

JUNE 26, 2012

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 William C. Williams, III, Vice Chairman Tan Smiley, and Commissioners Carmen L. McLemore, Ward McDaniel, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, E.D.C. Director Barry Sellers, Emergency Management Director Marshall Nelson, E9-1-1 Coordinator Ben Guthrie, Fire Coordinator Brad Price, G.I.S. Coordinator Scott Warner, Gulf County E.M.S. Director Houston Whitfield, Mosquito Control Director Mark Cothran, Gulf County Planner David Richardson, Preble-Rish/County Engineer Clay Smallwood III, Public Works Director Joe Danford, Sheriff Joe Nugent, and T.D.C. Director Jennifer Jenkins.

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

Assistant Administrator Hammond opened the meeting in prayer, and Chairman Williams led the pledge of allegiance.

CONSENT AGENDA

Upon motion by Commissioner McLemore, second by Commissioner McDaniel and unanimous vote the Board approved the Consent Agenda as follows, after removal of Item #2 (pages 5-6):

1. Minutes – June 12, 2012 – Special Budget Meeting
2. ****DELETE**** Bid #1112-19 - Fountain Bid (Rescind previously rejected bid and allow to negotiate with the sole bidder)
3. Bid Rejection #1112-12 (T.D.C. Marketing)
4. Grant – Regional Rural Development (Department of Economic Opportunity)
5. Grant Funding Application (T.D.C. – Special Event)
6. Grant Award – Gulf County Emergency Medical Services (\$47,990.00)

7. Invoices – Bryan-Co Services, Inc. – C.D.B.G.-D.R.I. Affordable Rental Housing Liberty Manor Apartments (Application #6 * \$1,670.70 * to be paid from Account #113554-34000)
- Bryan-Co Services, Inc. – C.D.B.G.-D.R.I. Affordable Rental Housing Moss Creek Apartments (Application #6 * \$9,499.58 * to be paid from Account #113554-34000)
 - Bryan-Co Services, Inc. – C.D.B.G.-D.R.I. Affordable Rental Housing Pine Ridge Apartments (Application #8 * \$3,544.24 * to be paid from Account #113554-34000)
 - Coastal Parasail – Gulf County Beach Raking (Invoice #1201 * \$4,000.00 * to be paid from Account #27452-46100)
 - C.W. Roberts Contracting, Inc. – Cape San Blas Shared Use Path Phase III (Application #9 & Final * \$190,681.96 * to be paid from Account #40341-53000)
 - Ken Murphy – Videotaping & Airing of Board Meetings (May, 2012 * \$1,350.00 * to be paid from Account #27452-34000)
 - NCC Media – T.D.C. T.V. Advertising – Atlanta (Invoice #2825016 * \$650.00 * Invoice #2825017 * \$106.00 * Invoice #2832585 * \$94.00 * Invoice #2842623 * \$3,550.00 * Invoice #2842624 * \$581.00 * Invoice #2854452 * \$517.00 * all to be paid from Account #27452-49200)
 - NCC Media – T.D.C. T.V. Advertising – Nashville (Invoice #2825022 * \$550.00 * Invoice #2825023 * \$50.00 * Invoice #2825035 * \$52.00 * Invoice #2842648 * \$3,600.00 * Invoice #2842649 * \$300.00 * Invoice #2842678 * \$432.00 * all to be paid from Account #27452-49200)
 - Sniffen & Spellman, P.A. – Professional Litigation Services (Invoice #8911 * \$378.00 * to be paid from Account #21111-31200)
 - St. Joseph Bay Humane Society – Animal Control (May, 2012 * \$6,223.00 * to be paid from Account #43262-82000)
 - Rich's IGA – Stone Mill Creek Fire Department candy for 2011 Christmas Parade (\$19.90)

8. Purchase Request – Stone Mill Creek Fire Department (Genesis Extrication Equipment from Rescue Systems Unlimited (Sole Source) * \$19,880.00 * to be paid from Stonemill Creek Fire Department Budget)
9. Refund Request – Honeyville Community Center (Russell McMillian * \$200.00)

Refund Request – Gulf County Sheriff's Department (IT for the month of June, 2012 * \$833.33)

(End)

2nd PUBLIC HEARING – SIGN ORDINANCE #2012-04

Pursuant to advertisement to hold a public hearing to consider the adoption of an ordinance amending Gulf County Sign Ordinance No. 88-3 regulating outdoor advertising signs, County Attorney Novak read the proposed Ordinance by title, as follows: An ordinance of Gulf County, Florida; whereby amending Gulf County sign ordinance No. 88-3 titled “An ordinance regulating outdoor advertising signs; providing for the prohibition of said signs on County rights of way; providing for an effective date” and herein replacing it by adoption of “Gulf County sign ordinance” and providing for severability; and providing for an effective date. Chairman Williams called for public comment. There was no public comment. Commissioner Yeager motioned to adopt the ordinance regulating outdoor advertising signs. Commissioner Smiley seconded the motion, and it passed unanimously.

Complete Ordinance on file with Clerk

County Attorney Novak discussed the first issue in the ordinance is the definition and language regarding election signs, and recommended a moratorium regarding election signs for this election year. Commissioner McDaniel motioned to approve this recommendation effective December 1, 2012. Commissioner Yeager seconded the motion, and it passed unanimously.

INTRODUCTION & 1ST READING – HOMELESS SHELTER & NUISANCE ORDINANCES

County Attorney Novak read the proposed ordinances by title which regulates and controls the application, review, permitting process, as well as the regulation and annual evaluation of any and all homeless shelters, as follows. An ordinance of the County of Gulf, in the State of Florida to regulate and control the application, review, permitting processes as well as the regulation and annual evaluation of any and all homeless shelters; providing for appropriate locations for such facilities; providing for enforcement; adopting a hearing procedure, providing fines and penalties for enforcement; providing for repeal of ordinances in conflict herewith; providing for severability; and providing for an effective date. County Attorney read the proposed ordinance amending Nuisance Ordinance No. 99-06, providing additional language and further definition of nuisance as any activity conducted on a property within the County by title, as follows. An ordinance

of the County of Gulf, in the State of Florida amending “nuisance” ordinance 99-06, providing additional language and further definition of nuisance as any activity conducted on a property within the County requiring the presence of law enforcement officers on five or more occasions of any thirty day period; providing for severability; providing for repeal; and providing for an effective date.

PUBLIC HEARING – P.D.R.B. RECOMMENDATIONS (JUNE 18, 2012)

The Board then considered the following recommendations from the June 18, 2012 meeting of the Planning & Development Review Board:

VARIANCE APPLICATION – ROBERT DAWKINS

Pursuant to advertisement to hold a public hearing to consider corrective action to an existing access ramp and dune walkover (Parcel ID #03180-235R), County Attorney Novak read the public hearing to consider the corrective action. Planner Richardson noted this was debated highly and was tabled during the May meeting, stating this is an after-the-fact variance, and that was the main reason for denying it. He reported this is a well built structure and the family does have medical problems and recommended the Board grant the variance for Mr. Dawkins, but consider imposing a fine for these variances, and consider occupational licenses for contractors in an effort to get a handle on these issues. Chairman Williams called for public comment. Johanna Bryan appeared before the Board and discussed that Ms. Browning is an elderly woman with health issues and requested the Board to consider the approval of the variance. Pat Hardman appeared before the Board and stated this Board needs to stop the non licensed contractors from coming into this County and working without pulling permits. Upon inquiry by Commissioner Yeager, Planner Richardson stated the imposition of fines and occupational licenses should be handled separately, but reported if this variance is granted, they are subject to double permitting fees. Jack Husband of Southeastern Consulting Engineering, Inc. appeared before the Board and reported that D.E.P. is going to allow this to remain conditionally upon receiving a letter of no objection from the County. Chairman Williams agreed the Board should impose occupational licenses. Commissioner McDaniel agreed there needs to be fines imposed for those who fail to follow the guidelines. Commissioner Yeager motioned to approve the variance application for Dawkins, and request the P.D.R.B. to come back to the Board with a recommendation on occupational licenses, and fines and penalties for these type variances. Commissioner McDaniel seconded for discussion. Chairman Williams recommended amending the motion to include the variance be granted subject to review by the Building Department. The motion and second were amended to include the Chairs recommended amendment. The motion then passed unanimously.

VARIANCE APPLICATION – SHERRY STEADHAM

Pursuant to advertisement to hold a public hearing to consider a road setback variance of 4’ and a side setback of 1’6” (Parcel ID #03765-000R * S31, T6S, R11W), County Attorney Novak read the public hearing notice to approve a road setback variance of 4’ and a side setback of 1’6”. Commissioner McDaniel motioned to approve the variance application. Commissioner Yeager seconded the motion, and it passed unanimously.

SIGN VARIANCE APPLICATION – TOYE ROBERTS

Pursuant to advertisement to hold a public hearing to consider a variance to install an offsite business sign (Parcel ID #03946-000R * S5, T7S, R11W), County Attorney Novak read the public hearing notice; stating the P.D.R.B. recommended the Board deny the variance to install an offsite business sign. Commissioner McLemore motioned to deny the sign variance application. Commissioner McDaniel seconded the motion. Commissioner Yeager recommended Chairman Williams contact The Port Authority in regards to renting a piece of property to place signs for the Industrial Park area for these businesses. The motion then passed unanimously.

VARIANCE APPLICATION – ANGELO AND SUSAN JARDINA

Pursuant to advertisement to hold a public hearing to consider a setback encroachment for Angelo and Susan Jardina (Parcel ID #03946-002R * S5, T7S, R11W), County Attorney Novak explained they requested a setback encroachment from the construction of a fence and a portable shed. He stated it is recommended by the P.D.R.B. to grant the road setback based on the error admitted by the contractor and testimony of the owners. Commissioner McLemore motioned to approve the variance application. Commissioner McDaniel seconded for discussion. Following discussion clarifying the location, the motion then passed unanimously.

AWARD BID #1112-16 - TRI COUNTY MAP DISPLAY SYSTEM

E9-1-1 Coordinator Guthrie recommended awarding Bid #1112-16 to GeoComm Mapping Services, in the amount of \$41,437.32 to be paid from grant funds. Commissioner Yeager motioned to approve this recommendation. Commissioner Smiley seconded the motion. Following further discussion, it passed unanimously.

GULF COUNTY E.M.S. BUILDING

Gulf County E.M.S. Director Whitfield requested approval to advertise to receive sealed bids for renovations to the E.M.S. building for awning coverage for the ambulances. Commissioner Yeager motioned to proceed, as requested. Commissioner Smiley seconded the motion. Commissioner McDaniel noted the ambulances sit out in the weather and these coverings are necessary to protect this equipment. The motion then passed unanimously.

EMERGENCY MEDICAL SERVICES – MEXICO BEACH

Gulf County E.M.S. Director Whitfield stated that he and Commissioner McDaniel met with Bay Medical E.M.S. concerning Gulf County E.M.S. providing services to Mexico Beach; reporting that Bay Medical E.M.S. took this under advisement. He stated he will report back to the Board as soon as a response is received from Bay Medical E.M.S.

INVENTORY – GULF COUNTY E.M.S.

Gulf County E.M.S. Director Whitfield requested permission to junk a bow flex exercise machine located at E.M.S., and advertise to receive sealed bids to sell it. Commissioner Yeager motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

TROPICAL STORM DEBBY

Emergency Management Director Nelson gave an update on Tropical Storm Debby; stating there was minor coastal flooding, a lot of damages on the beaches at Cape San Blas, damage to homes from fallen trees, and a lot of damage to power lines. He reported on the damages at Cape San Blas, stating they have started the preliminary damage assessments. He stated that with the Beach damage he feels the County will receive a Presidential Declaration. Chairman Williams called for public comment. There was no public comment. Emergency Management Director Nelson thanked the responders and the Board for their assistance during the storm. Chairman Williams thanked all local and state agencies for their assistance.

MOSQUITO CONTROL

Mosquito Control Director Cothran reported this week is the 16th Annual National Mosquito Control Awareness week, stating due to the recent heavy rains the mosquito population numbers have increased and requested the public help with preventing mosquito's by emptying all outside containers having water in them.

BEACHES – CAPE SAN BLAS

Commissioner Yeager requested Mosquito Control Director Cothran and Building Official Collinsworth to organize the work crews in cleaning up debris from the beaches due to the storm. Chairman Williams requested they also coordinate the clean-up crews with T.D.C. Director Jenkins. The Board had no objection.

FLOOD PLAIN

Planner Richardson reported he will be traveling to Havana tomorrow to attend a meeting with the Water Management District concerning the remapping of the County flood plain. Commissioner McLemore requested for Planner Richardson to review the County flood zone.

DEEPWATER HORIZON OIL SPILL

County Attorney Novak reported that Brantley Frye from Beasley Allen Law Firm was here last week and met with him and Chairman Williams to give an update on their status.

RE-DISTRICTING / COUNTY WIDE VOTING

County Attorney Novak reported that Michael Spellman of Sniffen & Spellman Law Firm will try to attend the July 10th meeting to give a status update on the redistricting and county-wide voting.

TOURIST DEVELOPMENT COUNCIL – GRANT FUNDING APPLICATION

County Attorney Novak discussed the T.D.C. grant funding application approved in the Consent Agenda for sponsorships, and thanked T.D.C. Director Jenkins and Interim T.D.C. Director Kopinsky for their hard work in preparing this application packet. T.D.C. Director Jenkins reported there were three (3) concerted changes made to the application; (1) changed the name to the "Sponsorship and Special Funding program", making this a continual program and using it to measure tourism and to align with our

brand, (2) made it an annual application as opposed to four (4) times a year, and (3) put measurements in place for increased occupancy, increased visitor spending, and increased long-term repeat visitation. Chairman Williams thanked Ms. Jenkins.

FLORIDA FISH AND WILDLIFE – NET BAN

County Attorney Novak discussed a letter received from Florida Fish & Wildlife concerning the net ban; requesting the Board take into consideration the Florida Constitution Article 10 Section 16 that went into effect in 1995. Commissioner McLemore motioned to proceed with County Attorney Novak submitting a response to the Florida Fish & Wildlife. Commissioner Yeager seconded the motion, and it passed unanimously.

BID #1112-09 – VIDEOTAPING & AIRING BOARD MEETINGS

Chief Administrator Butler discussed that he will have a contract for Bid #1112-09 for the videotaping and airing of the Board meetings by Ken Murphy at the next Board meeting. Commissioner McLemore stated he has not had any negative complaints on the North end concerning this issue. Commissioner McDaniel said the only problem he heard is the quality of the picture, but the sound is better than it was previously.

FLORIDA ASSOCIATION OF COUNTIES – COMMISSIONERS

Chief Administrator Butler reported that Commissioner McDaniel and Commissioner Smiley have completed their Commissioner certification for the Florida Association of Counties. He noted that now (4) four of Gulf County's Commissioner are now certified, two of them receiving advanced certification.

SMALL COUNTY COALITION

Chief Administrator Butler reported that Commissioner Yeager is now the Chairman of the Small County Coalition.

FLORIDA ASSOCIATION OF COUNTIES

Chief Administrator Butler reported that Chairman Williams was installed as the President of the Florida Association of Counties this past week in Orlando.

P.D.R.B. VACANCIES

Chief Administrator Butler discussed an opening on the P.D.R.B. and presented the names of the two (2) applicants for consideration (Jason Miller and Tony Justice). Commissioner McLemore motioned to appoint Jason Miller to the P.D.R.B. Commissioner McDaniel seconded the motion, and it passed unanimously.

TROPICAL STORM DEBBY

Sheriff Nugent appeared and thanked all the fire departments and Public Works for their assistance during the storm. He discussed the County's need to look into a flag system for the beaches, stating that South Gulf County Fire Department was called out 4 or 5 times last week for rescues from the rough waters. Commissioner McDaniel thanked the 911 Operators for their hard work.

AGENDA FORM

Chairman Williams discussed the process for the use of the agenda form when one wishes to speak on a topic listed in the Consent Agenda.

COUNTY ROAD 386

Timothy Stein of Overstreet appeared before the Board and presented a letter dated almost three (3) years ago. He discussed that he previously addressed this Board concerning issues on C.R. 386, which are the striping, standing water, and speed limit. Chief Administrator Butler stated the County has provided F.D.O.T. with information on C.R. 386 concerning wrecks and fatalities on this highway, and this highway is at the top of the list for funding. Mr. Stein requested the Board look at reducing the speed limit on this highway to protect the public. County Attorney Novak stated he and Sheriff Nugent can submit a letter to F.D.O.T. requesting they review it and make a recommendation concerning a reduced speed limit. Discussion continued concerning funding, speed limits, and safety concerns of the road.

BEACHES – TRASH

Commissioner McLemore requested additional work crews to work on the beaches removing trash/garbage during the holidays.

GULF COUNTY HEALTH DEPARTMENT

Commissioner McLemore discussed some issues with the Gulf County Health Department and requested the Board form a committee to research and get the facts and figures on the Health Department. Commissioner Yeager and Chairman Williams agreed, with Chairman Williams agreeing with the need to review the operational performance, scope of care, and personnel issues. Chairman Williams requested permission to work with County Attorney Novak, suggesting they reach an agreement with the Department of Health to have personnel assigned to this committee so they will have administrative support and review capabilities; with him setting the committee to review the problems. He stated he would present those findings to the Board for further consideration. Commissioner McLemore motioned to approve this request. Commissioner Yeager seconded the motion, and it passed 4-0, with Commissioner McDaniel abstaining due to a family member working for the Gulf County Health Department.

ST. JOE BEACH – RIGHT-OF-WAY

Commissioner McLemore reported he met with a group of residents at St. Joe Beach concerning a right-of-way sign. County Attorney Novak discussed at a previous meeting the Board requested he contact Mr. Purdue at F.D.O.T. for clarification prior to any action by the Board. Commissioner McLemore requested that the sign not be removed.

PEG CHANNEL

Commissioner Smiley stated he would like to meet with T.D.C. Director Jenkins concerning the PEG channel and the possibility of generating revenue from merchant advertisements and commercials to assist with funding of local events. County Attorney Novak stated that they will place this on the next T.D.C. agenda for discussion.

Chairman Williams recommended Commissioner Smiley and T.D.C. Director Jenkins work with merchants to come up with some guidelines that meet F.C.C. regulations; giving Commissioner Smiley full authority to make that happen with the T.D.C. Director. Commissioner Smiley so moved. Commissioner McDaniel seconded the motion, and it passed unanimously.

COUNTY / CITY OF PORT ST. JOE JOINT MEETING

Commissioner Yeager noted the Board previously discussed a joint meeting with the City of Port St. Joe and requested it be scheduled, stating the Chamber funds need to be discussed at this meeting. Commissioner Yeager motioned for Chief Administrator Butler and Port St. Joe City Manager Jim Anderson get together to set the agenda and schedule a joint meeting. Commissioner McDaniel seconded the motion, and it passed unanimously.

CHAMBER OF COMMERCE/ECONOMIC DEVELOPMENT COMMITTEE

Commissioner Yeager discussed the quarterly payment to the Chamber of Commerce/Economic Development Committee and motioned to proceed with the quarterly payment to the Chamber of Commerce/Economic Development Committee. Commissioner McLemore seconded for discussion. Upon inquiry by Commissioner McLemore, it was confirmed that this is a budgeted item. Discussion followed concerning issues with the annexation agreement. The motion then passed 4 to 1, with Chairman Williams voting no.

APALACHICOLA / CHATTACHOOCHEE / FLINT RIVERS

Commissioner McDaniel discussed that he is on the committee for the A.C.F. water system and reported he attended a meeting last month in Columbus, Georgia concerning this issue. At Commissioner McLemore's request, County Attorney Novak read a letter stating that the U.S. Supreme Court refused to intervene in a water dispute between Alabama, Florida, and Georgia that threatened to restrict metro Atlanta, Georgia's water supply.

H.B. 1263 – SEPTIC TANKS

Commissioner McDaniel discussed a letter from the City of Wewahitchka requesting this Board opt out of the septic tank five (5) year inspection under H.B. 1263. County Attorney Novak requested they condition any motion on concurrence with the Department of Health and Northwest Florida Water Management District's review and recommendation. Commissioner McDaniel motioned for the County to opt out of the septic tank five (5) year inspection under H.B. 1263 after concurrence with the Department of Health and Northwest Florida Water Management District prior to any action. Commissioner Yeager seconded the motion, and it passed unanimously.

DEAD LAKES PARK

Commissioner McDaniel motioned to purchase, and transport with county dump trucks, some rock for road at the Dead Lakes Park; to be paid from Park and Recreation funds (57072-46100). Commissioner McLemore seconded the motion, stating he received a complaint on the condition of those roads. The motion then passed unanimously.

APPOINTMENT – VALUE ADJUSTMENT BOARD

Chairman Williams recommended appointing Commissioner Yeager, Commissioner McDaniel, and Eugene Raffield (as the Citizen appointee) to serve on the 2012 Value Adjustment Board. Commissioner Smiley motioned to approve this recommendation. Commissioner McLemore seconded the motion, and it passed 3 to 2, with Commissioner McDaniel and Commissioner Yeager voting no.

RESTORE ACT

Chairman Williams gave an update on the Restore Act, stating that he and Commissioner Yeager met individually today with the Chief of Staff from Washington, DC, noting he will keep the Board updated on this issue.

CITY OF PORT ST. JOE – DOWNTOWN REDEVELOPMENT AGENCY

Chairman Williams discussed the issues with the City of Port St. Joe and the D.R.A.; giving an overview of the Tax Increment Financing (TIF) process. He stated everyone's budget is in a crunch, and we have to work together on these issues.

ECONOMIC DEVELOPMENT STEERING COMMITTEE APPOINTMENT

Chairman Williams stated he appointed Commissioner Yeager to serve as the Chair of the Economic Development Steering Committee through the Florida Association of Counties.

Chairman Williams called for public comment; there was no public comment.

There being no further business, and upon motion by Commissioner McLemore, the meeting did then adjourn at 7:34 p.m., E.T.

**WILLIAM C. WILLIAMS, III
CHAIRMAN**

**ATTEST:
REBECCA L. NORRIS
CLERK**