

## **WEWAHITCHKA, FLORIDA**

**JUNE 5, 2007**

### **WORKSHOP**

The Gulf County Board of County Commissioners met this date in workshop 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: Clerk Becky Norris, Clerk Executive Administrator Towan Kopinsky, Deputy Clerk Tracy Whitehurst, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Grant Writer Loretta Costin, Human Resources Director Denise Manuel (6:37 p.m.), Planner David Richardson and Assistant Planner Sarah White.

Chairman Williams called to workshop to order at 6:08 p.m., E.T.

### **COMPREHENSIVE PLAN / D.C.A. LITIGATION**

Planner Richardson presented the Comp Plan Land Use Element, and discussed the pending litigation with the Department of Community Affairs regarding the wetlands setback. He stated that D.C.A. may be open to discussions for a 35-foot wetlands setback (instead of 50 feet), but this has not been verified. He also stated that if approved as-is, the 50-foot setback would apply to new parcels only (existing parcels would be "grandfathered" in, and the Board can either accept this proposal or continue with the litigation process and let it be determined by a Judge.. After further discussion by Planner Richardson regarding the difference between low-quality and high-quality wetlands and that Gulf County is approximately 66% wetlands, Commissioner McLemore inquired as to whom determines what qualifies as wetlands. Planner Richardson stated that this determination is normally left to environmental specialists. Commissioner Traylor stated that the Board has previously agreed to contest the 50-foot setback. After discussion by Chief Administrator Butler regarding the 50-foot setback applying only to new parcels of land, Chairman Williams called for public comment.

City of Wewahitchka Mayor Ray Dickens appeared before the Board to discuss that this new rule could prevent parcels from being developed/subdivided because the owners would lose use of a large portion of the land. Wewahitchka City Manager Minchew discussed that the State is always "taking" and the City recommends that the County fight this issue. Mayor Dickens discussed that if the State continues to make rules and tell people what they can do with their property, they should repay all the taxes that have been paid on each parcel.

Jay Rish appeared before the Board and stated that he agrees with the Mayor, and this should be handled through the regular Court System, and if D.C.A. "punishes" the County for contesting this issue, the County should fight it all the way to the Federal Supreme Court.

Michael Hammond appeared before the Board to report that he had previously stated that Bay County has a 35-foot setback, but he has recently discovered that Bay County has a 30-foot setback and Okaloosa County is at 0. He discussed that this will not only hurt developers, but

will deter individuals who have a piece of property that they intend to divide among their children.

Commissioner Traylor discussed that the Board main concern is protecting the “little” people, and there may be a need for a joint effort between the County and both cities regarding this issue. Chairman Williams discussed that individuals should still have property rights, but they are being infringed upon.

Warren Yeager appeared before the Board to discuss wetlands determinations, i.e. - who determines the wetlands and how they are determined.

Jamie Lester discussed how this can affect the future growth of the County, and how the setback starting point (control line) can change at any time.

Steve Norris discussed the State Wetlands Area map, and how it affects the County.

Ralph Rish appeared before the Board to discuss that the National Inventory Map is no good. He discussed a piece of property he owns, stating that 3 different biologists gave 3 different reports on the same piece of property. He also discussed the issue of what the State calls “urban sprawl,” and inquired if a meeting has been requested with the State Representatives and D.C.A.

Commissioner Barnes thanked the public for their support and input regarding this matter.

Planner Richardson reported that the City of Port St. Joe proposed a 25-foot wetlands setback in the Evaluation and Appraisal Report (E.A.R.), and if it is approved and the County has to have a 50-foot setback, there will be tremendous annexation. Ralph Rish reported that he believes that the City’s E.A.R. has been approved at 25 feet. After discussion by members of the Board, they agreed that the rules should be the same within the County.

There being no further discussion, the workshop did then adjourn at 6:50 p.m., E.T.

**BILL WILLIAMS  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**