

APRIL 9, 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, E.D.C. Director Barry Sellers, Grant Writer Towan Kopinsky, Gulf County Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, Maintenance Supervisor Steve Mork, Mosquito Control Director Mark Cothran, Planner David Richardson, 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

Upon motion by Commissioner Yeager, second by Commissioner McLemore, and unanimous vote, the Board approved the Consent Agenda, after removal of Item #3 (Pages 13-28), as follows :

1. Minutes – March 12, 2013 - Regular Meeting
2. Approval of Checks and Warrants for March, 2013 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
- **DELETE**** 3. Agreement – Gulf County Economic Development Representation
Agreement – MRD Associates, Inc. (Shorebird Monitoring)
Agreement – MRD Associates, Inc. (Marine Turtle Monitoring)
4. Application for Appointment – Tourist Development Council Board (Charlene Burke)

5. Contract – Apalachee Regional Planning Council (Gulf County Small Quantity Generator Verification)
6. Fee Waiver – Honeyville Community Center (Wewa Dixie Softball Banquet)
7. Invoices – Gulf Consortium (April 1, 2013-September 30, 2013 * \$3,540.00)
 - MRD Associates, Inc. - St. Joseph Peninsula Post-Construction Shorebird Monitoring Services (Invoice #1612 * \$2,750.00 * to be paid from account #28039-34000)
 - The Ferguson Group LLC – Federal Lobbyist (Invoice #0213571 * \$15.92 * to be paid from Account #21111-31200)
 - UniFirst Corporation – Public Works (Invoice #2710030902 * \$19.06 * Invoice #2710040923 * \$10.00 * Invoice #2710041420 * \$10.00 * Invoice #2710040927 * \$68.50 * Invoice #2710041424 * 68.50)
8. Policy – County Travel
9. Purchase Request – Fire Coordinator (Lights, Siren and UHF Forestry Radio for Fire Coordinator vehicle * to be paid from Highland View Fire Department Budget)
 - Purchase Request – Gulf County Detention Facility (Purchase of 12 Passenger Van from Sheriff’s Office* \$15,000.00 * to be paid from Infrastructure Reserve Funds)

(End)

DAY OF DECLARATION

Deputy Administrator Lanier called for James Wiley to appear before the Board to speak on the Day of Declaration. James Wiley of Port St. Joe appeared before the Board to discuss the Day of Declaration that was held last year and to invite the public to attend a Roots of Liberty Seminar on April 13th with Kris Anne Hall; hosted by Oak Grove Assembly of God Church. Commissioner Yeager discussed the Day of Declaration that was held last year.

PUBLIC HEARING – HOMESTEAD EXEMPTION ORDINANCE

Pursuant to advertisement to hold a public hearing to consider adoption of an ordinance relating to senior homestead exemption, County Attorney Novak read the proposed ordinance by title. Chairman Smiley called for public comment. There being no public comment, County Attorney Novak reported that Property Appraiser Burke provided the impact to the County in terms of lost revenue to be approximately \$12,731.00. Commissioner Yeager motioned to adopt the following titled ordinance. Commissioner McDaniel seconded the motion, and it passed unanimously.

ORDINANCE NO. 2013-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, AMENDING SECTION TWO OF ORDINANCE NO. 99-07 ENTITLED “ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS 65 AND OLDER” OF THE GULF COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the voters of the State of Florida, on November 6, 2012, voted to approve Amendment No. 11 by the required sixty (60%) percent needed for passage; and

WHEREAS, pursuant to Amendment No. 11 and House Bill 357, now codified as Article VII, Section 6(d)(2) of the Florida Constitution and Section 196.075, Florida Statutes, respectively, the Board of County Commissioners of any County may adopt an ordinance to allow an additional homestead exemption for the amount of the assessed value of less than \$250,000 and has maintained thereon the permanent residence of the owner for at least 25 years, who has attained the age of 65, and whose household income does not exceed the income limitations set forth in the state law; and

WHEREAS, Article VII, Section 6(d) provides that the County may implement this low-income senior homestead exemption for long-term residents in addition to or in place of the existing additional \$25,000.00 homestead exemption to persons 65 or older at the option of the county; and

WHEREAS, Section 196.075, Florida Statutes provides that this low-income senior homestead exemption must be authorized by a majority plus one vote of the members of the governing body of the county granting such exemption.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Gulf County, Florida, that:

Section 1. Section Two of Gulf County Ordinance No. 99-07 titled “Entitlement to additional homestead exemption” is hereby amended to read as follows:

(a) Any person sixty-five (65) years of age and who has legal or equitable title to real estate located within the County and has maintained such as their permanent residence as the owner for at least 25 years, and which residence qualifies for and receives homestead exemption pursuant to Section 6(a), Article VII of the Florida Constitution, the amount of the additional homestead exemption is \$25,000.00 or, the amount of the assessed value of the property for an persons described herein who has the legal or equitable title to real estate with a just value less than \$250,000.

Section 2. Conflicts

All ordinances or part of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Gulf County Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

Section 3. Severability

If any provisions or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Effective Date

This Ordinance shall have an effective date retroactive to January 1, 2013.

The foregoing Ordinance was offered by Commissioner Yeager, who moved its adoption. The motion was seconded by Commissioner McDaniel and, being put to vote, the vote as follows:

Commissioner Yeager	<u>Yes</u>
Commissioner McLemore	<u>Yes</u>
Commissioner Smiley	<u>Yes</u>
Commissioner McDaniel	<u>Yes</u>
Commissioner Bryan	<u>Yes</u>

DULY PASSED AND ADOPTED THIS 9TH day of April, 2013.

(End)

TIME CHANGE – SUPPLEMENTAL BUDGET HEARING

Clerk Finance Officer Herring requested permission to amend the Supplemental Budget Hearing time to 5:01 p.m. E.T. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

WORKSHOP – LANDFILL

Upon discussion by Deputy Administrator Lanier, Commissioner Yeager motioned to hold a workshop to discuss the Landfill on April 29, 2013 at 9:00 a.m., E.T. Commissioner Bryan seconded the motion, and it passed unanimously.

TOURIST DEVELOPMENT COUNCIL

T.D.C. Executive Director Jenkins appeared before the Board to present the March, 2013 monthly report. She reported that T.D.C. will host a Social Media Workshop tonight at 5:30 p.m., E.T. at the Robert M. Moore Administration Building which is open to the public. T.D.C. Executive Director Jenkins also reported that the Bed Tax Revenues are up and the website traffic is up 21%. She discussed the 16 travel writers

that will be in Gulf County next week and also stated that a reporter is coming to Gulf County to scout out the Dead Lakes for a story.

JOB POSITION – TEMPORARY MECHANIC

Upon discussion by Public Works Director Danford, Commissioner McLemore motioned to advertise to hire a temporary small engine mechanic for Public Works. Commissioner Yeager seconded the motion, and it passed unanimously.

FLOOD INSURANCE REFORM ACT

Planner Richardson discussed Pages 6 through 16 of the Information Packet regarding the Flood Insurance Reform Act of 2012, stating that this Reform Act will not just affect Gulf County, but is Nationwide.

MEETING – LAND DEVELOPMENT REGULATIONS

Planner Richardson reported that the first L.D.R. Scoping Meeting will be held on April 10, 2013 at 5:00 p.m., E.T. in the Board Room and the second will be held during the P.D.R.B. Meeting on April 15, 2013; stating that the public is invited to attend.

RESOLUTION – T.R.I.P. FUNDING RESOLUTION

Grant Writer Kopinsky presented the Board with a proposed resolution for a T.R.I.P. Grant from F.D.O.T. for rock revetment in the Stumphole area. Commissioner Yeager motioned to adopt the following resolution, contingent upon review by the County Attorney. Commissioner McDaniel seconded the motion, and it passed unanimously.

RESOLUTION NO. 2013-04

A RESOLUTION OF THE GULF COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO A JOINT PARTICIPATION AGREEMENT (J.P.A.) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR T.R.I.P. FUNDING.

WHEREAS, the Transportation Regional Incentive Program (TRIP) has been created by Section 339.2819, Florida Statutes, to provide funds to improve regionally significant transportation facilities in “regional transportation areas” pursuant to Section 339.155(5), Florida Statutes; and

WHEREAS, the Florida Department of Transportation (FDOT) has the authority under Section 334.044, Florida Statutes, to enter into an Agreement with Gulf County; and

WHEREAS, Gulf County has certified to FDOT that eligibility requirements have been met of said Section 339.2819, Florida Statutes; and

WHEREAS, FDOT is willing to provide Gulf County with financial assistance under Financial Management Number 417293-2-58-01 for costs directly related to

construction of the final 330' of the original permitted Stumphole Revetment project, hereinafter referred to as the **"PROJECT"**;

NOW, THEREFORE, BE IT RESOLVED by the Gulf County Board of County Commissioners that the Chairman of the Board is authorized to sign the Joint Participation Agreement (J.P.A.) with FDOT for construction of the final 330' of the original permitted Stumphole Revetment Project, and for the Chairman, Chief Administrator or Grant Coordinator to sign any and all documents relating to this Project and Funding.

ADOPTED this 9th day of April, 2013.

(End)

GRANT FUNDS – ROAD PAVING

Commissioner McDaniel requested that Grant Writer Kopinsky look for extra funding from the State to help fund road paving. Grant Writer Kopinsky stated that the quarterly meeting with the Local Transportation Committee will be held next Wednesday and that a recommendation will be presented to Board for review. Commissioner Yeager discussed his concerns regarding F.D.O.T. Small County Grant Funds.

PROPOSED RESOLUTION - APALACHEE REGIONAL PLANNING COUNCIL

Assistant Administrator Hammond discussed a proposed resolution in support of the A.R.P.C. budget, stating the Governor has vetoed the budget for the past two years, and recommended for the Board to submit a letter of support for the proposed resolution. Commissioner Bryan motioned to approve this recommendation. Commissioner Yeager seconded the motion, and it passed unanimously.

APALACHICOLA RIVERKEEPERS NATIONAL RECREATION TRAIL

Upon discussion by County Attorney Novak, Commissioner McLemore motioned to provide Katie Herzog a letter of support designating the Apalachicola River Basin as a National Recreation Trail. Commissioner McDaniel discussed his concerns regarding this Support Letter and then seconded the motion. The motion then passed unanimously.

POLICY AND PROCEDURES – TRAVEL EXPENSE

County Attorney Novak discussed the Board's approval of pages 59-73 of the Consent Agenda regarding the Travel Expense Policy and Procedures; reporting that amendments to this policy were received from the Clerk's Office after the Consent Agenda was prepared. He directed the Board to page 3 (Definition of Point of Origin), page 8 (actual expenses reimbursed by other Governmental Agencies), and page 9 (airline travel), stating that the additional comments have been added and requested the Board's adoption of the amended policy. Commissioner McDaniel motioned to adopt the amended Travel and Expense Policy and Procedures. Commissioner McLemore seconded the motion, and it passed unanimously.

CONTRACT – EMERGENCY MEDICAL SERVICES BILLING

County Attorney Novak reported that the E.M.S. Consultant contract regarding the E.M.S. billing is a two year contract that has an automatic renewal clause, with a sixty day kick out clause. Upon recommendation by staff, Commissioner Yeager motioned to allow an extension of this contract until the end of the year. Commissioner McDaniel seconded the motion, and it passed unanimously.

INTERLOCAL AGREEMENT – CITY OF PORT ST. JOE/PORT ST. JOE DOWNTOWN REDEVELOPMENT AGENCY

Commissioner Bryan discussed the Interlocal Agreement between the City of Port St. Joe and the County, and the need for a new location for the Port St. Joe Downtown Redevelopment Agency (PSJDRA); due to discussions that the T.D.C. is growing and in need additional space. She reported that the cost to move the PSJDRA to the Local Color Building is approximately \$768.00. Commissioner Bryan stated that the City of Port St. Joe has proposed to allow the move, provided that the T.D.C. covers the moving cost, and pays the insurance as stated in the Lease Agreement, in the amount of \$7,557.00 from the last three years. She discussed her concerns regarding the section under the Lease Agreement where the City of Port St. Joe is responsible for maintaining the grounds and landscaping, reporting that after speaking with T.D.C. Executive Director Jenkins, the T.D.C. has covered over \$7,118.00 in landscape maintenance since 2008. Commissioner Bryan reported that the City of Port St. Joe is asking that the County pay the insurance, the cost of the move, and take action on the Interlocal Agreement. She discussed the need to look at what is best for the PSJDRA, T.D.C., and the entire County. Commissioner Bryan then motioned for County Attorney Novak to respond accordingly and propose to the City of Port St. Joe that the T.D.C. will pay \$768.00 for the move, \$7,557.00 for insurance less the \$7,118.00 that was paid to cover the landscaping, and the City of Port St. Joe allow the PSJDRA to go ahead and relocate their office. Commissioner Yeager seconded the motion for discussion. Upon inquiry by Commissioner McLemore, Chief Administrator Butler discussed his concerns regarding the move and recommended that the Board move forward with the motion. After further discussion, the motion then passed unanimously.

ECONOMIC DEVELOPMENT

Upon request by Commissioner Bryan, E.D.C. Director Sellers appeared before the Board to present an update on the first quarter report regarding Economic Development. He discussed Opportunity Florida, telecommunications, and various other projects. Commissioner Yeager reported that Capital Regional Transportation is interested in assisting Gulf County in getting The Port open for business and recommended that E.D.C. Director Sellers make contact with this organization.

AGREEMENT – ECONOMIC DEVELOPMENT REPRESENTATION

Commissioner Bryan stated that she pulled Item #3 (pages 13-28) from the Consent Agenda regarding an agreement between the County and E.D.A., reporting that a revised agreement was presented by County Attorney Novak after the Consent Agenda was prepared. Commissioner Bryan then motioned to accept the version of the E.D.A. Agreement which was sent out by County Attorney Novak on April 3, 2013. Upon inquiry

by Commissioner McLemore, County Attorney Novak discussed the revisions, stating that he has no objection to these revisions. After further discussion by members of the Board, Chairman Smiley called for a second. There being no second, the motion failed. Commissioner McLemore then motioned to accept the E.D.A. Agreement that was placed in the Consent Agenda (pages 13-28). Commissioner McDaniel seconded the motion for discussion. Upon request by Commissioner McDaniel, Guerry Magidson appeared before the Board to report that he is the Chairman of the Economic Development Alliance and that the By-Laws and budget are completed and ready for approval. Commissioner Bryan discussed the language changes within the revised agreement. After further discussion, the motion then passed 4 to 1, with Commissioner Bryan voting no.

MEETING – OIL SPILL CONSORTIUM

Commissioner Yeager discussed the Oil Spill Consortium meeting that was held in Tallahassee; stating that the Memorandum of Understanding has been approved by the Governor's Office. He reported that the Governor will place six Officio members on the Consortium Board to give guidance. Commissioner Yeager stated that everything is moving forward and that everyone is waiting on the U.S. Treasury Rules.

BRIDGE – STONE MILL CREEK

Commissioner McDaniel reported that the asphalt is coming apart on the box car bridge located at Stone Mill Creek; stating that this project is being addressed and that he will bring a recommendation to the Board at a later date.

HUMMINGBIRD LANE

Commissioner McDaniel discussed the calls received regarding Hummingbird Lane; stating that Public Works has one motor grader and due to excessive rain it has been difficult getting roads graded, but the issue is being addressed.

COUNTY PARKS – HOUSEHOLD GARBAGE

Commissioner McDaniel discussed that every district has multiple parks and the County has a contract for park cleanup. He reported that the contractor approached him regarding household garbage being placed in the park dumpsters. Commissioner McDaniel discussed his concerns regarding this issue. Deputy Administrator Lanier reported that this is an ongoing issue, even before the new contractor accepted this bid. She reported that signs were posted at various parks, but this has not stopped the illegal dumping. Deputy Administrator Lanier also discussed the possibility of installing cameras to help deter citizens from dumping household garbage in the park dumpsters. After discussion by members of the Board, Commissioner McLemore discussed working with the Sheriff's Office regarding the illegal dumping.

BEACH PATROL

Upon inquiry by Commissioner Yeager, Sheriff Harrison reported that an officer is patrolling the beach on Mondays, Wednesdays, Fridays, and occasionally on the weekends; stating that in a month an additional officer will be placed on patrol so that there will be full coverage over the weekends.

AFFORDABLE HOUSING

Chairman Smiley discussed his concerns regarding the need for affordable housing in Gulf County. He also discussed his concerns regarding the funds spent to build Wind Mark Beach. Chairman Smiley reported that the County has approximately 100 acres that could be used for affordable housing.

Chairman Smiley called for public comment.

ECONOMIC DEVELOPMENT ALLIANCE

Christy McElroy of Port St. Joe appeared before the Board to state that she is glad that the Board received a report from the E.D.A. Upon inquiry by Ms. McElroy, Commissioner McDaniel stated that the County will provide \$80,000.00 to E.D.A. She discussed her concerns regarding the need for updates from any agency that receives county funding.

TRAVEL POLICY

Christy McElroy of Port St. Joe appeared before the Board to discuss the newly adopted Travel Policy. Upon inquiry by Ms. McElroy, Commissioner McDaniel reported that he has not paid \$400.00 per night for a hotel room while doing County business. Ms. McElroy inquired the same question to Deputy Administrator Lanier, which she stated not to her knowledge. Ms. McElroy inquired if any Commissioner had been to Las Vegas, NE in order to conduct Gulf County business. Commissioner McDaniel motioned to allow Ms. McElroy additional time to speak. Commissioner Yeager seconded the motion, and it passed unanimously. Commissioners McLemore, Yeager, and McDaniel answered no to Ms. McElroy's inquiry. After further discussion by Ms. McElroy, Commissioner Bryan stated that this is not proper for County business to have a citizen come up and talk about another citizen at Board meeting, stating that if Ms. McElroy wants information regarding travel, she can make a public records request. Commissioner McDaniel called for a point of order. Chairman Smiley called the meeting to order and instructed Ms. McElroy to refrain from using citizens names. Ms. McElroy stated that a P.A.C. member asked these questions or made these acquisitions about the \$400.00 per night hotel rooms, and the trip to Las Vegas, NE.

PUBLIC RECORDS REQUEST

Clerk Finance Officer Herring stated that if there are any questions from citizens regarding expenses or agency reports they can submit a public records request to the Clerk's Office.

HOUSEHOLD GARBAGE

Patricia Hardman of Port St. Joe appeared before the Board to report that the construction companies are also having a problem with household garbage being placed in contractor dumpsters. Commissioner Yeager requested that the Board add Household Garbage, and Recycle to the workshop scheduled for April 29, 2013.

F.E.M.A. – STUMPHOLE

Patricia Hardman of Port St. Joe appeared before the Board to inquire about pushing for assistance from F.E.M.A. to get some help with the sand at the Stumphole area. Commissioner McDaniel reported that Representative Southerland had the head of U.S. Fisheries in his office to meet directly with Gulf County regarding this project. He also discussed the C.O.B.R.A. issues. Commissioner Yeager discussed his concerns regarding F.E.M.A. funding and the need for beach maintenance.

OVERSTREET – DRAINAGE

Bill Williams, Sr. of Overstreet appeared before the Board to report that he has spoken with Commissioner McDaniel regarding the drainage issue at Overstreet and this issue has been resolved.

OVERSTREET BRIDGE – NAVIGATIONAL LIGHTS

Bill Williams, Sr. of Overstreet appeared before the Board to report that the navigational lights on the Overstreet bridge are operating properly now. He thanked the Board for addressing his concerns.

OVERSTREET – MOSQUITOES

Bill Williams, Sr. of Overstreet appeared before the Board to discuss his concerns regarding brush control and mosquito population at a neighboring property that is overgrown.

OVERSTREET – FIRING RANGE

Bill Williams, Sr. of Overstreet appeared before the Board to report that he spoke with Sheriff Harrison regarding a designated area for a firing range in Overstreet and inquired how one can be established. Commissioner Yeager discussed the Raffle Association located on Highway 71 and their new location in Howard Creek. Commissioner Yeager motioned to allow Mr. Williams, Sr. more time to speak. Mr. Williams stated that he did not need any more time. Motion failed for a lack of a second.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner Yeager, and unanimous vote, the meeting did then adjourn at 10:36 a.m., E.T.

**TYNALIN SMILEY
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**