

APRIL 23, 2013

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 Tynalin Smiley, Vice Chairman Ward McDaniel, and Commissioners Carmen L. McLemore, Joanna Bryan, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Sherry Herring, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Building Inspector George Knight, Central Services Director Denise Manuel, Gulf County Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, E.D.C. Director Barry Sellers, Fire Coordinator Brad Price, Maintenance Supervisor Steve Mork, Mosquito Control Director Mark Cothran, Planner David Richardson, Preble-Rish/County Engineer Clay Smallwood, III, Public Works Director Joe Danford, Assistant Public Works Director Jake Lewis, Sheriff Mike Harrison, and T.D.C. Executive Director Jennifer Jenkins.

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

Assistant Administrator Hammond opened the meeting with prayer, and Chairman Smiley led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Chairman Smiley called for public comment regarding the Consent Agenda. There was no public comment. Upon motion by Commissioner McDaniel, second by Commissioner McLemore, and unanimous vote, the Board approved the Consent Agenda, after removal of Item #3 (Page 18), as follows:

1. Minutes – March 26, 2013 - Regular Meeting
2. Agreement – Gulf County Universal Communications System
(Amendment #3 – Twenty First Century Communications, Inc.)
3. Fee Waiver – Honeyville Community Center (W.H.S. Lady Gators Softball Team Awards Banquet * 4/25/13 * 6:00 p.m., C.T.)

****DELETE**** Fee Waiver – Honeyville Community Center (W.H.S. Reward Day * 4/26/13)

4. Grant Applications (Small County Outreach Program (SCOP) * Small County Rural Assistance Program (SCRAP) * County Incentive Grant Program (CIGP) * Transportation Enhancement Program (TEP) * Transportation Regional Incentive Program (TRIP)
5. Inventory – Grant Coordinator (Transfer #205-3 * Golf Cart & Trailer from the Grants Department to the Sheriff’s Office)
6. Invoices – Public Works – UniFirst Corporation (Invoice #2710042950 * \$68.50 * Invoice #2710042444 * \$68.50 * Invoice #2710041933 * \$68.50 * Invoice #2710042946 * \$10.00 * Invoice #2710042440 * \$10.00 * Invoice #2710041929 * \$10.00 * Invoice #2710042439 * \$19.35 * Invoice #2710042945 * \$19.06 * Invoice #2710041928 * \$19.06 * Invoice #2710040922 * \$19.06 * Invoice #2710040426 * \$19.35 * Invoice #2710041419 * \$19.06 * Invoice #2710042949 * \$43.38 * Invoice #2710041423 * \$43.38 * Invoice #2710041932 * \$43.38 * Invoice #27100472443 * \$43.38 * Invoice #2710042948 * \$56.88 * Invoice #2710042442 * \$56.88 * Invoice #2710041931 * \$56.88 * Invoice #2710041422 * \$55.38 * Invoice #2710041421 * \$54.76 * Invoice #27100472441 * \$112.01 * Invoice #2710041930 * \$75.41 * Invoice #2710042947 * \$53.96)
7. Refund Request – Gulf County Tax Collector (Parcel #06102-000R * Tax Years 2010, 2011 & 2012 * Gulf County BOCC * \$1,720.53)
8. Request for Funds – Gulf County Sheriff’s Office (Beach Driving Permit Funds * \$1,500.00)

(End)

WASTE MANAGEMENT

Lynn Yort, of Waste Management Services appeared before the Board to report that she provides public solutions for the public sector of Waste Management Services. Ms. Yort then introduced Waste Management Services District Manager Caleb Moran to the Board. Commissioner McLemore discussed working with Waste Management over the years. Commissioner McDaniel requested that Ms. Yort provide the Board with some numbers to review regarding possible savings.

PUBLIC HEARING – P.D.R.B. RECOMMENDATIONS

The Board then considered the following P.D.R.B. recommendations from the April 15, 2013 Planning & Development Review Board meeting:

FINAL PLAT APPLICATION PHASE I – PALMS AT MONEY BAYOU, LLC

Pursuant to advertisement to hold a public hearing to consider the final plat application Phase I for Palms at Money Bayou, LLC (Parcel ID #03179-005R * in S19, T9S, R10W), County Attorney Novak read the public hearing notice. Upon discussion by Deputy Administrator Lanier, Dale Staples of Money Bayou appeared before the Board to discuss his concerns regarding the use of Money Bayou Drive as an access to this proposed subdivision, stating that this dead end road is in disrepair. He also discussed his concerns regarding the additional traffic on Money Bayou Drive due to the newly proposed subdivision. Mr. Staples reported that he contacted current homeowners regarding the proposed subdivision and read their emails to the Board for review (Karen Beardsley, Charles Mash, Larry & Pam McArthur, Craig Angel, Sarah Ziska, and George & Beth Taja). He reported that the map that was provided to the current property owners on Money Bayou Drive showed that a bridge would be constructed off of C-30A onto the proposed subdivision. County Attorney Novak reported that there are two phases to the Palms at Money Bayou, LLC, stating that Phase I, as presented to the P.D.R.B., proposes two home sites and Phase II has additional homes which has not come before the P.D.R.B. for final approval. Upon inquiry by Commissioner McDaniel, Planner Richardson reported that Phase I proposes three units and Phase II proposes six units. Commissioner McDaniel discussed Money Bayou Drive as a County owned road. Upon inquiry by Commissioner Yeager, Planner Richardson reported that this site has been under development for approximately six to eight years, stating that previous owners have failed in developing, and that this property was purchased under a tax sale by the I.R.S. He discussed the issue regarding building a bridge to connect the property. County Attorney Novak discussed the emails that were presented and Money Bayou Drive as being a County road, stating that the property owner has met all the requirements. Discussion followed. Upon inquiry by Commissioner McLemore, Planner Richardson stated that Phase I will not affect Money Bayou Drive. Lisa Gruenewald of Money Bayou appeared before the Board to read an email from Terry & Theresa Prince regarding the proposed subdivision. She then discussed her concerns regarding the previous public hearing on Phase I, the construction of Phase II, and the impact to the Bayou. Sparky Jenkins of Money Bayou appeared before the Board to discuss his family history in the Money Bayou area and requested that the Board review this issue closely. Delanee Banne of Money Bayou appeared before the Board to discuss her concerns regarding the environment at the Bayou. Commissioner Yeager discussed the permitting process, construction, restrictions, and regulations pertaining to building in this area of the County. Upon recommendation by P.D.R.B., Commissioner Yeager motioned to approve the final plat of Palms at Money Bayou, Phase I. Commissioner McDaniel seconded the motion, and it passed unanimously.

FINAL PLAT APPLICATION FOR A MINOR SUBDIVISION – TIMOTHY H. JARRETT

Pursuant to advertisement to hold a public hearing to consider final plat application for a minor subdivision approval for Timothy H. Jarrett (Parcel ID #06345-120R * in S36, T8S, R12W) for development of a four lot subdivision, County Attorney Novak read the public hearing notice. Commissioner McLemore motioned to approve the final plat for a minor subdivision for Timothy Jarrett. Commissioner Yeager seconded the motion, and it passed unanimously.

LAND DEVELOPMENT REGULATIONS

Upon discussion by County Attorney Novak, Planner Richardson reported that the P.D.R.B. will be proceeding forward with revisions to the L.D.R. through May, 2013. He stated that the deadline for the Tech Grant is June 30, 2013.

MEETING – SUPPLEMENTAL BUDGET HEARING

Clerk Finance Officer Herring reported that the Supplemental Budget Hearing will be held today at 5:01 p.m., E.T. in the Board Room.

TOURIST DEVELOPMENT COUNCIL

T.D.C. Executive Director Jenkins appeared before the Board to discuss the Media Film Tour that was held last week, discussing the twenty travel writers that were in attendance. She reported that the travel riders want to make this an annual event and thanked everyone that assisted in this event.

EMERGENCY MEDICAL SERVICES – NATIONAL APPRECIATION

Gulf County E.M.S. Director Whitfield appeared before the Board to report that the third week in May is E.M.S. Week (National E.M.S. Appreciation Days), and requested approval from the Board to hold an appreciation dinner for E.M.S. at the Honeyville Community Center. Commissioner McLemore motioned to approve this request. Commissioner Yeager seconded the motion, and it passed unanimously.

PROPERTY – GULF COUNTY

Planner Richardson discussed acreage within the County that has been under view and is continued to be reviewed by the agency.

LAWSUIT – BRITISH PETROLEUM (B.P.)

County Attorney Novak reported that per the direction of the Board regarding the B.P. claims, Beasley Allen Law Firm and Nicks, Patterson & Roche Law Firm has filed suits in the Northern District of Florida (U.S. Federal District Court).

QUOTES – BOX CULVERTS

Chief Administrator Butler discussed receiving quotes for the repair of the box culverts on the West-side of 30B on 30A and at Cypress Creek on the Overstreet Road; stating that if the quotes are over the allowable limit (Bid Policy) he would like permission to advertise to receive sealed bids for these projects. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

PUBLIC ACCESS – WINDMARK BEACH

Upon inquiry by Commissioner McLemore, County Attorney Novak reported that under the agreement with Windmark and D.R.I. there is public access to the beach and docks. He reported that the road which has been gated off is a private road and signage has been properly posted. County Attorney Novak discussed the parking spaces that are available to the public.

DITCH – JIMMY CONWAY’S PLACE

Upon inquiry by Commissioner McLemore, Commissioner Bryan stated that she has not stopped work on any projects that was on County right-of-way. Upon discussion by Commissioner McLemore, Commissioner Bryan stated that the ditch at Jimmy Conway Drive is to be maintained so that the ditch functions properly, but the County is not to maintain up the banks into private property. After discussion by members of the Board, Assistant Public Works Director Lewis appeared before the Board to discuss the ditch project and the drainage issues. Commissioner McDaniel discussed his concerns regarding ditch drainage and legal consent from the property owners to gain access to clean County ditches.

CULVERT – INDUSTRIAL PARK BUILDING

Commissioner McLemore discussed his concerns regarding the need for a front entrance to the Industrial Park Building. He requested that the Board allow him to work with this company (Tri-State) in getting this building operational by May 1st. Commissioner McLemore discussed the need for a culvert pipe for a front entrance driveway to the building. Commissioner McLemore then motioned for the support of the Board in working on this project and to install a culvert for a front entrance driveway to the Industrial Park Building. After discussion by members by the Board, Commissioner McDaniel seconded the motion for discussion. Following discussion, the motion then passed 4 to 1, with Commissioner Bryan voting no.

LEGISLATURE – MEDICAID PAYMENT

Commissioner Yeager reported that the Legislature is attempting to change how Counties make their Medicaid payments, stating that instead of going by usage, they want to change it to the number of people that have signed up for Medicaid. He reported that almost all Counties are opposed to this change because this will cause for an increase for many of the Counties, including Gulf County. Commissioner Yeager also reported that the Gulf County Property Taxes will pay approximately \$191,000.00 this year for Medicaid, in addition to helping fund the Health Department and the ½ cent Sales Tax to pay for indigent care.

LEGISLATURE – DEPARTMENT OF CORRECTIONS

Commissioner Yeager discussed meeting with the Secretary of D.O.C. regarding Legislative budget cuts; stating that D.O.C. is looking at cutting the budget by eliminating every free work crew in every County. He reported that this action will cut approximately 130 workcrews within the 67 Counties; stating that this would affect seven workcrews in Gulf County.

LEGISLATURE – RESTORE ACT CONSORTIUM

Commissioner Yeager discussed Legislation issues regarding the Restore Act, stating that they want to take these funds that were suppose to go to the eight Counties and have a group oversee the funds. Commissioner Yeager discussed his concerns regarding the Restore Act.

STORM DEBRIS – CITY OF WEWAHITCHKA

Commissioner Yeager discussed receiving a letter from the City of Wewahitchka regarding the use of the County Landfill for a lay down site for storm debris. After discussion by Commissioner Yeager, Public Works Director Danford reported that the City of Wewahitchka has their own waste stream and discussed his concerns regarding hazardous materials being brought into the County Landfill. He stated that F.E.M.A. opposes debris from different areas to be comingled, stating that in a storm event it is very difficult to keep debris separated. Public Works Director Danford reported that the City of Wewahitchka has hired a company to handle their clean-up in the event of a storm. Upon inquiry by Commissioner Yeager, Public Works Director Danford stated that the City of Wewahitchka does not need a permit for a lay-down site, but the proposed site would need to be reviewed by D.E.P. Upon inquiry by Commissioner Yeager, County Attorney Novak stated that the County can lease property to the City of Wewahitchka, but the County would still be liable. After further discussion, Commissioner Yeager discussed adding this topic to the workshop scheduled for April 29, 2013.

ROOF REPAIR – CAPE PALMS PARK

Commissioner Yeager motioned to repair a roof at one of the pavilions at Cape Palms Park, approximately in the amount of \$5,000.00, and to allow him to work with Chief Administrator Butler in finding funds for this project. Commissioner McLemore seconded the motion, and it passed unanimously.

SIGNAGE – HONEYVILLE COMMUNITY SOFTBALL PARK

Commissioner McDaniel motioned to post signs at the Honeyville Community Softball Park prohibiting dogs inside the ballfield area. Commissioner McLemore seconded the motion, and it passed unanimously.

DOGS RUNNING AT LARGE – WHISPERING PINES SUBDIVISION

Commissioner McDaniel reported that he received a call regarding bull dogs running at large in the Whispering Pines Subdivision, stating that he contacted Animal Control to address this issue.

MEETINGS – A.C.F. RIVERS

Commissioner McDaniel reported that he will be attending meetings in Apalachicola this week regarding the Apalachicola/Chattahoochee/Flint Rivers (ACF) water system. He discussed the proposal by Atlanta requesting twenty-five percent of the water out of Lake Lanier. Commissioner McDaniel discussed his concerns regarding this proposal and the affects to the Apalachicola Bay.

COMMISSION – ADVANCE TRAINING

Chairman Smiley reported that he and Commissioner McDaniel have completed the Advance Commissioner Training.

INVOICES – UNIFIRST CORPORATION

Upon inquiry by Chairman Smiley, Deputy Administrator Lanier reported that by the advisement of the Clerk of Court, UniFirst Corporation Invoices need to be placed in the Consent Agenda for Board approval until a new contract can be established. She discussed the buyout of the awarded company, receiving no bids for this service once advertised, and working with the current company before presenting a lease agreement to the Board for review. Upon discussion by Commissioner McLemore, Deputy Administrator Lanier reported that the pricing is the same as the contracted price prior to the sell out. County Attorney Novak discussed the direction from the Clerk of Court regarding these invoices and discussed the proposed purchasing and procurement policy that will be presented to the Board for approval next month.

Chairman Smiley called for public comment.

TRASH RECEPTACLES – CAPE SAN BLAS

Pat Hardman of the Coastal Community Association appeared before the Board to thank T.D.C. for the new trash receptacles in the Cape San Blas area and requested that funds be placed in next year's budget for additional trash receptacles in other areas along the beach.

COLLECTION OF BED TAX

Pat Hardman of the Coastal Community Association appeared before the Board to discuss her concerns regarding rental property along the beaches that are not paying Bed Taxes and requested that T.D.C. review this issue further.

ECONOMIC DEVELOPMENT ALLIANCE

Commissioner McDaniel discussed his concerns regarding E.D.A. By-laws. E.D.C. Director Sellers appeared before the Board to discuss the E.D.A. By-laws, stating that there will be an Advisory Committee that will make recommendations to the five (5) member board. He stated that the plan is to match public funding with private funding. After discussion by Commissioner McDaniel, Commissioner Bryan discussed the private buy-in option under the by-laws.

ECONOMIC DEVELOPMENT COUNCIL

E.D.C. Director Sellers appeared before the Board to discuss attending the City Commission Meeting in Wewahitchka, stating that the City of Wewahitchka is interested in what is going on with the E.D.C. He discussed showing the old Bill's Dollar Store in Wewahitchka to a call center type company. E.D.C. Director Sellers discussed attending the Opportunity Florida meeting; reporting that the issue regarding a communication tower in the Beacon Hill area was discussed in this meeting. Commissioner Yeager reported that the County has committed a site in Beacon Hill for a communications tower. County Attorney Novak reported that all the documents have been submitted to the Board for review by the E.D.A.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner Yeager, and unanimous vote, the meeting did then adjourn at 10:38 a.m., E.T.

**TYNALIN SMILEY
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**