

MARCH 27, 2012

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 William C. Williams, III, Vice Chairman Tan Smiley, and Commissioners Carmen L. McLemore, Ward McDaniel, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Emergency Management Director Marshall Nelson, Emergency Medical Services Director Houston Whitfield, G.I.S. Coordinator Scott Warner, Mosquito Control Director Mark Cothran, Planner David Richardson, Preble-Rish Engineer Clay Smallwood, III, Public Works Director Joe Danford, Sheriff Joe Nugent, Sheriff's Office Major Bobby Plair, Health Department Administrator Marsha Lindeman, Interim T.D.C. Director Gail Alsobrook, Assistant T.D.C. Director Kellee Novak, and T.D.C. Secretary Crystal Follin.

Sheriff Nugent called the meeting to order at 6:00 p.m., E.T.

Clerk Norris opened the meeting with prayer, and Chairman Williams led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Upon motion by Commissioner McDaniel, second by Commissioner Smiley, and unanimous vote, the Board approved the Consent Agenda as follows:

1. Minutes – February 28, 2012 - Regular Meeting
2. Change Order #5 – Cape San Blas Bike Path Phase III (C.W. Roberts Contracting, Inc. * Time Extension Only – Rain Days (10) * Bid #1011-16)
3. Contract – Disaster Discovery Services (Ashbritt, Inc.)

4. Invoices – Agency for Healthcare Administration – Medicaid (3rd Quarter 2011-2012 * \$4,076.00 * to be paid from Account #42562-81000)
 - Agency for Healthcare Administration – Medicaid (3rd Quarter 2011-2012 * \$115,521.00 * to be paid from Account #51161-82000)
 - Current Solutions of the Gulf Coast, LLC – Solar Lighting (Final Invoice #2817 * \$7,000.00 * to be paid from Account #33537-34000)
 - MRD Associates, Inc. – St. Joseph Peninsula Post-Construction Shorebird Monitoring Services (Invoice #1546 * \$2,700.00 * to be paid from Account #28039-34000)
 - MRD Associates, Inc. – St. Joseph Peninsula – T.D.C. Consultation and Coordination Services (Invoice #1547 * \$4,814.50 * to be paid from Account #28039-31000)
 - The Ferguson Group, LLC – Federal Lobbying Services (Invoice #0412268 * \$6,500.00 * to be paid from Account #21111-31200)
5. Purchase Request – Emergency Management (Functional Exercise * April 4, 2012 * Invoice #1285 * \$263.00)
6. Request for Forfeiture Funds – Gulf County Sheriff's Office (\$8,457.00)

(End)

BRITISH PETROLEUM LITIGATION

Brantley Frye of Beasley Allen Law Firm appeared before the Board and thanked them for the closed session meeting today, stating they will provide an update in the coming weeks. Rick Stratton of Beasley Allen Law Firm appeared before the Board and reported that everything is progressing well on behalf of the County.

PUBLIC HEARING – ORDINANCE #2012-02 – COMPREHENSIVE PLAN

Pursuant to advertisement to hold a public hearing to consider adoption of a proposed ordinance amending the Comprehensive Plan of Gulf County, Florida for small-scale land use map amendment, County Attorney Novak read the proposed ordinance by title. Chairman Williams called for public comment. There being no public comment, Commissioner Yeager motioned to adopt the following ordinance. Commissioner McLemore seconded the motion and it passed unanimously.

ORDINANCE NO. 2012-02

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF GULF COUNTY, FLORIDA BY AND THROUGH PROCEDURES REQUIRED FOR SMALL-SCALE LAND USE MAP AMENDMENT PURSUANT TO AUTHORITY UNDER STATE STATUTES SECTION 163.3187 AND CHAPTER 125; SPECIFICALLY CHANGING; PARCEL ID #00683-000R, 4.05 ACRES OF LAND LYING AND BEING PART OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 9 WEST, GULF COUNTY, FLORIDA FROM CONSERVATION TO AGRICULTURE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3187 provides for the authority and procedure for the Board of County Commissioners of Gulf County, Florida to amend its land use map parcels under county control and that of its citizens; and

WHEREAS, the Gulf County Planning and Development Review Board voted to recommend to the Board of County Commissioners to change the land use of said parcels from Conservation to Agricultural at their February 20, 2012 meeting; then

WHEREAS, in accordance with Florida Statutes Section 163.3187(1)(c)(2) and Florida Statute Section 125.66(2)(a), specifically provides for the proper publication, notice and announcement of Gulf County's intent and consideration of any and all land use modification requested by the parcel owner and ordinance adoption; and such notice has been properly published for general circulation in the county; and

WHEREAS, Gulf County recognizes that numerous parcels were missed placed into an unfavorable land use category when the Comprehensive Plan was adopted; and

WHEREAS, Parcels with missed placed land use can cause undue financial hardship on said owners and Gulf County is committed to assisting said owners resolve the land use issues; and

WHEREAS, in accordance with Florida Statutes Section 163.3187(1)(c)(2) and Florida Statute Chapter 125, notice was provided to the public of a public hearing to be held March 27, 2012 to adopt the proposed land use changes by ordinance; and

NOW, THEREFORE BE IT ORDAINED, THAT IN EXERCISE OF ITS AUTHORITY, THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA HEREBY GRANTS THE LAND USE CHANGE AS FOLLOWS:

Section 1) Changing Parcel ID #00683-000R from Conservation to Agricultural (Exhibit "A").

Section 2) A certified copy of the enacting ordinance shall be on file with the Clerk of Court of Gulf County, Florida.

Section 3) Effective date, this ordinance shall take effect as provided by law 31 days from adoption. Passed and duly adopted by the Gulf County Board of County Commissioners for Gulf County, Florida this March 27, 2012.

(End)

GULF COUNTY HEALTH DEPARTMENT TOBACCO PREVENTION-LETTER OF SUPPORT

Deputy Administrator Lanier presented for consideration and approval a letter of support for the Gulf County Health Department Tobacco Prevention Program. Commissioner Yeager motioned to approve this request. Commissioner Smiley seconded the motion, and it passed unanimously.

ROAD CLOSURES

Deputy Administrator Lanier reported that the recent road closure information coming from Emergency Management (woods fire on CR 386 in Overstreet) are being updated on the County website under Notices, as received.

V.O.I.P. TELEPHONE SYSTEM

Deputy Administrator Lanier reported that all of the phones have been transferred to the new system, stating they are in the process of closing out old phone numbers and she is working on a new directory that will soon be available on the county website. Commissioner Yeager commended Deputy Administrator Lanier for her hard work in getting the new phone system up and going. Upon inquiry by Commissioner McDaniel concerning the problem with the Wewahitchka line over the weekend, Clerk Norris reported she had problems with the Clerk's Office Wewa line on Friday (639-5068).

Sheriff Nugent commended Ms. Lanier but reported that the telephone system is a disaster; stating they had an emergency medical situation today and when talking on the phone and someone calls in it does not ring; the phone just flashes. Deputy Administrator Lanier reported they trained with A.T. & T. yesterday for a lot of the items that have been happening, stating she might be able to fix this problem. Chairman Williams requested Deputy Administrator Lanier to contact A.T. & T. to come on site and correct this problem. Upon inquiry by Commissioner McLemore concerning the Wewa lines, Deputy Administrator Lanier stated they are working to eliminate the \$.25 cent per call charge from Wewahitchka to Port St. Joe.

EMERGENCY MANAGEMENT TRAINING

Emergency Management Director Nelson reminded everyone of the training exercise (for staff assigned to the E.O.C.) is scheduled for next week on Wednesday, April 4th from 8:30 a.m. to 3:30 p.m., E.T. at the Emergency Operations Center, and invited the Commissioners to stop by.

BIKE FLORIDA

Chairman Williams thanked Mosquito Control Director Cothran for getting the signs up for the Bike Florida bikers.

INDUSTRIAL PARK

County Attorney Novak reported he submitted a letter to David Taunton, as instructed, concerning removal of his property at the Industrial Park site, stating he has received notice.

EASTERN COASTAL CONSTRUCTION – PUBLIC WORKS FENCING

County Attorney Novak reported he has been able to locate some corporate records through the Secretary of State's Office in Tallahassee, stating he contacted an attorney who states he represents the Company, and he will report back to the Board.

REVISED R.F.P. – NORTH FLORIDA TRI-COUNTY MAP DISPLAY

County Attorney Novak requested approval for 911 Coordinator Ben Guthrie to move forward with the revised R.F.P. and advertisement for the North Florida Tri-County Map Display System (Calhoun-Franklin-Gulf), stating this will be paid through grant funds. Commissioner Yeager motioned to proceed. Commissioner Smiley seconded the motion, and it passed unanimously.

P.D.R.B. – SUNSHINE LAW TRAINING

County Attorney Novak reported that the P.D.R.B. will be going through the Sunshine Law training, public records, and open public meeting review at their April meeting,

stating they will secure the same affidavit as used with all advisory committees and will be placed in their personnel files located in the Administrative office.

SIGN ORDINANCE

County Attorney Novak reported that on April 12th at 1:00 p.m., E.T. in the County Conference Room, they will work on completing the final sign ordinance subcommittee before it can be introduced to the P.D.R.B.; who will then review it and present to the Board in April for review.

ANIMAL CONTROL ORDINANCE

County Attorney Novak reported on the animal tethering and animal control ordinance, stating he met with the Humane Society Representatives and has language and a proposed ordinance that he will provide to the Commission in the next two weeks.

T.D.C. ORDINANCE

County Attorney Novak reported the T.D.C. ordinance has been published in the newspaper and a public hearing is scheduled at the April 10, 2012 Regular Board Meeting, stating the T.D.C. meeting will be on April 12, 2012, so the new members will have voting rights.

BID #1112-09 – VIDEOTAPING & AIRING OF COMMISSION MEETINGS

Chief Administrator Butler reported on bid #1112-09 for the videotaping and airing of the Commission meetings, stating that he, County Attorney Novak, Commissioner McDaniel, and Ken Murphy (sole proposal) met last week, stating that Mr. Murphy will report back to the Board within 60 days of the day of the bid to let them know if he can provide quality video County wide, and if not it needs to be re-bid. Upon inquiry by Commissioner Yeager concerning scheduling a workshop, Chief Administrator Butler stated it will be a good idea to workshop this issue, stating we have some cameras that are not the proper cameras (surveillance and motion cameras). Commissioner Yeager stated he has had some calls in regards to getting the meetings on Fairpoint; stating it is very important to the public to have clarity of these Board meetings. Chairman Yeager requested Chairman Williams and Chief Administrator Butler to meet and get the workshop meeting scheduled.

INVOICES - SOUTH GULF COUNTY FIRE DEPARTMENT

Chief Administrator Butler recommended approval of two invoices for South Gulf County Fire Department, (1) Bluewater Outriggers, in the amount of \$4,330.04, and (2) Gulf Coast Fabricators, in the amount of \$4,320.00, stating this is a fire rescue boat for South Gulf County (total improvements to the boat exceed county purchasing policy for Fire Departments; requiring bids). He reported on April 3rd that he, Fire Coordinator, and

other representatives from fire departments will meet to discuss procedures. Commissioner Yeager motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

INTERIM T.D.C. DIRECTOR

Chief Administrator Butler reported they have done a lot of T.D.C. work for the past several weeks, stating they have reviewed a lot of invoices and many have been sent to the Clerk for payment. He noted they are going to wind down with Interim T.D.C. Director Alsobrook in the next few days.

LIFE QUEST – RESOLUTION – NATIONAL DONATE LIFE MONTH

Commissioner Yeager reported he received a letter from Life Quest, stating April is National Donate Life Month, and requested approval of a resolution supporting April as Donate Life Month for Gulf County. Commissioner Yeager read the proposed resolution for the record. Commissioner Yeager motioned to adopt the proposed resolution. Commissioner McLemore seconded the motion, and it passed unanimously.

GULF COUNTY RESOLUTION NO. 2012-05

ONE OF THE MOST MEANINGFUL GIFTS THAT A HUMAN BEING CAN BESTOW UPON ANOTHER IS THE GIFT OF LIFE.

WHEREAS, roughly 28,000 Americans receive a life-saving organ transplant every year; and

WHEREAS, a new patient is added to the national patient waiting list for an organ transplant every 10 minutes; and

WHEREAS, more than 113,000 men, women and children are currently on the national organ transplant waiting list, of which more than 3,900 are in Florida and 1,300 are in northern Florida; and

WHEREAS, an average of 18 people die every day awaiting an organ transplant that does not come in time; and

WHEREAS, one organ, tissue and eye donor can save or enhance the lives of as many as 60 people; and

WHEREAS, everyone is a potential organ, eye and tissue donor and can register their intent to save lives through organ and tissue donation at www.DonateLifeFlorida.org or on their driver license.

Now, therefore, I, Warren J. Yeager, Jr., Commissioner of the County of Gulf, Florida do hereby proclaim the month of April, 2012 as

DONATE LIFE MONTH

in the County of Gulf and encourage all Gulf County residents to consider giving life through organ donation and to sign up on Florida's organ and tissue donor registry by visiting www.DonateLifeFlorida.org or when renewing their driver license or state identification card.

ADOPTED, in regular session, this 27th day of March, 2012.

(End)

AMERICAN LEGION – FISH FRY

Commissioner Yeager reported that the American Legion is giving a fish fry at the Beacon Hill Veterans' Memorial Park on April 6th at 11:30 a.m., E.T.

BIKE FLORIDA

Commissioner McDaniel discussed all the bikers from Bike Florida passing through Gulf County, stating it was a great success. He reported the Wewahitchka Search & Rescue cleared almost \$3,000.00 and the Wewahitchka Project Graduation cleared almost \$5,000.00. Commissioner McDaniel stated this was a community effort and thanked everyone for donating their time. Commissioner McLemore thanked Teddy Kemp from Maintenance for his hard work and Mark Moore who donated the fish. Commissioner McDaniel reported they cooked 650 pounds of fish for the bikers on Monday night, and served over 540 people for breakfast today. Chairman Williams stated he went to the Honeyville Community Center on Monday night and it was phenomenal, and thanked everyone that assisted. He discussed the impact to the Port St. Joe area.

HB 5301 - MEDICAID

Chairman Williams gave an update on HB 5301 (Medicaid) and requested everyone to visit the Governor's website and request he veto this bill.

ST. JOSEPH BAY HUMANE SOCIETY

Chairman Williams discussed the animal control policy, noting language that states there must be an approved kennel and requested County Attorney Novak review this issue.

SENATOR NELSON / CONGRESSMAN SOUTHERLAND

Chairman Williams reported that Senator Bill Nelson will be at the Chamber of Commerce on April 12, 2012 at 2:30 p.m., E.T, and Congressman Steve Southerland will be in Wewahitchka on Monday, April 2, 2012 at 1:00 p.m., E.T.

SIGN ORDINANCE

Toye Roberts appeared before the Board and reported he has a sign placed on 30-A, stating that 30-A is now a state road and has jurisdiction under F.D.O.T., and in order to obtain a permit from F.D.O.T. you have to have a local governing agency sign off on the F.D.O.T. permit. He reported he received calls on eight to ten different signs on 30-A that have to be permitted through the State. He noted his sign was located on the North side of Triple Tails and when the property was sold he had to remove the sign which is located now on the East side of Triple Tails. He reported that he has been contacted by F.D.O.T., stating he must have a local governing agency sign off on his permit. Mr. Roberts reported F.D.O.T will give you a citation and the fine is so much per day, and requested for the Board to sign off. Commissioner Yeager stated he has discussed this with Building Official Collinsworth and he is fine with this. Commissioner Yeager motioned to approve pursuant to Building Department review. Commissioner McDaniel seconded the motion, and it passed unanimously.

GULF COUNTY HEALTH DEPARTMENT

Marsha Lindeman, Gulf County Health Department Administrator appeared before the Board and reported she was prepared to introduce the new physician in Wewahitchka, but she will introduce him in two weeks. She reported they have two new dentist and they are working on getting their credentials for insurance purposes.

RABIES

Marsha Lindeman reported there was a rabid raccoon located in the Stone Mill Creek area and encouraged everyone to have their pets vaccinated.

DEPARTMENT OF HEALTH

Commissioner Yeager reported that Ms. Lindeman intervened with the Department of Health on an issue which saved the County a lot of money, and thanked her for her assistance in getting this resolved.

TOBACCO PREVENTION PROGRAM – LETTER OF SUPPORT

Marsha Lindeman thanked the Board for the letter of support on the Health Department Tobacco Prevention Program.

There being no further business, and upon motion by Commissioner McLemore, the meeting did then adjourn at 6:39 p.m., E.T.

**WILLIAM C. WILLIAMS, III
CHAIRMAN**

**ATTEST:
REBECCA L. NORRIS
CLERK**