

DECEMBER 8, 2015
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 Ward McDaniel, Vice Chairman Carmen L. McLemore, Commissioners Joanna Bryan, Sandy Quinn, Jr., and Jerry W. Barnes.

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Clerk Director of Finance & Management Rhonda Woodward, Deputy Clerk Leanna Roberts, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Kari Summers, Building Official George Knight, Central Services Director Lynn Lanier, Gulf County E.D.C. Director Chris Holley, Gulf County E.D.C. Assistant Director/Grant Coordinator Michelle Childs, Gulf County E.M.S. Director Houston Whitfield, County Planner Brett Lowry, Preble-Rish, Inc./County Engineer Clay Smallwood, III, Public Works & Mosquito Control Director Mark Cothran, Gulf County RESTORE Act Coordinator Warren Yeager, Jr., Sheriff Mike Harrison, Solid Waste Director Joe Danford, T.D.C. Executive Director Jennifer Jenkins, and Veterans' Service Officer & S.H.I.P. Administrator Joe Paul.

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

Chairman McDaniel opened the meeting with prayer, and led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Chairman McDaniel called for public comment regarding the Consent Agenda. There was no public comment. Commissioner Bryan discussed page 2 (Item #1 * October 27th Regular Meeting Minutes) and pages 91-92 (Item #9 * Public Speaking Request Form) from the Consent Agenda. After discussion by members of the Board, Commissioner Bryan agreed to the pulling of these pages from the Consent Agenda to be discussed later in the meeting. Chairman McDaniel stated that he would like to pull pages 86, 87, and 88 (Item #8 * Levy Law Firm Invoice for Legal Services) from the Consent Agenda. Commissioner McLemore motioned to approve the Consent Agenda with the removal of pages 2, 91-92, and 86-88. Commissioner Barnes seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously, as follows:

- **DELETE PAGE 2****
1. Minutes – October 27, 2015 – Regular Meeting
– November 16, 2015 – Final Budget Hearing
 2. Approval of Checks and Warrants for October, 2015 & November, 2015 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.

3. Acknowledgement – FL Dept. of Revenue (Local Option Gas Tax on Motor Fuel & Special Fuel * Local Ordinances & Rates on File)
4. Agreement – Dewberry Engineers, Inc. (Amendment #1 * Gulf Co RESTORE Act Consultant & Professional Services * Bid #1415-01)
 - FL Dept. of Economic Opportunity (Rural Area of Opportunity Designation Execution)
 - Trinity (Buckhorn Landfill * Site Assessment Addendum * \$61,728.03)
5. Appointment – Gulf Consortium Executive Committee (Re-appointment * Warren J. Yeager, Jr.)
 - Opportunity Florida Board (Appointee * Michelle Childs)
6. Budget Amendment #1 – General Fund (Amend the FY 2015-16 Budget for the General Fund for the purchase of new voting equipment)
 - Budget Amendment #2 – BP & RESTORE Act Fund (Amend the FY 2015-16 Budget for BP & RESTORE Act Fund for the purchase of an ambulance)
7. Inventory – Gulf Co T.D.C. (Asset Surplus * #230-39 * 2000 Chevrolet K1500 * Vin #2GCEK19T9Y1212205 * #230-40 * 1996 Ford F150 * Vin #1FTEF14N8TLB10569 * Advertise to Receive Sealed Bids to Sell)
 - Gulf Co Veterans' Service (Asset Transfer to Surplus * #240-27 * Dell Latitude D510 Laptop * Serial Number 14448697345)
8. Invoice – Disasters, Strategies, & Ideas Group, LLC/DSI Group, LLC (#1785 * Disaster Response & Recovery Training * Bid #1415-32 * \$16,000.00 to be paid from State Homeland Security Grant #15-DS-P4-02-33-01-279)
- **DELETE PAGES 91-92**** – Levy Law Firm (Legal Services * \$988.94)
9. Policy – County Use of the Honeyville Community Center
 - **DELETE**** – Public Speaking Request Form
10. Request for Funds – Gulf Co Sheriff's Office (Beach Patrol Funds * October, 2015 * \$3,691.52)
 - Gulf Co Sheriff's Office (Cost of Supplies * Crime Prevention * \$4,446.72)

11. Resolution – Dissolving the Dead Lakes Water Management District, as follows:

RESOLUTION NO. 2015-47

WHEREAS, there presently exists a special district known as the Dead Lakes Water Management District created by Florida Chapter Law 61-2212; and

WHEREAS, the present existence of the Dead Lakes Water Management District duplicates unnecessarily the administrative activities and costs associated with providing the public services originally envisioned for the special district; and

WHEREAS, the public services entrusted to the Dead Lakes Water Management District unnecessarily duplicate those presently provided by Gulf County, Florida by and through its Board of County Commissioners; and

WHEREAS, the continued duplication of public services, administrative activities, and administrative costs are deemed by the Board of Commissioners of the Dead Lakes Water Management District to be an unnecessary expenditure of public funds to accomplish the delivery of equivalent services to the public; and

WHEREAS, there is no longer a continued public need to maintain the Dead Lakes Water Management District which serves a small rural area as those services are more efficiently and effectively provided and administered by Gulf County which is the local general purpose government within which the district is located; and

WHEREAS, the Board of Commissioner of the Dead Lakes Water Management District held a public meeting of the Dead Lakes Water Management District to address the issue of dissolution of the special district and as there has been brought forth no information which would substantiate the continued need for the existence of the Dead Lakes Water Management District;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Dead Lakes Water Management District, as follows:

The Legislature is respectfully requested to repeal the special act(s) creating and establishing the Dead Lakes Water Management District and requests that this dependent, special district created by special law be dissolved.

(End)

- Supporting the Regional Economic Development Organization, Opportunity Florida, as follows:

RESOLUTION NO. 2015-48

A RESOLUTION OF THE GULF COUNTY BOARD OF COUNTY COMMISSIONERS SUPPORTING THE REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION, OPPORTUNITY FLORIDA, TO PURSUE MORE RELEVANT INCENTIVES AND COMPETITIVE ADVANTAGES FOR OUR RURAL AREA OF OPPORTUNITY.

Complete Resolution on file with Clerk

(End)

- Dissolving the Highland View Water & Sewer District, as follows:

RESOLUTION NO. 2015-49

WHEREAS, there presently exists a special district known as the Highland View Water and Sewer District created by Florida Chapter Law 61-2212; and

WHEREAS, the present existence of the Highland View Water and Sewer District duplicates unnecessarily the administrative activities and costs associated with providing the public services originally envisioned for the special district; and

WHEREAS, the public services entrusted to the Highland View Water and Sewer District unnecessarily duplicate those presently provided by Gulf County, Florida, by and through its Board of County Commissioners; and

WHEREAS, the continued duplication of public services, administrative activities, and administrative costs are deemed by the Board of Commissioners of the Highland View Water and Sewer District to be an unnecessary expenditure of public funds to accomplish the delivery of equivalent services to the public; and

WHEREAS, there is no longer a continued public need to maintain the Highland View Water and Sewer District which serves a small rural area as those services are more efficiently and effectively provided and administered by Gulf County which is the local general purpose government within which the district is located; and

WHEREAS, the Board of Commissioner of the Highland View Water and Sewer District held a public meeting of the Highland View Water and Sewer District to address the issue of dissolution of the special district and

as there has been brought forth no information which would substantiate the continued need for the existence of the Highland View Water and Sewer District;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Highland View Water and Sewer District, as follows:

The Legislature is respectfully requested to repeal the special act(s) creating and establishing the Highland View Water and Sewer District and requests that this dependent, special district created by special law be dissolved.

(End)

12. S.H.I.P. – Change Order (#1 * Gulf 2 Bay Development * S.H.I.P. Project – Betty J. Harris * Bid #1415-34 * \$3,128.00 * #2 * Gulf 2 Bay Development * S.H.I.P. Project - Betty J. Harris * Bid #1415-34 * \$2,000.00)

- Authorize Contractor (Qualified S.H.I.P. Contractor * Vision Builders of Gulf Coast, LLC)

- County S.H.I.P. Policy

(End)

C.O.R.B.A – GULF COUNTY TECH REVIEW

Chief Administrator Butler presented to the Board an email from U.S. Fish and Wildlife regarding the C.O.R.B.A. issue on Cape San Blas; reporting that the County had an agreement that by the end of September, U.S. Fish and Wildlife would have their technical review completed and available to the County. He discussed the events that took place leading up to December; stating that this email is notifying the County that it will go out for public review in the spring of 2016. Chief Administration Butler requested permission from the Board to review what could be done to get this issue in front of a Judge and report back to the Board. After discussion by members of the Board, Commissioner Bryan motioned to allow Staff to come back with a plan of action on how to address this issue, without any expense at this point, that can be placed in the Agenda for public and Board's review. Commissioner Quinn seconded the motion for discussion. Upon inquiry by Commissioner Quinn, Commissioner Bryan clarified that she is asking Staff to come up with a written plan that the Board can review; not taking any real action or incurring any real cost other than paying for Staff's time. After discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

HABITAT CONSERVATION PLAN UPDATE

Chief Administrator Butler reported that Cardno, the County's consultant, should have the proposed Habitat Conservation Plan (HCP) to the County by December 16, 2015. He discussed forwarding the proposed plan to the Board for review, and at the next Board meeting the Board can cast their vote to accept or deny the proposed plan. Chief

Administrator Butler reported that the HCP is going to put some severe restrictions on building (construction) along the coast line.

WHITE CITY BULKHEAD – WHITE CITY PARK

Chief Administrator Butler discussed Item #9 (Pages 125-126) from the Agenda regarding a proposal for the White City Bulkhead Project. He recommended that the Board consider looking to enlist in the services of Commissioner McLemore on the area that is really leaning out. After discussion by Chief Administrator Butler, Commissioner Bryan discussed her concerns regarding the seawall and the building at White City Park; stating this issue needs to be addressed. Commissioner Bryan motioned to approve the proposal from Preble Rish, Inc., in the amount of \$44,750.00 for the engineering services of the White City Bulkhead at the White City Park. Commissioner McLemore seconded the motion for discussion. After discussion, Chief Administrator Butler reported that PRI's proposal is for the entire project, including removing the existing wall and installing a new wall. Commissioner McLemore discussed comparing the cost for the entire project verses engineering 30-40 feet that is bad. After further discussion, Commissioner Bryan withdrew her motion. She then motioned to hold a workshop on January 12, 2016 at 9:00 a.m., E.T. to discuss this matter further. Commissioner McLemore seconded the motion. After discussion by Chairman McDaniel, Commissioner inquired about changing the meeting to a Special Meeting instead of a Workshop. Commissioner Bryan stated that she would like to keep it set as a Workshop and hold it at the E.O.C. Building. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

PURCHASE PROPERTY – LOT AT CAPE SAN BLAS

County Attorney Novak discussed a parcel located at 4787 Cape San Blas Road; stating that the Board allowed Staff to execute a contract <Contract on file with Clerk> for the proposed purchase of this property. He reported that the title work was received last week, but there are issues within the title report that cannot be answered today. County Attorney Novak recommended that the Board request a thirty (30) day extension of the sellers to allow time for Staff to further vet the property. He also recommended to the Board that if the seller does not grant the extension, then the Board would withdrawal the proposal. Commissioner McLemore motioned to approve County Attorney Novak's recommendations. Commissioner Barnes seconded the motion. After discussion, County Attorney Novak stated that he will ask the seller for a forty-five (45) day extension. Following additional discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

ADVERTISE FOR SEALED BIDS – ROAD BOND PROJECT

Assistant Administrator Hammond presented a road paving list for the Gas Tax Revenue Road Bond, Series 2015 A & B; requesting permission to advertise to receive sealed bids for the road bond paving project. After further discussion, Commissioner McLemore motioned to move forward with the list today and look at further projects. Commissioner Barnes seconded the motion for discussion. Following further discussion by the Board, Chairman McDaniel called for public comment. Roni Coppock, of St. Joe Beach appeared before the Board to discuss her concerns regarding the roads in District III. Sharon

Winchester, of St. Joe Beach appeared before the Board to discuss her concerns regarding the lack of support for District III by other members of the Board. Chairman McDaniel called for any objection to the motion. Commissioner Bryan opposed to the motion. Discussion followed. The Chairman then called for a recess.

The meeting did then recess at 10:13 a.m., E.T.

The meeting did then reconvene at 10:23 a.m., E.T.

Chairman called for the vote. The motion then passed 4 to 1, with Commissioner Bryan voting no.

COUNTY POLICY – ORDER TO CONDUCT COUNTY MEETINGS

County Attorney Novak discussed the County Policy and read a portion of this policy regarding the order in conducting County meetings, and also a portion of the Public Speaking Ordinance.

GRANT EXTENSION – S.C.R.A.P. AND S.C.O.P.

Upon request by Grant Coordinator Childs, Commissioner McLemore motioned to extend the S.C.O.P. Grant for the CR 30B Project and the S.C.R.A.P. Grant for the CR 30 Project until April 30, 2016. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

REPORT – E.D.C.

Gulf County E.D.C. Director Holley appeared before the Board to provide an update regarding economic development.

RESOLUTION – SUPPORTING THE REGIONAL E.D.O. OPPORTUNITY FLORIDA

County Attorney Novak discussed page 97 of the Consent Agenda that was introduced by the E.D.C.; requesting that the third paragraph down be changed by the Clerk to read Gulf County. Commissioner Barnes motioned to approve the amendment to this Resolution (2015-48). Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

REPORT – RESTORE

RESTORE Act Coordinator Yeager appeared before the Board to present and discuss the RESTORE Project list. He discussed using part of POT 1 Money as leverage for the N.R.D.A. Projects. RESTORE Act Coordinator Yeager provided the Board with a time-line update regarding the Highland View Boat Ramp, Veterans' Memorial (Beacon Hill) Park, and the Pier. Discussion followed.

REPORT – T.D.C.

T.D.C. Director Jenkins appeared before the Board to present the November, 2015 Status Report to the Board.

RESOLUTION – OPPOSITION TO PROPOSED LEGISLATION

Upon discussion by T.D.C. Director Jenkins, Commissioner McLemore motioned to adopt the following resolution. Commissioner Barnes seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously, as follows:

RESOLUTION NO. 2015-50

A RESOLUTION OF THE GULF COUNTY BOARD OF COUNTY COMMISSIONERS IN OPPOSITION TO PROPOSED LEGISLATION THAT WOULD HAVE A NEGATIVE IMPACT ON THE TOURISM INDUSTRY IN GULF COUNTY AND ACROSS THE ENTIRE STATE OF FLORIDA.

Complete Resolution on file with Clerk

(End)

PAGE 2 – MINUTES PULLED FROM CONSENT

Commissioner Bryan discussed page 2 that was pulled from the Consent Agenda regarding the Mediacom Agreement for data services; noting that it was voted on at the last meeting as a sole-source. She stated that we have learned that it is not a sole-source; inquiring if the record needs to be revised to reflect this. Commissioner Bryan reported that Fairpoint Communications could provide this service for \$719.00 per month with no installation. After discussion by Commissioner Bryan, County Attorney Novak reported that in the last seven (7) days Administration received communications from that vendor (Fairpoint Communications) adding additional information that was requested over six and one-half (6 ½) months ago; stating that moralizing past meetings have been accurate. After discussion by County Attorney Novak, Central Services Director Lanier discussed the time-line in collecting information regarding data services; stating that what was presented to the Board at the (December 8th) meeting as sole-source was based on the information she had at that time. Discussion followed. Commissioner McLemore motioned to approved page 2 (Item #1 * September 22, 2015 Regular Meeting). Commissioner Barnes seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

FORM – PUBLIC SPEAKING REQUEST

Commissioner Bryan inquired if this form (Public Speaking Request Form) is required or can one still attend and raise their hand to speak at the end of the meeting (during public discussion). Chief Administrator Butler discussed meeting with the Chairman regarding a way to get the names right for those that come to speak in front of the Board; stating that there is a need to tighten up on who is actually speaking to the Board. He also stated that those that call and come in before the meeting will have to fill this form out, and someone from the floor will have to fill this form out by going to Central Service Director Lanier after they speak so we will know who they are. After discussion by Chief Administrator Butler, Commissioner Bryan discussed her concerns in regards to placing requirements on the public that are not the same Staff, such as providing materials ahead of time for the Board to review. She inquired about the time allowed and discussed her concerns regarding the

proposed form. After discussion by Commissioner Bryan, County Attorney Novak reported that he provided the language and created the proposed form; stating he reviewed it with the Chairman. After discussion, Commissioner McLemore motioned to approve pages 91-92 (Public Speaking Request Form). Commissioner Barnes seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed 4 to 1, with Commissioner Bryan voting no.

SIDEWALK PROJECT – FL D.O.T.

Commissioner Bryan discussed pages 1-2 and 19-20 in the Information Packet regarding the FL D.O.T. Sidewalk Project from Pine Street to the Bay County Line. She reported that FL D.O.T. is willing to continue work on the St. Joe Beach Sidewalk by keeping it on the landward side on Highway 98 to complete the sidewalk through the Bay County line. Commissioner Bryan stated that the County will need to amend the Resolution that directed FL D.O.T. to stop at Abalone Street. After discussion, Commissioner Bryan motioned to revise the Resolution (2015-44) to request that the FL D.O.T. examine the landward side or North side of Highway 98 and if it is possible to continue the sidewalk through from Abalone Street to the Bay County line. Commissioner Quinn seconded the motion for discussion. After discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed 4 to 1, with Commissioner McLemore voting no. Chairman McDaniel requested that Chief Administrator Butler contact FL D.O.T. to meet. Commissioner Bryan requested that if the Chairman was going to meet with FL D.O.T., to call a special meeting so that she could attend. After discussion by Chairman McDaniel, Chief Administrator Butler discussed holding a workshop and adding it to the scheduled Workshop of the 12th (January, 2016).

RESOLUTION NO. 2015-51

A RESOLUTION OF THE GULF COUNTY BOARD OF COUNTY COMMISSION REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION'S ACKNOWLEDGEMENT, COOPERATION, AND ASSISTANCE TO GULF COUNTY IN THIS REQUEST TO CONSIDER PLACEMENT OF THE SIDEWALK ON THE NORTH SIDE OF HIGHWAY 98, IF POSSIBLE FOR THE SR30 US 98 SIDEWALK FROM PINE STREET TO BAY COUNTY LINE (15-11604); REQUESTING FLORIDA DEPARTMENT OF TRANSPORTATION TO APPROVE, ACCEPT AND SUPPORT THESE NEW MODIFICATIONS; AND ACCEPTING RESPONSIBILITY FOR SAME TO MAKE NECESSARY AMENDMENTS TO THE GRANT AWARD AND PROJECTS PLANNING.

Complete Resolution on file with Clerk

(End)

PROPERTY CLEANUP – ALABAMA AVENUE

Commissioner Bryan discussed a trailer that burned on Alabama Avenue; stating this property has gone through the Special Magistrate, but nothing has been done to clean up the property. County Attorney Novak stated that he read the Special Magistrate's Order

and discussed the “clean and lien”. He reported that a Lis Pendens was filed on the property after the Special Master Hearing. County Attorney Novak requested direction from the Board; stating the bank may send out their litigation department this month to clean the property. He discussed the options the County could take, as follows: 1. Instruct Public Works to go out to the property and take the public safety element out of it; 2. County do a full “clean and lien”; or 3. CIT Bank steps up to clean the property. After discussion, County Attorney Novak recommended that Board allow Staff to pursue this matter for the next two weeks and work with the bank (CIT Bank) to have them clean it, offer a contribution in full to reimburse the County to clean the property, or the County take the steps necessary to make the property safe but not necessarily clean the entire property. Commissioner Bryan had no objection to the way the County Attorney laid out the options. Chairman McDaniel directed the County Attorney to contact the bank regarding this matter. Ray Lapeyrouse, of St. Joe Beach appeared before the Board to discuss her concerns regarding the property; stating that it butts-up to her property and the bank has hired someone local to cut the grass.

LIMITED MAINTENANCE AGREEMENT – GULFAIRE DITCH

Commissioner Bryan requested an update regarding the Limited Maintenance Agreement with Deseret Ranches for the GulfAire Ditch. County Attorney Novak reported that he has provided the Limited Maintenance Agreement to Public Works & Mosquito Control Director Cothran; stating that the document is ready for signatures today <not on file with the Clerk>. Upon inquiry by Commissioner Bryan, Public Works & Mosquito Control Director Cothran reported that he will obtain Chief Administrator Butler’s signature today and will send the document off to Deseret for their signature.

CONTRACT – WASTE PRO

Commissioner Bryan discussed the Waste Pro Contract with Wakulla County; stating that Wakulla County received a more favorable deal than Gulf County. She stated that Waste Pro is in default and this should be the time to renegotiate the contract or rebid the services. Commissioner Bryan discussed the Wakulla County Contract with Waste Pro. Commissioner Bryan motioned that the County default Waste Pro and demand the same or better terms as Wakulla County. The motion dies for lack of a second. Commissioner Bryan then motioned that the Board instruct Staff to gather the information regarding the contract with Wakulla County and report back to the Board. Commissioner Barnes seconded the motion. After discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed 4 to 1, with Commissioner McLemore voting no. Discussion continued regarding the Waste Pro contract.

RESOLUTION – DR. PAT’S ALLEY

After discussion by Commissioner Barnes, County Attorney Novak read the proposed resolution. Commissioner Barnes motioned to adopt the following resolution. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed 4 to 1, with Commissioner McLemore voting no, as follows:

RESOLUTION NO. 2015-52

A RESOLUTION REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION NAME THE NORTHERN EGRESS LANE OF S.R. 30A AT U.S. HIGHWAY 98 “DR. PAT’S ALLEY.”

* Complete Resolution on file with Clerk *

(End)

DEMOLITION HOUSE – LAKE GROVE ROAD

Commissioner McLemore requested approval from the Board to tear-down an abandoned house on Lake Grove Road; reporting that it has been through the legal process. After discussion, Commissioner McLemore motioned to move forward (2211 Lake Grove Road * Edward Escobar). Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

INVOICE – LEVY LAW FIRM

Chairman McDaniel discussed Pages 86, 87, & 88 (Levy Law Firm Invoice) that was pulled from the Consent Agenda; reporting that the Board budgeted money for a lawsuit with Neal and Timberland Company, in the amount of \$5,000.00 that was claimed from money out of the City of Wewahitchka (TL James Park). He reported that had this case gone to court, the bill would have been much higher. Chairman McDaniel stated that this case was settled out of court and inquired how the County could recoup the remaining balance from the Property Appraiser. Chief Administrator Butler stated that he will contact Property Appraiser Burke and report back to the Board at the next Board meeting. No action was taken regarding the invoice.

RESOLUTION – EMERGENCY DECLARATION PERMITTING

<Commissioner Quinn left the meeting at 11:53 a.m., E.T.> Following discussion by County Attorney Novak, he then presented a proposed resolution to the Board for consideration. County Attorney Novak read the proposed resolution. Commissioner Barnes motioned to adopt the following resolution. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There was no public comment <Commissioner Quinn returned to the meeting at 11:56 a.m., E.T.>. Chairman McDaniel provided an update to Commissioner Quinn regarding the motion and inquired if he had any discussion. Commissioner Quinn had no comment. The motion then passed unanimously. Discussion followed.

RESOLUTION NO. 2015-53

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, AUTHORIZING THE ADMINISTRATION AND BUILDING DEPARTMENT OFFICIALS FOR THE PROPER REVIEW AND ISSUANCE OF TEMPORARY BUILDING PERMITS UPON PROPER APPLICATION FROM THOSE GULF COUNTY PROPERTY OWNERS AFFECTED BY THE RECENT LOCAL EMERGENCY DECLARATION

FOR COASTAL EROSION AND PUBLIC SAFETY AND PROPERTY PROTECTION; PROVIDING FOR AN EFFECTIVE DATE.

* Complete Resolution on file with Clerk *

(End)

PUBLIC HEARING – M.S.T.U.

County Attorney Novak discussed the proposed resolutions and the advertisement to hold a public hearing regarding the M.S.T.U. (Municipal Services Taxing Unit); reporting that the proposed election date will be April 12, 2016; January 13, 2016 will be the cut-off for certifying the ballot; deadline for registering to be a qualified elector is March 14, 2016; and March 23, 2016 is the date in which the ballots will be mailed out. He then read three (3) proposed resolutions by title. After discussion by members of the Board and Staff, Chairman McDaniel called for public comment. Robert Locascio, of Port St. Joe appeared before the Board to discuss his concerns regarding the proposed M.S.T.U., previous beach nourishment cost, and estimated cost for a bridge. Commissioner Bryan motioned to allow additional time for Mr. Locascio to speak. Commissioner Quinn seconded the motion, and it passed unanimously. Mr. Locascio discussed the sea turtles, and the coastal environment. Commissioner Bryan motioned to allow additional time for Mr. Locascio to speak. Commissioner Quinn seconded the motion, and it passed unanimously. At the conclusion of discussion by Mr. Locascio, Chairman McDaniel again called for public comment. Ronald Shiver, of the Cape San Blas appeared before the Board to discuss his concerns regarding the Peninsula, if a storm hit the area. He stated that the County should support this. Amy Rodgers, of Port St. Joe appeared before the Board to inquire if the public could see the plans on how the money could be spent. Jill Davis, of Cape San Blas appeared before the Board to discuss a study that she read regarding allowing things to accrue naturally, expressing that by allowing the water to cut through the Stumphole there will be erosion on the Bayside, and a lot of the sand will be taken into the Port. She discussed her concerns regarding the wildlife and The Port. Penny Easton, of Cape San Blas appeared before the Board to discuss the ballots from the last referendum; reporting that 47 (forty-seven) of the addresses were incorrect and it was unclear of the deadline date being received or postmarked. She stated that she would like to be able to tax herself to save her home. After discussion by County Attorney Novak, Pat Hardman, of Cape San Blas appeared before the Board to discuss her concerns regarding the need of a long-term plan; stating that the major problem for Gulf County is C.O.R.B.A. After discussion by Ms. Hardman, Chairman McDaniel closed the public hearing. County Attorney Novak read the proposed resolution by title regarding the Cape San Blas Bayside M.S.T.U. Commissioner Barnes motioned to adopt the following resolution. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed 3 to 2, with Commissioners McLemore and Bryan voting no, as follows:

RESOLUTION NO. 2015-54

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, CALLING A BOND REFERENDUM WITH

RESPECT TO THE CAPE SAN BLAS BAYSIDE MUNICIPAL SERVICES TAXING UNIT CREATED BY GULF COUNTY ORDINANCE 2005-27 AND AMENDMENTS THEREAFTER, FOR THE ISSUANCE OF LIMITED GENERAL OBLIGATION BONDS TO FINANCE BEACH NOURISHMENT; AND PROVIDING AN EFFECTIVE DATE.

* Complete Resolution on file with Clerk *

(End)

County Attorney Novak read a proposed resolution by title regarding the Cape San Blas Gulfside Interior M.S.T.U. Commissioner Barnes motioned to adopt the following resolution. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed 3 to 2, with Commissioners McLemore and Bryan voting no, as follows:

RESOLUTION NO. 2015-55

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA CALLING A BOND REFERENDUM WITH RESPECT TO THE CAPE SAN BLAS GULFSIDE INTERIOR MUNICIPAL SERVICES TAXING UNIT CREATED BY GULF COUNTY ORDINANCE 2005-26 AND AMENDMENTS THEREAFTER, FOR THE ISSUANCE OF LIMITED GENERAL OBLIGATION BONDS TO FINANCE BEACH NOURISHMENT; AND PROVIDING AN EFFECTIVE DATE.

* Complete Resolution on file with Clerk *

(End)

County Attorney Novak read a proposed resolution by title regarding the Cape San Blas Gulfside Beachfront M.S.T.U. Commissioner Barnes motioned to adopt the following resolution. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed 3 to 2, with Commissioners McLemore and Bryan voting no, as follows:

RESOLUTION NO. 2015-56

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, CALLING A BOND REFERENDUM WITH RESPECT TO THE CAPE SAN BLAS GULFSIDE BEACHFRONT MUNICIPAL SERVICES TAXING UNIT CREATED BY GULF COUNTY ORDINANCE 2005-25 AND AMENDMENTS THEREAFTER, FOR THE ISSUANCE OF LIMITED GENERAL OBLIGATION BONDS TO FINANCE BEACH NOURISHMENT; AND PROVIDING AN EFFECTIVE DATE.

* Complete Resolution on file with Clerk *

(End)

County Attorney Novak reported that ballot due date to the Supervisor of Elections is April 12, 2016 and the ballots will go out no later than March 23, 2016. Chairman McDaniel requested that the Supervisor of Elections contact the local news to get a notice out to the people involved in this referendum.

The meeting did then recess at 12:44 p.m., E.T.

The meeting did then reconvene at 12:55 p.m., E.T.

RESOLUTION – BAN FRACKING

Amy Datz, of Tallahassee appeared before the Board to discuss a proposed resolution. After discussion by County Attorney Novak, he then read the proposed resolution by title. Commissioner Bryan motioned to adopt the following resolution. Commissioner Barnes seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously, as follows:

RESOLUTION NO. 2015-57

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, SUPPORTING PROPOSED LEGISLATION PROVIDING A STATEWIDE BAN ON HYDRAULIC FRACTURING, ACID FRACTURING, AND WELL STIMULATION PERFORMED FOR THE PURPOSES OF EXPLORATION OR PRODUCTION OF OIL OR NATURAL GAS IN STATE OF FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

* Complete Resolution on file with Clerk *

(End)

PUBLIC HEARING – RIGHT-OF-WAY ABANDONMENT APPLICATION

County Attorney Novak discussed the application filed by Old Florida Executive Properties requesting an abandonment of a 60 (sixty) foot right of way, legally known as Seminole Road, off of Highway 71 South. Planner Lowry reported that the P.D.R.B. reviewed this application for abandonment; reporting that the adjacent property owner, Deseret Ranches has submitted a support letter. Zach Childs, of Old Florida Executive Properties appeared before the Board to discuss the abandonment application. Commissioner McLemore motioned to move forward. Commissioner Quinn seconded the motion. After discussion by Chairman McDaniel, he then called for public comment. There being no public comment, the motion passed unanimously. County Attorney Novak discussed the various phases regarding to the abandonment process; stating that the motion authorizes the Chairman to sign the Resolution which is then advertised.

RESOLUTION NO. 2015-58

A RESOLUTION OF THE GULF COUNTY BOARD OF COUNTY COMMISSION FOR ITS AUTHORIZING VACATION AND ABANDONMENT OF RIGHT OF WAY ALONG SEMINOLE ROAD PURSUANT TO GULF COUNTY ABANDONMENT POLICY WITH NOTICED PUBLIC HEARING AND APPROVING VOTE OF THE BOARD OF COUNTY COMMISSION; AUTHORIZING AND DIRECTING COUNTY OFFICIALS, OFFICERS, EMPLOYEES, AND AGENTS TO TAKE SUCH ACTIONS AS MAY BE NECESSARY OR DESIRABLE IN FURTHERANCE OF THE ABANDONMENT DIRECTIVES HEREIN; PROVIDING FOR AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

* Complete Resolution on file with Clerk *

(End)

QUASI-JUDICIAL HEARINGS – REVIEW & CONSIDERATION OF P.D.R.B. RECOMMENDATIONS

VARIANCE REQUEST – MICHAEL ANTTILA / LOUISIANA LANE

Planner Lowry introduced a variance request from Michael Anttil (Parcel ID #06291-330R) requesting a side setback variance at Louisiana Lane, Indian Pass. After discussion by County Attorney Novak, Chairman McDaniel inquired if anyone objected to waiving the Quasi-Judicial Hearing. There were no objections. Planner Lowry reported that the P.D.R.B. is recommending to the Board to allow a four (4) foot variance into the 9.5 (nine and half) foot setback on the East side of the property to allow placement of an A/C pad under Section 34, provisions 1 (one) and 3 (three). Commissioner Barnes motioned to approve the P.D.R.B. recommendation. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously.

SMALL SCALE LAND USE AMENDMENT – CHARLES KENT / OVERSTREET

Planner Lowry introduced a small scale land use amendment from Charles M. Kent (Parcel ID #03457-005R) requesting a land use change from residential to mixed use commercial/residential on a 2.07 acre parcel located on County Road 386 North, Overstreet. After discussion by County Attorney Novak, Chairman McDaniel inquired if there were any objections to waiving the Quasi-Judicial Hearing. A gentleman stood up from the audience stating that he is a property owner and objects to the land use change. County Attorney Novak requested that all that want to testify come forward to be sworn in by the Clerk. <Commissioner McLemore left the meeting at 1:16 p.m.> Clerk Norris then administered the oath to the following people: Janett Kirkland, Donald Werbacher, Valinten Krupeliev, Charles Kent, and Planner Brett Lowry. County Attorney requested that each Commissioner state for the record any exparte communications regarding this application. Commissioner Bryan stated that she had correspondence with Mr. Kent and Brett Lowry. Chairman McDaniel and Commissioner Barnes stated that they have not had any exparte communications. Commissioner Quinn stated that he has spoken with the County Attorney. Mr. Charles Kent, of Overstreet appeared before the Board to discuss

the land use amendment application. After discussion, County Attorney Novak reported that Mr. Kent didn't have proof of notifying his neighbors at the time of the P.D.R.B. meeting and the P.D.R.B. tabled this request; stating that since the P.D.R.B. meeting, Mr. Kent does have proof that notices were sent out to the neighboring property owners. After further discussion, Planner Lowry stated that the P.D.R.B. recommended to the Board by 5-0 vote to table this request and ask that Mr. Kent provide additional information regarding the use of this project in compliance with the Northwest Florida Water Management District (NFWFMD), together with public hearing dates listed on the letter Mr. Kent sent out to the adjacent property owners. Upon inquiry by County Attorney Novak, Mr. Kent stated that he can only pull 100 liters per day from a four (4) inch well. Discussion followed. Valinten Krupeliev appeared before the Board to discuss the water system and the amount of water that will be purified per day. Donald Werbacher and Janett Kirkland appeared before the Board to discuss their concerns regarding this application requesting the property be changed from residential to mixed use commercial/residential. After further discussion, Commissioner Bryan motioned to table. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

NON-RESIDENTIAL DEVELOPMENT – PRESNELL'S VACATION RESORT & RV PARK, LLC / SIMMONS BAYOU

Planner Lowry introduced a non-residential development from Presnell's Vacation Resort & RV Park, LLC (Parcel ID #06252-000R & #06252-010R) requesting a development order of a 71 (seventy-one) unit RV Park at Simmons Bayou. He reported that the P.D.R.B. recommends to the Board by a 4-1 vote to approve the development order for a 71 unit RV Park. Commissioner Bryan motioned to waive the Quasi-Judicial Hearing. Commissioner Barnes seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0). Kevin Presnell and Teddy Nobles, representing Presnell's Vacation Resort & RV Park, LLC appeared before the Board to discuss the project. Commissioner Quinn motioned to approve the P.D.R.B.'s recommendation. Commissioner Barnes seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

PROPERTY NEEDS EXEMPT

Ruth Griffin, of Balmy Breeze RV Park appeared before the Board to discuss her concerns regarding the new RV Ordinance; requesting the Board grant her an exemption in order to operate this park (Balmy Breeze RV Park). She reported that this RV Park has been in operation for 20 (twenty) years. After discussion, Commissioner Barnes motioned to help Ruth Griffin and grant Mrs. Griffin a variance. County Attorney Novak discussed the notices issued by the County Code Enforcement Officer; stating that various property owners are seeking this hardship. He inquired how the Board wishes to proceed with the RVs in violation under the Ordinance in this corridor and Mrs. Griffin's petition for a hardship. Discussion followed. County Attorney Novak stated that if the Board is willing to allow for hardships, then Mrs. Griffin and other property owners on the Cape will be required to place it in front of the P.D.R.B. and then bring back their recommendations before the Board in January. He reported that a hardship would be someone that pre-

existed, rented commercially a parcel in the Corridor, collected and paid bed tax through the Department of Revenue and Gulf County, and had a valid and established commercial operation on that lot for a certain period of time prior to passing the RV Ordinance. After discussion by Commissioner Barnes, County Attorney Novak requested that if the Board finds this language favorable, then the County would receive through the Planning Department a (hardship) request from the applicant to appear before the P.D.R.B. with the sole criteria being that they would be an established commercial operation in existence for a year prior to January 27, 2015; providing documentation of paying bed tax; giving valid criteria in which the Board would consider them a hardship for a sunset period of time. Chairman McDaniel discussed the Code Enforcement Officer not issuing any more citations until the Board resolves this matter. Following discussion, Commissioner Barnes amended his motion to go with what the County Attorney Novak said. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0). Discussion followed.

WEWAHITCHKA MEDICAL CENTER QUARTERLY UPDATE

Chairman McDaniel called for Katrina Saunders to appear. Clerk Norris reporting that Ms. Saunders had to leave and was no longer present.

OSCEOLA COUNTY HFA MULTI-COUNTY BOND ISSUE

Mitch Owens, of RBC Capital Markets appeared before the Board to discuss a Multi-County Housing Authority Bond Issue which would be for the rehab of existing facilities; reporting that one of the projects is in Gulf County, that being the Pine Ridge Facility. He also discussed the need of a resolution from the Board before the project can move forward. After discussion, Commissioner Barnes motioned to approve the following resolution. Commissioner Quinn seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0), as follows:

RESOLUTION NO. 2015-59

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, APPROVING THE OPERATION OF THE OSCEOLA COUNTY HOUSING FINANCE AUTHORITY IN GULF COUNTY FOR THE PURPOSE OF ISSUING ITS MULTIFAMILY HOUSING REVENUE BONDS (HALLMARK PROJECT TO PROVIDE FUNDS TO FINANCE THE ACQUISITION, REHABILITATION AND EQUIPPING OF MULTIFAMILY RESIDENTIAL RENTAL PROJECTS IN MULTIPLE LOCATIONS WITHIN THE STATE OF FLORIDA, INCLUDING A MULTIFAMILY RESIDENTIAL RENTAL PROJECT NAMED PINE RIDGE LOCATED IN PORT ST. JOE, GULF COUNTY; APPROVING THE ISSUANCE BY THE OSCEOLA COUNTY HOUSING FINANCE AUTHORITY OF ITS NOT TO EXCEED \$44,000,000 MULTIFAMILY HOUSING REVENUE BONDS (HALLMARK PROJECT), SERIES [TO BE DESIGNATED], OF WHICH \$2,240,000 WILL BE FOR THE BENEFIT OF

HALLMARK PINE RIDGE, LLC, A FLORIDA LIMITED LIABILITY COMPANY, TO PROVIDE FUNDS TO FINANCE THE ACQUISITION, REHABILITATION AND EQUIPPING OF PINE RIDGE, A MULTIFAMILY RESIDENTIAL RENTAL PROJECT LOCATED IN GULF COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

* Complete Resolution on file with Clerk *

(End)

BEARS IN MONEY BAYOU

Chairman McDaniel called for Karen Beardsley to appear. Ms. Beardsley was not present. Dorothy Rogers, of Money Bayou appeared before the Board to voice her concerns regarding bears in Money Bayou. She then read a note written by Karen Beardsley regarding the bears in the area.

OYSTER AQUACULTURE

TJ Ward appeared on behalf of Tommy Ward to discuss oyster aquaculture in Gulf County at Indian Lagoon and requested the Board's blessings for this project. After discussion, Commissioner Quinn motioned to allow the Chairman to sign a letter of support for the oyster aquaculture at Indian Lagoon <letter on file with Clerk>. Commissioner Barnes seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

BEARS IN GULF COUNTY

Commissioner Barnes discussed his concerns regarding bears near the school; reporting that F.W.C. (Fish and Wildlife Commission) was contacted. He inquired if there was something that could be done to get F.W.C.'s attention regarding this matter. A lady from the audience stood up and began to speak on this issue.

PROPERTY NEEDS EXEMPT

Commissioner Barnes inquired if the County could issue Mrs. Griffin a temporary (hardship). County Attorney Novak discussed the Board issuing Mrs. Griffin a temporary hardship. After discussion, Commissioner Barnes motioned to issue Mrs. Ruth Griffin a temporary hardship until the final hearing. Commissioner Quinn seconded motion. After discussion by Commissioner Bryan, County Attorney Novak discussed placing a moratorium on the six (6) identifying violation non-compliance notification that have been issued in order for the Board to review their hardship, instructing the Building Department not to schedule a violation hearing. Upon inquiry by Chairman McDaniel, the Board had no objection to modifying the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

CHAIRMANSHIP

Wanda Cahill, of Beacon Hill appeared before the Board to read a letter from Jill Paton regarding her concerns for the 2016 Chairmanship positions. Ms. Cahill discussed her concerns regarding this matter; requesting that the Board allow the District III Commissioner to serve as Chair.

CHAIRMANSHIP ISSUES

Chairman McDaniel called for Gretchen Mayes. Ms. Mayes was not present. A lady from the audience spoke out that Ms. Mayes had to leave, but left written remarks.

DISTRICT III CHAIRPERSON ISSUE

Margie Collins, of Beacon Hill appeared before the Board to discuss her concerns regarding the Chairperson position.

E.M.S.

Chairman McDaniel called for Ricky Tolbert. Mr. Tolbert was not present.

MORE REGULAR MEETINGS

Linda Sertich, of Beacon Hill appeared before the Board to discuss her concerns regarding the length of this meeting; requesting that the Board go back to two (2) meetings per month. After discussion, Commissioner Bryan motioned to move back to two (2) meetings per month. The motion failed for a lack of a second.

ROTATION IN COUNTY COMMISSIONERS CHAIRMANSHIP

Bernadette Hackett, of Howard Creek appeared before the Board to discuss her concerns regarding the rotation in County Commissioners Chairmanship; requesting that the Board revisit their vote for the stay of Commissioner McDaniel as Chairman for another year. She stated that she would like to see Commissioner Bryan placed in that position (Chairman).

HOWARD CREEK PLAYGROUND

Bernadette Hackett, of Howard Creek appeared before the Board to discuss her concerns regarding the Howard Creek Playground; reporting that the playground needs to be replaced.

BOCC LEADERSHIP

Jennifer Corbin, of Beacon Hill appeared before the Board to read Gretchen Mayes letter regarding the 2016 Chairmanship position. Ms. Corbin then discussed her concerns regarding the Chairmanship. Commissioner Bryan motioned to allow additional time for her to speak. Commissioner Barnes seconded the motion. Ms. Corbin discussed her concerns regarding District III. After discussion by members of the Board, Commissioner Bryan motioned to alter the earlier decision and allow Commissioner Bryan to serve as Chairman as 2016. Commissioner Quinn seconded the motion for discussion. After further discussion, the motion failed 2 to 2, with Chairman McDaniel and Commissioner Barnes voting no.

ROAD PAVING PROJECT

Amy Rodgers, of Port St. Joe appeared before the Board to discuss the road paving list; requesting that the Board include North Garrison Avenue to connect to South Garrison Avenue to the road paving list. She also requested that the Board add to the list to connect Avenue G to Avenue F. Commissioner Quinn motioned to allow her additional time to

speaking. Commissioner Bryan seconded the motion. Mrs. Rogers discussed adding the sidewalks to continue on from Hodrick Street along Martin Luther King to Highway 98, and adding a sidewalk from Dr. Langston Drive to First Street.

CLEAN UP DEBRIS

Amy Rodgers, of Port St. Joe appeared before the Board to request that the Board work with property owners to clean up a lot located behind CVS Pharmacy on Highway 98. After discussion by Mrs. Rodgers, Chairman McDaniel asked Mrs. Rodgers to contact Chief Administrator Butler or Commissioner Quinn and work with the City of Port St. Joe regarding this matter.

CHAIRMANSHIP

Barbara Radcliff, of Port St. Joe appeared before the Board to discuss her concerns regarding the 2016 Chairmanship position and the Board.

OPEN PRAYER

Mike Barrett, of Port St. Joe appeared before the Board to discuss public safety; requesting that the Chairman add fire fighters and E.M.S. personnel to the prayer at the beginning of the meetings.

PUBLIC RECORDS REQUEST

Mike Barrett, of Port St. Joe appeared before the Board to discuss his concerns regarding obtaining information as to how the County's tax payer dollars are spent; stating that people are coming to him saying that there are people in the County that are mad at you for asking questions.

There being no further business, and upon motion by Commissioner Quinn, second by Commissioner Barnes, and unanimous 4-0 vote, the meeting did then adjourn at 3:17 p.m., E.T.

**WARD MCDANIEL
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**