

## **PORT ST. JOE, FLORIDA**

**MAY 8, 2007**

### **PUBLIC HEARING**

The Gulf County Board of County Commissioners met this date in special session with the following members present: Chairman Bill Williams, Vice Chairman Jerry W. Barnes, and Commissioners Carmen L. McLemore, Billy E. Traylor and Nathan Peters, Jr.

Others present were: County Attorney Timothy McFarland, Clerk Executive Administrator Towan Kopinsky, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Human Resources Director Denise Manuel, Planner David Richardson, Assistant Road Department Superintendent Chris Wood, and Sheriff's Office Major Joe Nugent.

Chairman Williams called the public hearing to order at 5:34 p.m., E.T.

### **PUBLIC HEARING / THREE CREEKS COMMUNITY DEVELOPMENT DISTRICT**

Attorney McFarland reported that this hearing is to receive public input regarding a petition by The St. Joe Company to create a Community Development District in Windmark Beach, and discussed that the Board can support the action, oppose the action, or they can agree to take no position regarding this issue. Upon call for public comment, the following individuals appeared before the Board:

Timothy W. Stein - inquired as to who would be responsible for replacing the infrastructure if it was destroyed by a hurricane. Attorney Crumbaker, on behalf of The St. Joe Company, stated that as a Community Development District, they would be eligible to receive F.E.M.A. funding, but it would be the Community Development District's responsibility to repair/replace the infrastructure.

Upon inquiry by Commissioner McLemore regarding the access points at each end of the subdivision, Chairman Williams and Attorney Crumbaker discussed that the public has access to drive into the subdivision and they have access to the entire beach from the access points. Attorney Crumbaker also discussed that there will be additional piers, etc. constructed inside the subdivision that will have public access.

Rich Brenner - inquired about the annexation agreement with the City of Port St. Joe, and about abandonment, eminent domain, etc. in reference to the Community Development District. County Attorney McFarland stated that the District would be unable to exercise eminent domain over another governmental agency, or they would lose the D.R.I. (Which would mean they would lose the development). Attorney Crumbaker, Tom Panaceny, and Joe Rentfro discussed that The St. Joe Company must abide by the D.R.I., no matter what happens with the City of Port St. Joe (the D.R.I. supercedes the annexation agreement), and the D.R.I./ Development Order does not allow abandonment or eminent domain.

Rich Brenner - inquired about fees being charged to use the roads, parks, piers, etc., and what might happen later on if the District board is made up of homeowners only. Attorney Crumbaker stated that if fees are charged, everyone would have to pay, including the homeowners. <Commissioner Traylor left the meeting at 5:58 p.m.> Attorney McFarland stated that all accesses and rights that were retained by the County through the Development Order can never change. Attorney Crumbaker stated the District will have an operations and maintenance budget which will save homeowner association costs. <Commissioner Traylor returned to the meeting at 6:00 p.m.>.

There being no further public comment and upon motion by Commissioner Traylor, second by Commissioner Peters, and unanimous vote, the public hearing did then adjourn at 6:01 p.m., E.T.

**BILL WILLIAMS  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**