

NOVEMBER 26, 2013
PORT ST. JOE, FLORIDA
REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Tynalin Smiley, Vice Chairman Ward McDaniel, and Commissioners Carmen L. McLemore, Joanna Bryan, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Central Services Director Denise Manuel, Gulf County E.M.S. Director Houston Whitfield, G.I.S. Coordinator Scott Warner, Mosquito Control Director Mark Cothran, Planner David Richardson, Preble-Rish, Inc./County Engineer Clay Smallwood, III, 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.

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

CONSENT AGENDA

Chairman Smiley called for public comment regarding the Consent Agenda. There being no public comment, Commissioner Yeager motioned to approve the Consent Agenda. Commissioner Bryan seconded the motion, and it passed unanimously, as follows:

1. Minutes – August 27, 2013 – Supplemental Budget Hearing
– September 10, 2013 – Regular Meeting
2. Bid Advertisement – Extrication Equipment – South Gulf Fire Department
3. Budget Amendment #15 – General Fund (Amend the FY 2012-2013 Budget for the General Fund for overspent departmental budgets. Excess funds in other budgets are used to fund the overspent departmental budgets), as follows:

BUDGET AMENDMENT #15

Amend the FY2012-2013 Budget for the General Fund for overspent departmental budgets. Excess funds in other budgets are used to fund the overspent departmental budgets.

General Fund

	Original Budget	Increase	Decrease	Amended Budget
Board of County Commissioners:				
25219-43000 Utility Service	\$245,000.00	\$ 0.00	\$ 957.00	\$244,043.00
Value Adjustment Board:				
22413-31000 Professional Services	\$ 1,000.00	\$ 957.00	\$ 0.00	\$ 1,957.00
Transportation Grants:				
223541-63000 SCRA2: Road Paving	\$250,000.00	\$ 0.00	\$ 11,800.00	\$238,200.00
DOT: Roadside Beautification:				
40341-31000 Professional Services	\$ 0.00	\$ 11,800.00	\$ 0.00	\$ 11,800.00

This Budget Amendment duly approved and adopted by the Gulf County Board of County Commissioners at their regular meeting on the 26th day of November, 2013.

(End)

Budget Amendment #1 – General Fund (Amend the FY 2013-2014 Budget for the General Fund by reducing the Reserves for Infrastructure Budget and increasing the Property Appraiser’s Budget Transfer in the amount of \$2,584.00. This funding request was approved at the 11/12/13 regular BOCC meeting for the unbudgeted insurance stipend for Karen Seay), as follows:

BUDGET AMENDMENT #1

Amend the FY2013-2014 Budget for the General Fund by reducing the Reserve for Infrastructure Budget and increasing the Property Appraiser’s Budget transfer in the amount of \$2,584.00. This funding request was approved at the November 12, 2013 Regular BOCC Meeting for the unbudgeted insurance stipend for Karen Seay.

General Fund

	Original Budget	Increase	Decrease	Amended Budget
Reserve for Infrastr Fund:				
99984-95002 Reserve for Infrastr Fund	\$190,837.00	\$ 0.00	\$ 2,584.00	\$188,253.00
Property Appraiser:				
22113-91004 Budget Transfer-Health Ins/stipend	\$ 0.00	\$ 2,584.00	\$ 0.00	\$ 2,584.00

This Budget Amendment duly approved and adopted by the Gulf County Board of County Commissioners at their regular meeting on the 26th day of November, 2013.

(End)

4. Inventory – Dalkeith Fire Department (Return 1969 IHC Pumper * VIN #456080G402683 * Tag #ACS8956 * ID #320-3 to the Division of Forestry)

5. Invoices – UniFirst Corporation (Public Works * Invoice #2710057461 * \$11.25 * Invoice #2710057968 * \$11.25 * Invoice #2710057462 * \$56.81 * Invoice #2710057969 * \$55.27 * Invoice #2710057463 * \$64.78 * Invoice #2710057970 * \$63.14 * Invoice #2710058463 * \$55.27 * Invoice #2710058464 * \$63.14 * Courthouse * Invoice #2710057465 * \$72.25 * Invoice #2710057972 * \$72.25 * Maintenance * Invoice #2710057464 * \$43.21 * Invoice #2710057971 * \$42.03 * Invoice #2710058465 * \$42.03)

(End)

P.D.R.B. RECOMMENDATIONS

The Board then considered the following recommendations from the November 25, 2013 Planning and Development Review Board meeting.

FINAL PLAT APPROVAL – TYLER W. SMITH

Pursuant to advertisement to hold a Public Hearing to consider a Final Plat approval for Rosemary Beach (Parcel ID #06268-022R * in S7, T9S, R11W), 2.22 – acres, a six (6) unit development with no road infrastructure; County Attorney Novak read the Public Hearing notice. Chairman Smiley called for public comment. There being no public comment, Commissioner McDaniel motioned to approve this recommendation. Commissioner Yeager seconded the motion, and it passed unanimously.

P.D.R.B.

County Attorney Novak reported that the next P.D.R.B. meeting will be held on December 9, 2013 at 8:45 a.m., E.T.

MEETING – LOCAL DELEGATION

Chief Administrator Butler reported that a Local Delegation Meeting will be held on December 2, 2013 at 5:00 p.m., E.T. in the Board Room. Commissioner Yeager noted the topics that will be discussed during this meeting.

STORM WATER RUNOFF – DISTRICT III

Tom Graney, of St. Joe Beach appeared before the Board to discuss his concerns regarding District III storm water run-off issues; reporting there are past issues which need to be addressed. He discussed his concerns regarding the Americus Avenue Ditch Project, stating this project was installed and built by the County, in the amount of \$1.2 million dollars. Commissioner McDaniel motioned to allow Mr. Graney additional time to

speak. Commissioner Yeager seconded the motion, and it passed unanimously. After discussion, Mr. Graney stated he would like to see the Board have the engineers do a study and provide a report to the Board. He discussed his concerns regarding the bid process, stating this bid process violated Florida Statute 287.133(3). Commissioner Yeager motioned to allow Mr. Graney additional time to speak. Commissioner McDaniel seconded the motion, and it passed unanimously. Mr. Graney continued discussing his concerns regarding the bid process. Chairman Smiley stated he talked with some of the residents on Americus Avenue, noting these residents stated it is not perfect, but it is much better than it was. After discussion by Mr. Graney, Commissioner McDaniel discussed his concerns regarding this project. After further discussion, Commissioner Yeager discussed his concerns regarding storm water runoff within the County.

F.D.O.T. ROAD WORK – HIGHWAY 98 & S.R. 30A

Patricia Hardman, of Port St. Joe appeared before the Board to discuss the F.D.O.T. road work at the intersection of Highway 98 and S.R. 30, reporting there will only be one (1) egress coming off the Cape (S.R. 30A) at this time. Commissioner Yeager discussed his concerns regarding this project.

DONATIONS – SANTA DRIVE

Patricia Hardman, of Port St. Joe reported that the Sheriff's Office is holding a toy drive. She challenged the Board as individuals and as a group to make donations to this project. Commissioner Yeager reported that the Wewahitchka Search & Rescue is doing the same project in the Wewahitchka area.

AMERICUS AVENUE DITCH PROJECT

Commissioner Bryan discussed the comments made by Mr. Graney regarding the Americus Avenue Ditch Project. She stated the County should not have to pay for the repairs on this project. Commissioner Bryan reported that she had met with Ralph Rish of Preble-Rish, Inc., regarding this matter and requested he meet with Chief Administrator Butler to provide a proposal for the Board to review.

PUBLIC RECORDS

Upon inquiry by Commissioner Bryan, County Attorney Novak discussed reviewing the matter regarding the action of the Board at the last meeting to remove a document from the public records (document placed in the Information Packet). He did then recommend that correspondence between the Commissioners and the public is public record, but he would look into the matter of altering documents (additional public comments) and bring his findings back to the Board. Commissioner Bryan discussed her concerns regarding once something has been sent to the public, then going back to remove pages from that public record is destroying a portion of the public record. County Attorney Novak stated that he will look into the legality of this matter and bring it back to the Board for review. He reported that he does not believe the Board destroyed any public record, stating the document is still part of the record in the Clerk's Office. After discussion, Commissioner Yeager discussed working on a policy of what is to be placed in the Information Packet. Commissioner Bryan stated that if there is a policy established regarding the Information Packet that a policy should be in place regarding

citizens coming before the Board to place documents into the Record. County Attorney Novak stated there is nothing that can restrict the public for placing items within the Record.

RESIGNATION – ECONOMIC DEVELOPMENT ALLIANCE DIRECTOR

Upon inquiry by Commissioner McLemore, Chief Administrator Butler reported that E.D.A. Director Barry Sellers has resigned from his position. Commissioner Yeager discussed speaking with Guerry Magidson and Neil Wade of Bay County regarding the E.D.A. He reported the E.D.A. is looking to work with Bay County E.D.A. and Gulf County E.D.A. Upon recommendation by Commissioner Yeager, Commissioner McLemore motioned to appoint T.D.C. Director Jenkins as a Point of Contact for the County regarding the E.D.A. Commissioner Yeager seconded the motion, and it passed unanimously. Commissioner McDaniel requested that Guerry Magidson keep the Board informed regarding the E.D.A. After discussion by Commissioner McDaniel, Commissioner Yeager discussed speaking with Guerry Magidson regarding The Port, and that they have allotted The Port \$4,500.00 for insurances. Commissioner McLemore discussed his concerns regarding the E.D.A. Budget. County Attorney Novak discussed the County's contract with E.D.A.

VARIANCE – SECLUDED DUNES

Commissioner Yeager discussed an issue at Secluded Dunes regarding a variance; stating the individuals are going to modify their development plan and will not need the variance.

EXTEND BID #1314-08 – HABITAT CONSERVATION CONSULTANT

G.I.S. Coordinator Warner appeared before the Board to request permission from the Board to extend Bid #1314-08 one (1) week, due to the holidays. Commissioner McDaniel motioned to approve this request. Commissioner Yeager seconded the motion, and it passed unanimously.

PUBLIC WORKS BUILDING

Upon inquiry by Commissioner McDaniel, Building Official Collinsworth appeared before the Board to report that the final roof test on the Public Works Building has been completed and has he signed off on this project.

PROJECTS – DISTRICT IV

Upon inquiry by Chairman Smiley, County Engineer Clay Smallwood, III appeared before the Board to discuss the waterline and sidewalk projects that are taking place in District IV though U.S.D.A.

PROJECT – LAND'S LANDING

Upon inquiry by Commissioner McLemore, County Engineer Clay Smallwood, III discussed waiting on the permit from the Corps of Engineers to begin advertising for sealed bids for the Land's Landing Project.

BOAT LANDING – SAULS CREEK

Upon inquiry by Commissioner McLemore, County Engineer Clay Smallwood, III reported that he does not have the latest information regarding the Sauls Creek Boat Landing Project.

Chairman Smiley called for public comment. There was no public comment.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner McDaniel, and unanimous vote, the meeting did then adjourn at 10:11 a.m., E.T.

**TYNALIN SMILEY
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**