

MARCH 26, 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, E.D.C. Director Barry Sellers, Gulf County Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, Gulf County Extension Agent Roy Lee Carter, Maintenance Supervisor Steve Mork, Mosquito Control Director Mark Cothran, Planner David Richardson, Preble-Rish/County Engineer Clay Smallwood, III, Assistant Public Works Director Chris Wood, 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.

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

CONSENT AGENDA

Commissioner Bryan requested for Item #6 (Pages 42-53) to be pulled from Consent Agenda for further review. Upon discussion, she then motioned to remove Item #6 (Pages 42-53) from the Consent Agenda. Commissioner McLemore seconded the motion for discussion. County Attorney Novak discussed drafting the proposed Travel Policy and receiving input from County Staff and Clerk's Office. Commissioner Bryan requested that she receive the proposed policies as they are being reviewed by Staff. Commissioner McLemore withdrew his second. Commissioner Yeager seconded the motion, and it passed 4 to 1, with Commissioner McLemore voting no. Commissioner McDaniel motioned to approve the Consent Agenda with Item #6 (Pages 42-53) removed. Commissioner Yeager seconded the motion, and it passed unanimously, as follows:

1. Minutes - February 25, 2013 – Emergency Management Planning Workshop
 - February 26, 2013 – Regular Meeting
 - March 5, 2013 – Emergency Meeting

2. Amended Budget Amendment #4 – General Fund (Amend the FY 2012-2013 Budget for the General Fund by reducing Reserves for Infrastructure by \$189,949.71 and increasing expenditures for (A) \$179,149.71 Public Works Fund, (B) \$5,800.00 for County Extension for repair & maintenance, and (C) \$5,000.00 for the initial renovations of the Old Health Department to convert to the new County Extension Office), as follows:

**Amended Budget Amendment #4
GENERAL FUND**

Amended for intro-fund transfer *, rounding, and date

Amending the FY 2012-2013 Budget for the General Fund by reducing Reserves for Infrastructure by \$189,949.71 and increasing expenditures for (A) \$179,149.71 for Public Works Fund 104 for Buildings, as approved by the BOCC on February 26, 2013. This will fund past and future expenditures for the Public Works Building Construction. (B) \$5,800.00 for County Extension for Repair & Maintenance: Bldg & Grds also approved on February 26, 2013. This will fund the renovation of the conference room at the County Extension Office/Old Health Dept. (C) \$5,000.00 for the initial renovations of the Old Health Department to convert it to the new County Extension Office as approved on September 11, 2012.

	Original Budget	Increase	Decrease	Amended Budget
Reserves:				
99984-95002 Res for Infrast. Fund	\$ 487,450.00	\$ 0.00	\$ 189,950.00	\$ 297,500.00
*Intra-Fund Transfer Out:				
21181-92000 Intra-Fund Trans out				
Public Works	\$2,632,549.00	\$ 179,150.00	\$ 0.00	\$2,811,699.00
County Extension (note B & C):				
63237-46100 R&M Bldg & Grds	\$ 0.00	\$ 10,800.00	\$ 0.00	\$ 10,800.00
*Intra-Fund Transfer In:				
04381-92000 Intra-Fund Trans in				
Public Works	\$2,632,549.00	\$ 179,150.00	\$ 0.00	\$2,811,699.00
Public Works (note A):				
281513-62000 BLDG Buildings	\$ 0.00	\$ 179,150.00	\$ 0.00	\$ 179,150.00

MOSQUITO CONTROL

Amend the FY 2012-2013 Budget for the Mosquito Control Fund 103 by reducing Capital: Buildings > \$25,000 and increasing Operating Expenses by \$3,380 as adjusted in the State of Florida Budget approved by BOCC Chairman on 10/25/12. There is no charge to the overall budget. Line items are being amended to reflect the State approved budget.

	Original Budget	Increase	Decrease	Amended Budget
Mosquito Control:				
42362-62001 Buildings > \$25k	\$83,880.00	\$ 0.00	\$ 3,380.00	\$80,500.00
42362-52000 Oper Exp	\$ 0.00	\$ 3,380.00	\$ 0.00	\$ 3,380.00

(End)

3. Contract Negotiations – UniFirst Corporation (Uniforms and supplies)
4. Invoices – Coast2Coast Printing & Promotions, Inc. – 2013 Visitors Guide
(Invoice #8046 * \$22,678.53 * to be paid from Account #27452-47000)
 - The Ferguson Group, LLC – Federal Lobbyist (Invoice #0113570 \$149.87 * to be paid from Account #21111-31200)
 - UniFirst Corporation – Public Works (Invoice #2710039919 * \$19.06 * to be paid from Account #281712-52000 * Invoice #2710040427 * \$10.15 * to be paid from Account 28151912-52000 * Invoice #2710040431 * \$68.50 * to be paid from Account #281712-52000 * Invoice #2710040428 * \$54.76 * Invoice #2710040924 * \$54.76 * Invoice #2710040429 * \$55.38 * Invoice #2710040925 * \$55.38 * Invoice #2710040430 * \$43.38 * Invoice #2710040926 * \$43.38)
5. Lease Cancellation and Termination Agreement – Department of the Air Force (Cape San Blas Lighthouse and Keepers' Quarters)
- **DELETE**** 6. Policy – Travel & Expense
7. Refund Request – Planning Department (Elizabeth Ivey * \$75.00)

(End)

DAY OF DECLARATION

Deputy Administrator Lanier called for James Wiley to appear before the Board to speak on the Day of Declaration. Mr. Wiley was not present. No discussion followed.

APALACHICOLA RIVERKEEPERS NATIONAL RECREATION TRAIL

Katie Herzog, of the Apalachicola Riverkeepers Organization appeared before the Board to request a letter of support in designating the National Recreation Trails for the Apalachicola River. Upon inquiry by Commissioner McDaniel, Ms. Herzog reported that this is under the Department of Interior and it is for motorized vessels with no limitations or restrictions along the river, which is called a Blue Way Trail. Commissioner McDaniel motioned to approve a letter of support regarding the National Recreation Trail with no restrictions. Commissioner Bryan seconded the motion, and it passed unanimously.

MOSQUITO CONTROL / CONTROL BURNING / AND OTHER ISSUES

Deputy Administrator Lanier called for Bill Williams, Sr. to appear before the Board to speak on Mosquito Control, Control Burning, and Other Issues. Mr. Williams was not present. No discussion followed.

ROAD EASEMENTS AND PUBLIC ACCESS

Deputy Administrator Lanier called for Toye Roberts to appear before the Board to speak on Road Easements and Public Access. Toye Roberts, of Port St. Joe appeared before the Board to report that Sweetwater Shores Drive is a private road and discussed his concerns regarding road use. He presented a handout to the Board for review. Mr. Roberts stated that the landowners on the first tier think their front yard is their property, but it is actually the road easement for Sweetwater Shores Drive. He reported that Sweetwater Shores Drive has 35.21' road easement and requested assistance from the Board regarding property owners building on the road easement. Upon inquiry by Commissioner Yeager, Mr. Roberts stated that he is the President of Sweetwater Shores Homeowners Association. After discussion, County Attorney Novak discussed meeting with Mr. Roberts regarding the private road, and stated that Mr. Roberts has also discussed his concerns before the Planning Board. County Attorney Novak stated that there is an issue between the private property rights of the Homeowners Association and the County Roads. He reported that Fire Coordinator Price has gone out to the site and looked at this issue, stating that some of the encroachments into the easement are going to prohibit an emergency vehicle from accessing Sweetwater Shores Drive. Upon inquiry by Commissioner McLemore, County Attorney Novak stated that this is a private land issue and the Homeowners Association has the ability to gate the road as long as emergency vehicles can enter. He reported that private landowners are encroaching into the Homeowners Association private road. After further discussion, County Attorney Novak stated that he will meet with Fire Coordinator Price regarding this issue and report back to the Board at their next board meeting.

MOSQUITO CONTROL / CONTROL BURNING / AND OTHER ISSUES

Deputy Administrator Lanier called for Bill Williams, Sr. to appear before the Board to speak on Mosquito Control, Control Burning, and Other Issues. Bill Williams, Sr., of Overstreet appeared before the Board to report that there has been an ongoing problem with drainage, which leads to an issue with mosquitoes. He discussed his concerns regarding County Road 386. Mr. Williams, Sr. discussed his concerns regarding the lights on the Overstreet Bridge, stating that this is a County bridge and the navigational lights are not working. Upon inquiry by Mr. Williams, Sr., Commissioner Yeager reported that the Board has applied for S.C.R.A.P. or S.C.O.P. Funds for C.R. 386, which will include widening of the roadway. Mr. Williams, Sr. discussed his concerns regarding abandoned property within his neighborhood that he has addressed with the Building Department. Commissioner McDaniel motioned to allow additional time for Mr. Williams, Sr. to speak. Commissioner Yeager seconded the motion, and it passed unanimously. Mr. Williams, Sr. requested that the Board adopt a policy regarding rebuttal, stated that the P.A.C. Group has reported things that are untrue and unfounded regarding his son. After discussion by Mr. Williams, Sr., Commissioner Bryan stated that this is a business

meeting, not a place to attack citizens. After further discussion, Commissioner Bryan stated that she would follow up with Mr. Williams, Sr. regarding these issues. Upon inquiry by Mr. Williams, Sr., Commissioner Bryan discussed her concerns regarding travel expenses. Mr. Williams, Sr. discussed his concerns regarding mosquito problems, abandoned property, and falling down roads in Overstreet. He also discussed his concerns regarding discharge of fire arms. Sheriff Harrison discussed calling the Sheriff Department to file a report.

TRAVEL POLICY

Deputy Administrator Lanier called for Tom Semmes to appear before the Board to speak on the Travel Policy. Mr. Semmes declined to speak until the next meeting.

P.D.R.B. RECOMMENDATIONS (MARCH 18, 2013)

The Board then considered the following P.D.R.B. recommendations from the March 18, 2013 Planning & Development Review Board meeting:

VARIANCE APPLICATION – ELLIS C. SMITH

Pursuant to advertisement to hold a public hearing to consider a variance application for Ellis C. Smith (Parcel ID #03806-085R * located in S31, T6S, R11W, Gulf County, Florida – encroach into road setback within 10' of R.O.W.), County Attorney Novak read the public notice. Commissioner Bryan motioned to approve this variance application. Commissioner McDaniel seconded the motion, and it passed unanimously.

PRELIMINARY PLAT APPLICATION – TIMOTHY H. JARRETT

Pursuant to advertisement to hold a public hearing to consider a preliminary plat application for a minor subdivision for Timothy H. Jarrett (Parcel ID#06345-120R * located in S36, T8S, R12W, Gulf County, Florida – development of a four (4) lot subdivision), County Attorney Novak read the public notice. Commissioner McDaniel motioned to approve the preliminary plat application. Commissioner Yeager seconded the motion and it passed unanimously.

DEVELOPMENT REGULATIONS AND POLICIES

County Attorney Novak reported that the P.D.R.B. discussed the Development Regulations and Procedures, stating that over the last year the P.D.R.B. have had several after the fact request for permitting. He reported that the P.D.R.B. is requesting that the Board allow them the ability to explore some enforcement tools against these after the fact request. Discussion followed.

WORKSHOP – LANDFILL ISSUES

Commissioner Bryan requested that Chairman Smiley schedule a workshop regarding Landfill issues. Upon inquiry by Chairman Smiley, Chief Administrator Butler reported that the Director is currently on vacation and recommended that the workshop be scheduled when he returns to work. Commissioner Bryan requested that the workshop be set a few weeks out to insure notification to the public.

PUBLIC HEARING – AMENDED BUDGET AMENDMENT #4

Clerk Finance Officer Herring requested approval from the Board to begin the supplemental budget process, including advertising for a public hearing at 8:45 a.m., E.T. on April 23, 2013, to amend the 2012-2013 FY Budget to increase Balance Brought Forward: Cash and Fleet Maintenance: Equipment <\$5,000.00, in the amount of \$27,713 in the Public Works Consolidated Services Fund. Commissioner Yeager motioned to approve this request. Commissioner Bryan seconded the motion, and it passed unanimously.

HONEYVILLE COMMUNITY CENTER – FEE WAIVER REQUEST

Deputy Administrator Lanier requested approval of a fee waiver request for Honeyville Community Center for four hours on March 29, 2013 for the Wewa Dixie Softball. Commissioner McLemore motioned to approve this request. Commissioner Yeager seconded the motion, and it passed unanimously.

HONEYVILLE COMMUNITY CENTER – WEWA DIXIE SOFTBALL LEAGUE

Upon discussion by Deputy Administrator Lanier, Commissioner McLemore motioned to approve waiving the fees for the use of the Honeyville Community Center on March 29, 2013 by the Wewa Dixie Softball League. Commissioner Yeager seconded the motion, and it passed unanimously.

AUDIT – COMMUNICATIONS

Deputy Administrator Lanier reported that a company is requesting to perform an audit on communications, stating that this company currently has a bid with the Orange County School Board. She discussed the piggy back option regarding this bid and that the company will be auditing the County's cell phones and telecommunications. She reported that the company is requesting that they recover a portion of the funds should they recover any savings. After discussion, the Board requested for Deputy Administrator Lanier inquiry about the percentage amount that the company is requesting from the possible savings and present it to the Board for further review.

TOURIST DEVELOPMENT COUNCIL – VISITOR GUIDES

T.D.C. Executive Director Jenkins appeared before the Board to report that the 2013 Visitor Guides have been delivered and are being distributed to the State Welcome Centers, area airports, and partners throughout the community.

TOURIST DEVELOPMENT COUNCIL – SOCIAL & DIGITAL MEDIA PROGRAM

T.D.C. Executive Director Jenkins appeared before the Board to request approval from the Board to move forward with implementing the Social & Digital Media Program through the end of September, 2013. Commissioner McDaniel motioned to approve this request. Commissioner Yeager seconded the motion for discussion and requested that T.D.C. Executive Director Jenkins work with the Clerk's Office regarding this program. The motion then passed unanimously.

TOURIST DEVELOPMENT COUNCIL – SPONSORSHIP

T.D.C. Executive Director Jenkins appeared before the Board to report that March 29, 2013 is the deadline for applicants to submit their request for funding for the Sponsorship and Special Funding Program.

TOURIST DEVELOPMENT COUNCIL – BED TAX

T.D.C. Executive Director Jenkins appeared before the Board to report that the January, 2013 Bed Tax Revenue were up almost 25%.

TOURIST DEVELOPMENT COUNCIL – DIRECT MEDIA PURCHASE

County Attorney Novak discussed the direct media purchase and requested approval for T.D.C. Executive Director Jenkins to utilize these funds. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

CONTRACT – BID #1213-07 / DIGITAL MARKETING

County Attorney Novak reported that the R.F.Q. process for the Digital Marketing (Bid #1213-07) is complete and requested that the Board allow T.D.C. Executive Director Jenkins to execute this contract, subject to final attorney review. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

AGREEMENT – JAIL MEDICAL SERVICES

County Attorney Novak reported that an agreement has been reached with Sacred Heart Hospital Health Systems regarding the County Jail Medical Services and requested approval from the Board to extend Dr. Pablo's services for one year. Commissioner McDaniel motioned to approve this request. Commissioner Yeager seconded the motion, and it passed unanimously.

CONTRACT – ECONOMIC DEVELOPMENT ALLIANCE (E.D.A.)

County Attorney Novak reported that there were instructions at the previous meeting to work with the new Economic Development Alliance to develop an agreement between the Board and the newly formed E.D.A., stating that the terms will be finalized and presented to the Board for review at the next meeting on April 9, 2013.

NOTICE – PROPOSED HOMESTEAD EXEMPTION ORDINANCE

County Attorney Novak reported that the Public Hearing Notice regarding the adoption of a proposed homestead exemption ordinance will be advertised this week and that the Public Hearing will be held on April 9, 2013.

APPLICATIONS – RESTORE ACT COMMITTEE

County Attorney Novak reported that the Restore Act Committee has completed Phase I & II of all the applications and stated that initial notices will be sent out this week to the 84 applicants.

MEETING CANCELLATION – ANIMAL CONTROL SUB-COMMITTEE

County Attorney Novak reported that the Animal Control Sub-committee meeting scheduled for March 28th has been cancelled and a notice will be posted regarding the new meeting date.

SIGN ORDINANCE

Commissioner Yeager discussed his concerns regarding posted rental signs on the fence around the trash bins, and requested that the Board amend the Sign Ordinance to allow rental signs to be placed on the structure. County Attorney Novak discussed drafting a memorandum for the Board to review.

DEBT RECOVERY PROGRAM – EMERGENCY MEDICAL SERVICES

Upon recommendation and discussion by Chief Administrator Butler, Commissioner Yeager motioned to approve a Debt Recovery Program for E.M.S. Commissioner McDaniel seconded the motion for discussion. Commissioner Bryan discussed her concerns regarding purchasing too many credits upfront until the Board knows how the performances will work out. After further discussion, the motion then passed unanimously. After discussion regarding the purchase of credits, Chief Administrator Butler reported that the County will “piggy-back” off of the awarded bid to N.C.S. Plus from Pasco County for this service and that a recommendation regarding the amount of credits to purchase upfront will be presented to the Board for review at a later date. Commissioner Yeager requested that Chief Administrator Butler proceed in working with E.M.S. Director Whitfield regarding the credit purchases. The Board had no objection.

GRANT – U.S.D.A. TECHNICAL ASSISTANCE

Upon discussion by Chief Administrator Butler, Commissioner Yeager motioned to apply for a U.S.D.A. Technical Assistance Grant. Commissioner McLemore seconded the motion, and it passed unanimously. Chief Administrator Butler requested permission to advertise for R.F.P. for someone to administer this grant. Commissioner Yeager motioned to approve this request. Commissioner McLemore seconded the motion, and it passed unanimously.

VACANCY – TOURIST DEVELOPMENT BOARD

Upon inquiry by Commissioner Yeager, T.D.C. Executive Director Jenkins discussed the vacancy seat on the Tourist Development Board and stated that a recommendation would be presented to the Board for approval at the April 9, 2013 meeting.

PORT AUTHORITY

Upon inquiry by Commissioner McDaniel, Chief Administrator Butler stated that the Port Authority is supposed to bring progress reports before the Board. Commissioner McDaniel discussed his concerns regarding the need for the Port Authority to provide updates to the Board on a regular basis. After discussion, Commissioner Bryan inquired about the foreclosure case regarding the Port. County Attorney Novak reported that the plaintiff requested an extension and a date of May 15, 2013 has been set to have some resolution regarding a summary judgment. He also reported that the Port Authority is

aware that updates need to be provided to the Board, and he also discussed the loan agreement between the County and the Port Authority.

AFFORDABLE HOUSING

Chairman Smiley discussed his concerns regarding the need of affordable housing and requested that the Board look into affordable housing for Gulf County. Commissioner McLemore reported that the County has set aside 200 acres for affordable housing.

Chairman Smiley called for public comment.

EASTERN SHIPYARD

Upon inquiry by Bill Williams, Sr., Commissioner Yeager reported that Eastern Shipbuilding still wants to come to Gulf County and discussed the employment issues regarding the new shipyard. E.D.C. Director Sellers appeared before the Board to report that they are accepting employment applications at the Chamber of Commerce Office every Tuesday and Thursday from 9:00 a.m. to 1:00 p.m. for Eastern Shipbuilding. Upon inquiry by Commissioner McDaniel, E.D.C. Director Sellers reported that over 100 applications have been submitted.

TRAVEL POLICY

Bill Koran, of Port St. Joe appeared before the Board to discuss his concerns regarding the proposed travel policy, stating that the County spent over \$200,000 on travel expenses last year. He stated that a travel policy for the County should not be more than what the School Board spends or a State worker. He discussed his concerns regarding accountability and responsibility in government spending. Commissioner Yeager motioned to allow additional time for Mr. Koran to speak. Commissioner Bryan seconded the motion, and it passed unanimously. After discussion by Mr. Koran, Commissioner Yeager discussed his concerns regarding travel expenses and being efficient. Commissioner McDaniel discussed his concerns regarding the need for travel. After discussion by Chairman Smiley, Patricia Hardman, of Port St. Joe appeared before the Board to report that the Board has to travel to stay informed.

CITY OF PORT ST. JOE – 100 YEAR CELEBRATION

Dana Boyer, of Port St. Joe appeared before the Board to report that the City of Port St. Joe will celebrate its 100th Birthday on July 1, 2013. She discussed the festivities that will take place beginning June 28th through July 5th. She requested assistance in collecting photographs of families that have lived in Port St. Joe over the last 100 years.

There being no further business, and upon motion by Commissioner McDaniel, second by Commissioner Yeager, and unanimous vote, the meeting did then adjourn at 10:59 a.m., E.T.

**TYNALIN SMILEY
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**