

**MARCH 11, 2014**

**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, and Commissioners Joanna Bryan, Tynalin Smiley, 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 L. Hammond, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Central Services Director Denise Manuel, Code Enforcement Officer Mike Aiken, Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, Grant Writer Towan Kopinsky, Maintenance Superintendent Steve Mork, Mosquito Control Director Mark Cothran, Planner David Richardson, Preble-Rish/County Engineer Clay Smallwood, III, Public Works Director Joe Danford, , Assistant Public Works Director Jake Lewis, Sheriff Mike Harrison, T.D.C. Executive Director Jennifer Jenkins, and Veterans' Service Officer 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 / INFORMATION PACKET**

Commissioner Bryan requested to pull Item #3 (pages 9-10) of the Consent Agenda. Commissioner Yeager stated that he will abstain from Item #5 (pages 12-13, Invoice – Public Risk Insurance Agency), due to serving on the Preferred Governmental Insurance Trust Board. <Form 8B on file in the Clerk's Office.> Chairman McDaniel called for public comment regarding the Consent Agenda or Information Packet. Upon inquiry by Commissioner Bryan, Grant Writer Kopinsky discussed Item #3 (Land's Landing Boat Ramp Repairs, Bid #1314-12) of the Consent Agenda regarding proof of Worker's Compensation. After discussion, Commissioner Yeager requested that Lynn Yort of Waste Management appear before the Board to discuss the Recycle Testing Program. After discussion by Ms. Yort, Commissioner Yeager reported that this program has exceeded the cost and is not working. He suggested the Board suspend this program. Commissioner Yeager then motioned to approve the Consent Agenda and accept the Information Packet. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the

motion then passed 4 to 1, with Commissioner Yeager abstaining from Item #5 (Pages 12-13), as follows:

1. Approval of Checks and warrants for February, 2014 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
2. Agreement Amendment #1 – Florida Department of Transportation – Transportation Regional Incentive Program JPA (Stumphole Phase VI \* Time Extension)
3. Bid Award #1314-12 – Land’s Landing Boat Ramp Repairs (Palmetto Plantation, LLC \* \$127,580.00)
4. Fee Waiver – Honeyville Community Center (Wewahitchka Sportsman Wild Game Supper \* October 2, 2014)
5. Invoices – Public Risk Insurance Agency – Third Party Storage Tank Liability (Invoice #33511 \* \$2,443.38)
  - UniFirst Corporation (Courthouse \* Invoice #2710064811 \* \$72.25 \* Invoice #2710065318 \* \$72.25 \* Public Works \* Invoice #2710064807 \* \$11.25 \* Invoice #2710065314 \* \$11.25)
  - Waste Management – Recycle Program (Invoice #7555104-1712-3 \* \$6,202.87)
6. Purchase Approval – Public Works Equipment (Doosan Excavator \* FL Sheriff’s Bid Document 13-11-0904 \* Ford F350 Cargo Vans \* FL Sheriff’s Bid Document 13-21-0904 \* Ford F150 Truck \* FL Sheriff’s Bid Document 13-21-0904 \* Bobcat Skidsteer \* FL State Contract 760-000-10-1 \* Forestry Cutter \* FL State Contract 760-000-10-1)
7. Refund Request – Gulf County Sheriff’s Office (Books \* The Little Peoples Guide to the Big World Books \* \$509.85 \* Top School Assembly Program \* \$500.00)

(End)

### **PUBLIC HEARING – CINNAMON HILL SUBDIVISION / ROAD ABANDONMENT**

County Attorney Novak stated that the Public Hearing has been properly noticed and there is a certified Proof of Publication. Clayton Studstill, P.A. appeared before the Board to discuss the abandonment process. Upon inquiry by Chairman McDaniel, Attorney Studstill reported that there are a total of 37 Lots in the Cinnamon Hill

Subdivision; noting one property owner owns 16 parcels. Upon inquiry by Chairman McDaniel, Attorney Studstill discussed contacting all property owners within the Cinnamon Hill Subdivision and obtaining a Limited Power of Attorney. He reported that the two adjacent land owners have been contacted. County Attorney Novak discussed receiving the proper documentation and discussed the request from the Petitioners. Upon inquiry by Commissioner Bryan, Attorney Studstill stated that this abandonment will not limit access to the Arnold property. Chairman McDaniel called for public comment. There was no public comment. After discussion by members of the Board, Commissioner Bryan motioned to approve the abandonment of approved legal descriptions for Cinnamon Hill Subdivision roadway. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

#### **TOURIST DEVELOPMENT COUNCIL**

T.D.C. Executive Director Jenkins appeared before the Board to discuss the February, 2014 monthly report. She requested permission from the Board to start the process on sponsorship and special funding. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

#### **NO LUGGAGE – AMENDED BILLING SCHEDULE**

T.D.C. Executive Director Jenkins discussed the increase of scope of work for public relations and requested permission from the Board to amend the billing schedule for No Luggage. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

#### **PURCHASE EQUIPMENT/ADVERTISE FOR BIDS – TDC/EMERGENCY MANAGEMENT**

T.D.C. Executive Director Jenkins requested permission from the Board to purchase a 2006 4x4 vehicle, with approximately 40,000 miles from Emergency Management; noting this will save \$8,000.00 (for the Beach Ambassador Program). Commissioner Yeager motioned to approve her request. Commissioner Bryan seconded the motion for discussion. Commissioner McLemore recommended amending the motion to allow Emergency Management to purchase a new 4x4 truck. Commissioner Yeager amended his motion to allow Emergency Management to advertise to receive sealed bids for the purchase of a new 4x4 vehicle. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

#### **CHANGE ORDER – S.H.I.P. PROJECT**

Deputy Administrator Lowry appeared before the Board to request approval of a Change Order for John & Nervene Colvin, in the amount of \$2,907.00 and a Change Order for Hazel Nunery, in the amount of \$2,550.00. Commissioner McLemore motioned to approve this request. Commissioner Yeager seconded the motion.

Chairman McDaniel called for public comment, there was no public comment. The motion then passed unanimously.

### **TRAINING – EMERGENCY MANAGEMENT**

Emergency Management Director Nelson appeared before the Board to discuss conducting a functional exercise this week on Wednesday and Thursday. He reported that the actual functional exercise will be held on Friday at Port St. Joe High School, and invited the Board to attend. Emergency Management Director Nelson reported that this exercise will start at 10:00 a.m., E.T. Friday, at Gulf Coast State College and then move to the Port St. Joe High School at 11:45 a.m., E.T. Chairman McDaniel called for public comment. There was no public comment.

### **GRANT APPLICATION – INDIAN PASS BOAT RAMP**

Grant Writer Kopinsky reported that four (4) National Resource Damage Assessment Projects (N.R.D.A.) were approved, stating there has been discussion regarding the relocation of the Indian Pass Boat Ramp. She also reported that based on these discussions, D.E.P. has stated that the application for the Indian Pass Boat Ramp needs to be withdrawn. Grant Writer Kopinsky discussed working with D.E.P. to insure that these funds remain in Gulf County, perhaps transferring to another project (Highland View Boat Ramp or the Pier). Upon request by Grant Writer Kopinsky, Commissioner Yeager motioned to allow the Chairman to execute a letter to D.E.P. withdrawing Indian Pass Boat Ramp from the N.R.D.A. application. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously. Upon discussion by Grant Writer Kopinsky, Commissioner Yeager motioned to approve applying for the Boating Improvement Grant for the new location site of the Indian Pass Boat Ramp. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

### **CONTRACT – JAIL MEDICAL DIRECTOR**

County Attorney Novak reported that the County Jail Medical Director Contract with Dr. Pablo will expire this month. He discussed reaching out to Sacred Heart Representatives for an addendum and requested permission from the Board to move forward with a contract extension for an additional year with Dr. Pablo. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

### **CONTRACT – AGENT OF RECORD**

County Attorney Novak discussed the Contract with the Health Insurance Agent of Record. He reported that the Health Care Committee recently approved to accept the Agent of Record Contract on an annual basis. Commissioner Yeager motioned to approve this recommendation. Commissioner Smiley seconded the motion. Chairman

McDaniel called for public comment. There being no public comment, the motion then passed unanimously.

#### **AGREEMENT – E.M.S. TRANSPORT**

County Attorney Novak discussed the E.M.S. Transport Contract and requested permission to meet with Sacred Heart regarding this matter. The Board had no objection.

#### **POLICY – ROAD ABANDONMENT**

County Attorney Novak discussed the Road Abandonment Policy and modification of this policy to increase fees. He also discussed the Board reviewing the proposed amended policy before adoption at the next Board meeting.

#### **HEARING – CODE ENFORCEMENT VIOLATION**

County Attorney Novak reported that there will be a Code Enforcement Hearing tomorrow at 1:00 p.m., E.T. in the Board Room regarding 355 North Diana Street, Wewahitchka, Florida.

#### **CONSOLIDATION – BEACH ORDINANCES**

County Attorney Novak discussed the T.D.C. Board working on consolidating the Beach Ordinances, which would cover everything under one proposed ordinance.

#### **PROPOSED FILMING ORDINANCE**

County Attorney Novak discussed T.D.C. being approached regarding filming a reality show on Cape San Blas, stating that the T.D.C. Board has voted not to explore based on the content. Upon further discussion by County Attorney Novak, Commissioner Yeager motioned to allow County Attorney Novak to work with the T.D.C. Director in drafting a proposed filming ordinance. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously. County Attorney Novak stated that Florida Statutes require for an application to come before the County for a location, and an occupational or business license; stating that this will be in the proposed ordinance.

#### **ADVERTISE – ADMINISTRATOR AUTHORITY ORDINANCE**

Upon discussion by County Attorney Novak, Commissioner Yeager motioned to advertise for a Public Hearing to consider adoption of a proposed administrator authority ordinance. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There was no public comment. The motion then passed unanimously.

#### **CONTRACT – ECONOMIC DEVELOPMENT ALLIANCE**

County Attorney Novak reported that the E.D.A. has held several special meetings to discuss the motion by this Board to suspend payments under the E.D.A Contract. He also reported that the E.D.A. has unanimously recommended a model to the County

that the E.D.C. would come back under the County authority with direct supervision with an Advisory Council. Commissioner McLemore motioned to move the E.D.C. back under the supervision of the County. Commissioner Yeager seconded the motion for discussion. After discussion, Commissioner McLemore clarified his motion as to accept the E.D.A. recommendation and transfer E.D.C. under the umbrella of the Board. Commissioner Yeager stated that his second stands. Chairman McDaniel called for public comment. There being no public comment, the motion then passed 4 to 1, with Commissioner Bryan voting no.

#### **R.F.P. #1314-08 – HABITAT CONSERVATION PLAN**

County Attorney Novak stated that he would like to discuss the matter of the Habitat Conservation Plan (#1314-08) after Board business.

#### **FLOOD INSURANCE – HOUSE BILL 3370**

Commissioner Yeager discussed the progress with the flood insurance, stating that H.B. 3370 was passed in the House of Representatives, and it happened because the National Association of Counties, Florida Association of Counties, other associations, and many Commissioners were fighting this issue. He reported that this information will be placed on the County website for review.

#### **COASTAL BARRIER RESOURCES ACT**

Commissioner Yeager discussed that they are currently working on C.B.R.A., stating that he will have this Bill placed on the County website for review. He reported that this Bill states that the maps are changing and that they are not doing away with C.B.R.A. at Cape San Blas. Commissioner Yeager discussed having to testify on this matter sometime in April.

#### **CULVERT – PONDEROSA PINES DRIVE**

Commissioner Yeager discussed an issue with some culverts on Ponderosa Pines Drive and requested Board approval to proceed and fix this issue. Commissioner Yeager motioned to proceed and fix the culverts on Ponderosa Pines Drive. Commissioner McLemore seconded the motion for discussion. Upon inquiry by Commissioner McLemore, Assistant Public Works Director Lewis stated that there are approximately six (6) or seven (7) culverts that need to be replaced, costing approximately \$1,400.00 to \$1,500.00. Chairman McDaniel called for public comment. There was no public comment, the motion then passed unanimously.

#### **MEETING – STATE LEVEL ISSUES**

Commissioner Yeager reported that he will be meeting with Representative Halsey Beshears and Representative Jimmy Patronis regarding various issues, and requested the Board and staff should there be any topics that need to be addressed to please let him know before Thursday.

### **FLOOD INSURANCE – HOUSE BILL 3370**

Upon inquiry by Commissioner McLemore, Commissioner Yeager discussed that the flood zoning regarding H.B. 3370 will affect the entire Country.

### **ALLEY WAY – OAK GROVE**

Commissioner Yeager discussed a fence being placed across an alley way in the Oak Grove Area, stating that he will work with staff regarding this matter.

### **U.S. HIGHWAY 98 & CR 30 INTERSECTION**

Commissioner Yeager discussed receiving an email from D.O.T. regarding the intersection at C.R. 30, reporting that D.O.T. is moving forward with this project and the slip lane has been put back in.

### **COUNTY-WIDE VOTING**

Upon inquiry by Commissioner Bryan, County Attorney Novak reported that Attorney Michael Spellman will appear before the Board next month to give an update regarding the County-Wide voting.

### **VOLUNTEER SERVICES – AUBURN COLLEGE STUDENTS**

Commissioner Smiley thanked the Auburn College students for their help throughout the community during their Spring Break. Commissioner McLemore requested that Chairman McDaniel send a letter of appreciation to these students. The Board had no objection. <Commissioner McLemore left the meeting at 11:16 a.m., E.T.>

The meeting did then recess at 11:17 a.m., E.T.

The meeting did then reconvene at 11:23 a.m., E.T.

### **R.F.P. #1314-08 – HABITAT CONSERVATION PLAN**

County Attorney Novak discussed the process of R.F.P. #1314-08 for the Habitat Conservation Plan. Sandy Scheda, M.S., Russ Burdge, P.W.S., and Joe Walsh, PH.D. of Scheda Ecological Associates appeared before the Board to give a power-point presentation regarding R.F.P. #1314-08 on the Habitat Conservation Plan. Commissioner Bryan motioned to allow additional time to speak. Commissioner Smiley seconded the motion. After discussion, Bob Earnest of Ecological Associates appeared before the Board to give a power-point presentation regarding R.F.P. #1314-08 on the Habitat Conservation Plan. Then, Ray Loraine, M.S. of Cardno Entrix appeared before the Board to give their power-point presentation regarding R.F.P. #1314-08. County Attorney Novak requested permission from the Board to work with the Technical Advisory Committee after the final evaluation and tabulation is concluded, notify the consultant, and establish a contract to move forward. After discussion, Chairman McDaniel called for public comment. Patricia Hardman appeared before the Board to discuss her concerns regarding the effect the H.C.P. will have on the County.

**MEETING NOTICES / EMAIL**

Patricia Hardman appeared before the Board to discuss her concerns regarding the meeting notices not being emailed as they were in the past. She requested that the Board start resending these Notices via email to the private sector. Clerk Finance Herring discussed the process of notifying the public regarding the meetings, stating that the Notices are posted at the Courthouse and they are placed on the County Website for public review. She reported that the Clerk of Court is no longer maintaining an email list. After discussion, Commissioner Bryan requested Ms. Hardman to contact Clerk Norris regarding this matter.

**EASTER BASKET TOURNAMENT – GULF COUNTY SHERIFF**

Patricia Hardman appeared before the Board to discuss an Easter Basket Tournament and a Food Drive the Gulf County Sheriff's Office is hosting. She requested each Board member donate an Easter Basket for this cause.

**R.F.P. #1314-08 – HABITAT CONSERVATION PLAN**

Upon discussion by County Attorney Novak, Commissioner Smiley motioned to move forward with a contract regarding R.F.P. #1314-08 for the Habitat Conservation Plan. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0). County Attorney Novak stated that Commissioner Yeager abstained from the process of evaluation and ranking.

**R.F.P. – GARBAGE SERVICES**

Upon discussion by Chief Administrator Butler, Commissioner Smiley motioned to advertise to receive sealed Request for Proposals for garbage services along with the City of Port St. Joe and the City of Wewahitchka. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously (4-0).

There being no further business, and upon motion by Commissioner Smiley, second by Commissioner Yeager, and a 4-0 vote, the meeting did then adjourn at 11:19 a.m., E.T.

**WARD MCDANIEL  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**