2003 (113%, 436%, 137%, 367%), as compared to 2004-2006 (11%, 5%, 8%) contributing this savings to the work of Human Resources/Risk Management Director Manuel. Members of the Board thanked Human Resources Director Manuel for the great work.

### **ROAD ACCEPTANCE BUDDY FLOORE ROAD**

Commissioner Traylor discussed Buddy Floore Road, and motioned for the County to accept an additional 700 feet of the road for maintenance. Commissioner Barnes seconded the motion and, after discussion by County Attorney McFarland regarding execution of a limited maintenance agreement (included this in the motion and second), the motion passed 4 to 1, with Commissioner Peters voting no.

### **E.D.C. / INTERAGENCY TASK FORCE**

Commissioner Peters discussed the meeting on December 6<sup>th</sup>, stating that the Port seems to be the top priority for Economic Development for Gulf County. After discussion, Commissioner Peters motioned to send letters to the E.D.C. and Port Authority to request that they attend the next meeting to discuss this issue. Commissioner Barnes seconded the motion, and it passed unanimously. Chairman Williams reported that the County has received T.R.I.P. funding for the Rail Reconfiguration (\$1.8 million) and the Stumphole Project (\$2.6 million). Commissioner Traylor thanked Steve Norris for his service on the T.R.I.P. committee, and Chairman Williams requested a letter of appreciation to the members of the R.T.P.

### **RECOMMENDATION FLIGHT SCHOOL ATTENDEE**

Commissioner Peters discussed the dedication of young people who volunteer to join the Armed Forces, and he recognized Champ Traylor. Mr. Traylor appeared before the Board to discuss his interest in attending flight school, and requested a letter of recommendation from the Board to submit with his application. Upon motion by Commissioner Peters, second by Commissioner Barnes and unanimous (4-0) vote, the Board approved this request. Commissioner Traylor

abstained from voting due to family involvement (Champ Traylor is his son).

### **HONEYVILLE COMMUNITY CENTER/STORM SHELTER**

Commissioner McLemore reported that an Open House will be held at the Honeyville Community Center/Storm Shelter on December 21<sup>st</sup> from 11:00 a.m. - 12:00 p.m., C.T. Members of the Board thanked Commissioner McLemore for his dedication to this project.

### **STUMPHOLE REVETMENT PROJECT**

Commissioner Barnes thanked Grant Writer Costin for her work in securing the funding for the Stumphole Revetment Project.

### **ECONOMIC DEVELOPMENT**

Commissioner Barnes discussed that E.D.C. was working with a generating plant to be located in Gulf County and this needs to be pursued. He then motioned to submit a letter in support of this project. Commissioner Peters seconded the motion, and it passed unanimously.

### **CODE ENFORCEMENT VIOLATION**

Chairman Williams discussed that the Brake family has a code violation at Saul's Creek (within a conservation area), and they have been given a deadline of December 20<sup>th</sup> to remove the structure. After discussion by County Attorney McFarland that this is a Northwest Florida Water Management District issue, Commissioner Peters motioned to submit a letter to N.W.F.W.M.D. to request that they allow an additional 120 days for removal of the structure. Commissioner Traylor seconded the motion, and it passed unanimously.

### **VOLUNTEERS / FIRE DEPARTMENTS**

Chairman Williams discussed the possibility of implementing a "stipend" program for volunteer firemen who report to fires. After discussion by Clerk Norris and County Attorney McFarland, Commissioner Traylor motioned for County Attorney McFarland and Clerk Norris to check into this matter. Commissioner Barnes seconded the motion, and it passed unanimously.

### **DONNIE WAYNE BRAKE PARK**

Chairman Williams reported on the progress of the Donnie Wayne Brake Park in Highland View, and encouraged the Commissioners to visit the park.

### **WHITE CITY BOAT RAMP**

Chairman Williams requested that the Commissioners visit White City boat ramp to look at the bulkhead and present any ideas they may have for the Park and Boat Ramp area.

### **AMERICUS AVENUE DITCH / ROAD BOND PAVING PROJECT**

Chairman Williams discussed the progress of the Americus Avenue Ditch project, and the road bond paving projects within his district.

### **HIGHLAND VIEW SEWER SYSTEM**

Chairman Williams discussed the progress of the Highland View Sewer Project, stating that the main issue right now is in relation to the boring under the canal. He discussed the possibility of allowing the City of Port St. Joe to utilize some of the County's Beaches Sewer System funds as a loan (there would be a repayment plan put in place).

### **ANIMAL CONTROL**

Gary Thompson, of Wewahitchka, appeared before the Board to discuss an incident regarding animal control. He stated that his mother-in-law's dog was picked up by animal control, and was told that it would cost over \$500.00 to get the dog back. He stated that he contacted the Board's Office to determine what their policies were regarding animal control, and he called animal control. <Upon motion by Commissioner Traylor, second by Commissioner Peters, and unanimous vote, the Board extended Mr. Thompson's time to speak by 3 minutes.> Mr. Thompson stated that he spoke with Mr. Perry with animal control and was told that the fine amount would be \$175.00, and that proof of ownership would be required to pick up the dog. Mr. Perry also discussed medical issues with the dog that need to be addressed. Mr. Thompson stated that when his mother-in-law went to pick up the dog, she was treated very abrasively and chastised about the health of the dog. He further stated that Animal Control argued with them about the age of the dog, basically stating that it was not their dog. <Upon motion by Commissioner Traylor, second by Commissioner McLemore, and unanimous vote, the Board extended Mr. Thompson's time to speak by 3 minutes.> Mr. Thompson requested that the Board consider adopting new policies between Animal Control and the Humane Society (a checks and balances system for recovery of the animals), and to consider reducing the amount for a first time offense on the pickup of animals. Chairman Williams reported that a meeting is to be held between Chief Administrator Butler, Animal Control, and the Humane Society, and he requested that Mr. Thompson put his suggestions in writing and submit them to Chief Administrator Butler prior to the meeting.

### **ECONOMIC GROWTH**

Chairman Williams discussed the possibility of the Board looking at ways they can offer assistance to help the economy in Gulf County (commercial, residential, etc.). Upon inquiry by Commissioner Peters, Chairman Williams reported that an Economic Summit meeting will be held in January to discuss various economic issues in Gulf County.

Upon motion by Commissioner Traylor, the meeting did then adjourn at 6:56 p.m., E.T.

The meeting reconvened at 6:59 p.m., E.T.

### **S.H.I.P. SUBORDINATION AGREEMENT**

Chairman Williams stated that he has a subordination agreement for Brook and Suzanne Dorman that has been approved by Gulf County C.D.C. and County Attorney McFarland. Upon

motion by Commissioner McLemore, second by Commissioner Traylor, and unanimous (4-0) vote, the Board agreed to execute the subordination agreement. Commissioner Peters abstained from voting due to procedural matters.

There being no further business and upon motion by Commissioner McLemore, the meeting did then adjourn at 7:00 p.m., E.T.

**BILL WILLIAMS  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**