

JANUARY 22, 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 Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Gulf County E.M.S. Director Houston Whitfield, Maintenance Supervisor Steve Mork, Mosquito Control Director Mark Cothran, Planner David Richardson, Preble-Rish/County Engineer Clay Smallwood, III, Assistant Public Works Director Jake Lewis, Public Works Director Joe Danford, Sheriff Mike Harrison, Sheriff's Office Lieutenant Chris Buchanan, Sheriff's Office Lieutenant Paul Beasley, Sheriff's Office Lieutenant Tim Wood, Sheriff's Office Sergeant Matt Herring, and T.D.C. 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 McDaniel, second by Commissioner Yeager, and unanimous vote, the Board approved the Consent Agenda after removal of Item #5 (Page 24), as follows:

1. Minutes – November 27, 2012 – Regular Meeting
2. Invoices – Cathey Construction & Development – Public Works Building (Invoice #0917-03 * \$32,176.00 * to be paid from Account #281513-62000)
3. Resignation/D.R.O.P. Retirement (Chief Administrator Donald Butler)
4. Resolution – Tax Collector, as follows:

RESOLUTION NO. 2013-01

WHEREAS, Section 145.022, Florida Statutes provides that the Board of County Commissioners, with the concurrence if a County Official as provided for and in said

Section, shall be resolution guarantee and appropriate a salary to the County Official in an amount not to exceed that specified in said Chapter; and

WHEREAS, the Tax Collector has requested and concurred with the Board of County Commissioners that said Tax Collector be placed on a salary as provided in said Section; and

WHEREAS, the said Tax Collector will pay all fees collected by said Office to the Board of County Commissioners of Gulf County as provided for in said Section.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board of County Commissioners of Gulf County, Florida pays the Tax Collector of said County a guaranteed salary as provided for in Section 145.022, Florida Statutes.
2. That said Board will provide funds according to the budget as submitted by said Tax Collector and approved by the Board, which will include each and every item of expenditure necessary to operate said Office, including the salary of the Tax Collector.
3. That said Board will pay over said funds to the Tax Collector as provided by law or upon monthly requisition.
4. That a copy of this resolution be filed with the Florida Department of Banking and the Auditor General.

ADOPTED this 22nd day of January, 2013.

(End)

****DELETE**** 5. Senior Management Status (Emergency Management Director, Public Works Director and Maintenance Superintendent)

(End)

GULF TRANSPORTATION – GRANT APPLICATION

Kathy Balentine of Gulf County ARC & Transportation appeared before the Board to discuss applying for an F.D.O.T. Service Development Grant for Gulf Transportation. She stated that the funds would be used to purchase mobile surveillance cameras for the vans, increasing the safety and security of the passengers and drivers. Ms. Balentine reported that F.D.O.T. must contract through a local government, stating that she needs Board approval to contract with F.D.O.T. regarding this grant. She stated Gulf County ARC & Transportation would secure the bids, get approval for the purchase, arrange the installation, and all other aspects involving this grant process. Ms. Balentine reported the County would pay for the equipment, in the amount of

\$35,000.00 and then F.D.O.T. would reimburse the County. Upon inquiry by Commissioner McLemore, Chief Administrator Butler discussed County Attorney Novak drafting an agreement between the County and Gulf Transportation regarding applying for this grant. He discussed the County's responsibility and involvement in applying for this F.D.O.T. Service Development Grant. After discussion, Ms. Balentine discussed obtaining an assurance letter from F.D.O.T. regarding the reimbursement. Commissioner Yeager motioned to approve the application of the F.D.O.T. Service Development Grant, contingent upon receiving an assurance letter from F.D.O.T. regarding the reimbursement. Commissioner McLemore seconded the motion, and it passed unanimously.

HOT COCOA RUN & BEACH BLAST TRIATHLON AND DUATHLON

Olga Cemore of Panama City appeared before the Board to report that she is applying for two permits with F.D.O.T.; one event to be held on February 16, 2013 (Hot Cocoa Run), and the second event to be held on April 27, 2013 (Beach Blast Triathlon and Duathlon). She noted the Triathlon in April will bring approximately 400 athletes and their families to spend the weekend in Gulf County. Commissioner McLemore discussed working with Sheriff Harrison regarding the traffic and the need for deputies for these events. Upon inquiry by Sheriff Harrison, Ms. Cemore reported that five deputies are required per event and the organization does compensate for their service. Sheriff Harrison stated he would contact F.H.P. regarding this issue. Commissioner McLemore recommended that Sheriff Harrison work on these events and report back to the Board. Commissioner Yeager motioned to approve the Hot Cocoa Run and the Beach Blast Triathlon & Duathlon, contingent upon Sheriff Harrison working out the details regarding deputy service for these events. Commissioner Bryan seconded the motion for discussion. Following discussion, the motion then passed unanimously.

FINAL HEARING – FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE ORDINANCE

County Attorney Novak reported that this is the Final Public Hearing for the proposed ordinance amending the Five-Year Capital Improvement Schedule. County Attorney Novak read the proposed ordinance by title. Planner Richardson reported that based on the Restore Act Committee, changes have been made to this proposed ordinance and recommended that County Road 50 be removed from the transportation study. Chairman Smiley called for public comment. There being no public comment, Commissioner McLemore motioned to adopt the proposed ordinance. Commissioner McDaniel seconded the motion, and it passed unanimously.

ORDINANCE NO. 2013-01

AN ORDINANCE PER THE REQUIREMENTS OF FLORIDA STATUTE 163.3177(3) (b) TO YEARLY REVIEW AND UPDATE THE GULF COUNTY FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE; INCORPORATING THE GULF COUNTY SCHOOL DISTRICT PLAN; INCORPORATING BY REFERENCE THE UPDATED CONCURRENCY TRACKING DATA; PROVIDING FOR REPEAL OF ORDINANCE IN CONFLICT THEREWITH, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

(Complete Ordinance on file with the Clerk)

(End)

PUBLIC HEARING – P.D.R.B. RECOMMENDATIONS

The Board then considered the following recommendation from the January 21, 2013 Planning & Development Review Board meeting, as follows:

VARIANCE APPLICATION – MILES & SUSAN BRY

Pursuant to advertisement to hold a Public Hearing to consider a variance for Miles & Susan Bry, (Parcel #03180-120R * S19, T9S, R10W) Gulf County, Florida for an encroachment road setback by 12 feet for a pool, County Attorney Novak read the Public Notice and stated that the P.D.R.B. is recommending approval. Commissioner McDaniel motioned to approve this recommendation. Commissioner Yeager seconded the motion. Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously.

CONTRACTOR COMPLIANCE POLICY

County Attorney Novak reported that the P.D.R.B. is still working on the Contractor Compliance Policy.

PROPOSED ANIMAL CONTROL ORDINANCE

County Attorney Novak stated the P.D.R.B. has reviewed the proposed Animal Control Ordinance regarding the L.D.R., Comprehensive Plan, and Land Use Elements. He reported the first Public Hearing will be held on February, 12, 2013 and the final Public Hearing will be held on February, 26, 2013 regarding the adoption of this proposed Animal Control Ordinance. County Attorney Novak read the proposed ordinance by title as notification to the public.

GRANT AGREEMENT – LAND'S LANDING BOAT RAMP

Upon discussion by Deputy Administrator, Commissioner McLemore motioned to approve the Grant Agreement with the Florida Fish & Wildlife Conservation Commission regarding the Land's Landing Boat Ramp, in the amount of \$159,750.00, with a 1.84% match. Commissioner McDaniel seconded the motion, and it passed unanimously.

AGREEMENT – EQUITABLE SHARING

Upon discussion by Deputy Administrator Lanier, Commissioner McLemore motioned to approve the annual Equitable Sharing Agreement and Certification for reimbursement to the Sheriff's Office for any dual enforcement with F.D.L.E. Commissioner Bryan seconded the motion, and it passed unanimously.

TOURIST DEVELOPMENT COUNCIL – EVENTS

T.D.C. Director Jenkins appeared before the Board to discuss working with Olga Cemore regarding the upcoming events (Hot Coca Run & Beach Blast Triathlon) that are to be held in February and April.

CELEBRATION – EXPEDITION FLORIDA 500

T.D.C. Director Jenkins reported that President of Mother Ocean, Justin Riney is traveling around the State in honor of Florida's 500th Anniversary (Expedition Florida 500), stating that Mr. Riney arrived in Gulf County on January 21, 2013. Mother Ocean President Justin Riney appeared before the Board to discuss the Expedition Florida 500 Project. T.D.C. Director Jenkins reported that Mr. Riney arrived yesterday and was only going to stay a few nights, but has decided to stay through Friday.

TOURIST DEVELOPMENT COUNCIL – MEDIA FAN TRIP

T.D.C. Director Jenkins reported that a media fan trip has been scheduled for April, 2013 with 16 riders that will be sponsored by Hobie Kayak. She thanked the St. Joe Company and No Worries Beach Rentals for donating the accommodation at Windmark Beach.

BEACH CLEAN-UP

T.D.C. Director Jenkins thanked Mosquito Control Director Cothran and Building Official Collinsworth for the beach clean-up, stating the beaches are structured and ready for patrol from the Sheriff's Office.

BID AWARD #1213-05 – PRINTING OF THE 2013 VISITOR GUIDE

Upon recommendation by T.D.C. Director Jenkins, Commissioner Yeager motioned to award Bid #1213-05 for printing of the 2013 Visitor Guide to Coast2Coast Printing & Promotions, Inc. (low bidder), in the amount of \$55,700.00. Commissioner McDaniel seconded the motion, and it passed unanimously.

LAND DEVELOPMENT REGULATIONS

Planner Richardson reported that the County Attorney reviewed the contract with D.O.E. regarding a potential Technical Assistance Grant to update the L.D.R. Commissioner McDaniel motioned to approve the contract with Florida Department of Economic Opportunity (D.O.E.) regarding the Technical Assistance Grant. Commissioner Yeager seconded the motion, and it passed unanimously.

CONTRACT – COUNTY PROBATION SERVICES

County Attorney Novak discussed the Board's approval of a 60 day extension for the County Probation Service Contract with Florida Probation Services, stating that under the current contract the Board has the ability to renew the contract on an annual term. He reported that he met with Richard Stewart of Florida Probation Services and requested permission to extend the contract with Florida Probation Services for eleven months. Commissioner Yeager motioned to approve this request. Commissioner McLemore seconded the motion for discussion. Upon inquiry by Commissioner McDaniel, County Attorney Novak reported that the additional language has been added to the contract. The motion then passed unanimously.

INDIAN PASS BOAT RAMP

Chief Administrator Butler discussed working with surrounding property owners regarding the erosion at the Indian Pass Boat Ramp. He requested permission from the

Board to allow G.I.S. to review the possibility of swapping some land with the property owners at the campground, stating this would allow the County to install a boat ramp in the lagoon. Commissioner Yeager discussed his concerns regarding the erosion problem at the Indian Pass Boat Ramp. Upon inquiry by Commissioner McDaniel, Commissioner Yeager stated that with the new boat ramp navigation there will not be a problem. The Board had no object to Chief Administrator Butler's request.

BUDGET AMENDMENT – SHERIFF'S OFFICE

Sheriff Harrison appeared before the Board to discuss leave payouts that were unexpected at the Sheriff's Office, in the amount of \$56,746.91 for five employees. He reported that the Sheriff's Office is down four positions and will lapse all four positions until June, 2013 in order to recover from this deficit. Sheriff Harrison discussed changing the professionalism at the Sheriff's Office and purchasing new uniforms in the future. Upon inquiry by Commissioner McLemore, Sheriff Harrison stated he is requesting an additional \$51,000.00 to the Sheriff's Office Budget. Commissioner McLemore motioned to give an advance payment to the Sheriff's Office Budget. Commissioner Yeager seconded the motion, and it passed unanimously. Commissioner McDaniel discussed that Sheriff Harrison inherited this issue and stated the Board is willing to assist.

GULF COUNTY COMMISSION MEETINGS – AGENDA

Commissioner Bryan discussed the F.A.C. Commission training in Gainesville that was held last week, stating that one of the topics discussed was Agendas. She discussed that other Counties use a detailed Agenda and recommended that the Board make a change to the Agenda process. Commissioner Bryan reported she has received calls from the public regarding this issue, and discussed providing sample Agendas for the Board to review. Commissioner McLemore discussed his concerns regarding the current problem with people submitting Agenda items by the deadline. Commissioner Yeager discussed his concerns regarding the Agenda process, and the fact that the public has come before the Board to ask for a small request and the Board has made motions at that time. After discussion by Commissioner Bryan, Commissioner Yeager recommended that Commissioner Bryan work with County Attorney Novak and Chief Administrator Butler to create a specific Agenda process that the Board can adopt. Chairman Smiley discussed his concerns regarding the Board needing to make quick decisions.

DEPARTMENT OF CORRECTIONS – WORK CREWS

Commissioner Yeager reported that the Florida Department of Corrections is reviewing the possibility of cutting back approximately 27 Work Crews throughout the State of Florida. Commissioner Yeager discussed working with D.O.C. to set up a meeting with the Secretary of State regarding this matter. Commissioner McDaniel discussed scheduling a meeting with the Warden at Gulf Correctional Institute to discuss the Work Crew cutbacks. He reported the County provides the vans and the equipment for the ten Work Crews for Gulf County.

GULF CONSORTIUM

Commissioner Yeager discussed the Gulf Consortium meeting that was held last week, stating that Trans Ocean has reached an agreement on a fine amount (civil and criminal), in the amount of \$1.4 Billion. He reported that \$400 Million will go to Criminal Penalties and \$1 Billion will go into the Restore Act Fund. He also reported that of the \$1 Billion, it is estimated that Gulf County will receive \$2.8 Million.

SENIOR MANAGEMENT STATUS

County Attorney Novak discussed Item #5 (Page 24) that was pulled from the Consent Agenda, stating this is a request for a Senior Management Class under F.S. 125. He reported that per Florida Statute this notice will be advertised for two consecutive weeks, and following advertisement be placed in the Agenda for the Board to approve. Commissioner McDaniel motioned to allow Staff to move forward with the notice requirements. Commissioner Yeager seconded the motion, and it passed unanimously.

CITY OF PORT ST. JOE

Chairman Smiley discussed his concerns regarding a memo from the City of Port St. Joe regarding City Funds. He also discussed his concerns regarding the financial needs within his neighborhood.

HIGH SCHOOL BASKETBALL GAMES

Chairman Smiley thanked Gulf County School Superintendent Jim Norton for holding basketball games at the Washington Gym.

Chairman Smiley called for public comment.

CITY OF PORT ST. JOE

Christy McElroy of Port St. Joe appeared before the Board to thank Chairman Smiley for addressing the memo from the City of Port St. Joe. She discussed her concerns regarding the City Public Work Crews and the City Parks. She discussed the cost in maintaining the current structures and the cost of maintaining the Cape San Blas Lighthouse once relocated to the City of Port St. Joe.

COASTAL COMMUNITY ASSOCIATION

Patricia Hardman of the Coastal Community Association appeared before the Board to invite the public to the Coastal Community Association meeting that will be held on January 26, 2013 from 10:00 a.m. to 12:00 p.m., E.T. at the St. Joseph Country Club.

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

**TYNALIN SMILEY
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**