

SEPTEMBER 25, 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 Ward McDaniel, Warren J. Yeager, Jr. and Carmen L. McLemore.

Others present were: County Attorney Jeremy Novak, Clerk of Court Rebecca L. Norris, Clerk Finance Officer Carla Hand, Deputy Clerk Tracy Tharpe, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Building Inspector George Knight, Emergency Management Director Marshall Nelson, Grant Writer Towan Kopinsky, Mosquito Control Director Mark Cothran, County Planner David Richardson <arrived at 9:06 a.m.>, E.M.S. Director Houston Whitfield, Sheriff Joe Nugent, Sheriff's Office Major Bobby Plair, Preble-Rish County Engineer Clay Smallwood, III, T.D.C. Director Jennifer Jenkins, T.D.C. Marketing Director Michelle Perrin, and T.D.C. Business Manager Kelli Jackson.

Sheriff Joe Nugent called the meeting to order at 9:00 a.m., E.T.

PRAYER AND PLEDGE

Grant Writer Towan Kopinsky opened with prayer, and Chairman Williams led the pledge of allegiance to the flag.

CONSENT AGENDA

Commissioner McDaniel motioned to approve the consent agenda, after pulling Item #7 (Fee Waiver–Chris McLemore, pages 153-156). Commissioner Yeager seconded the motion. Commissioner Yeager stated he may need to abstain on Item #10 (Invoices on page 253-Preferred Government Insurance Trust & page 254-Public Risk Insurance Agency). County Attorney Novak stated in reviewing the August 21, 2012 minutes, page 6 under the Garbage title, he wanted to make a clarification, in the final sentence it was the Commissioner that made the distinction on the vote and asked the minutes be corrected to reflect that. The motion then passed 4-0, with Commissioner Yeager abstaining due to serving as a Trustee of the entity before the Board (FORM 8B on file in the Clerk's Office).

Correction to the August 21, 2012 Special Meeting minutes:

GARBAGE: as presented

County Attorney Novak stated during the garbage issue discussion earlier it was reflected as a 4 to 1 vote with Commissioner McLemore abstaining. He stated the

minutes need to reflect that this should have been a 4-0 vote, with Commissioner McLemore abstaining due to campaign contributions from another garbage company.

GARBAGE: corrected minutes

County Attorney Novak stated during the garbage issue discussion earlier it was reflected as a 4 to 1 vote with Commissioner McLemore abstaining. He stated the minutes need to reflect that this should have been a 4-0 vote. Commissioner McLemore stated for the record that he abstained due to having received a campaign contribution from another garbage company.

CONSENT AGENDA

September 25, 2012

1. Minutes – August 21, 2012 – Special Meeting
 - August 25, 2012 – Emergency Meeting
 - August 26, 2012 – Emergency Meeting
 - September 6, 2012 – Special Meeting
2. Agreement – American Fidelity Assurance Company *Phoenix Excess Risk Underwriters, LLC/P.E.R.U. (Inmate Excess Medical Insurance)

Agreement - J.V. Gander Distributors, Inc – CARDLOCK Fuel Agreement

Agreement – Gulf (St. Joseph Care of Florida) and State of Florida (Agency for Health Care Administration) **
\$15,644.00**

Agreement – Agent of Record Health Insurance – Todd Torgersen/Combined Insurance Services, Inc.

Agreement – SHIP Technical Advisor Services –Florida Housing Coalition, Inc. - Michael Chaney

3. Application – Membership for Apalachicola-Chattahoochee-Flint Stakeholders
4. Bids – Public Works – Request to Offer for Sale 1988 Caterpillar Motor Grader And Resulting Funds to Be Put In Equipment Purchase Account
5. Contract - FDLE Award Edward Byrne Memorial Justice Assistance Grant (Contract No. 2013-JAGC-GULF-1-D7-050)
\$20,470.00 Dare and Community Services Deputy

Contract & Proposed Fee Schedule – State of Florida Department

of Health for Operation of Gulf County Health
Department Contract YR 2012-2013

6. Fee Schedule – Building Department – Residential and Commercial Construction Effective 10/1/2012
7. DELETE - Fee Waiver – Planning Department – Small Scale Map Amendment/ Conservation Land Use - Chris McLemore \$500.00
8. Grant – E9-1-1 Department – ALI Database Software Maintenance Grant Request (*Total Amount \$4,167.00; 1/3 of Invoice is \$12,501.00) Cost Split - Calhoun, Franklin and Gulf Counties

Grant – Florida Department of Environmental Protection – Small County Consolidated Solid Waste Grant FY 2012-2013 **Grant Number 312SC*** \$70,588.00
9. Inventory – BOCC Administration Department – Asset Disposal
**Tag #15-8 (Asset #2767) Repeater; **Tag #15-5 A-E (Asset #2319) (5) Five Leather & Vinyl Executive Chairs
Tag #75-62 -1999 Ford E350 Van
VIN #1FBSS3158XHA13079

Inventory – BOCC Administration Department – Transfer to E911
**Tag #15-27 (Asset #4333) – Vertex Radio Dispatch System Station 2; **Tag #15-21 (Asset #4327) – Vertex Radio Dispatch System Station 1; **Tag #15-23 (Asset #4329) – Vertex Mobile Radio – 911 Coord. Truck **Serial Number 8H250840

Inventory – BOCC Administration Department – Asset Transfer to Emergency Management **Tag #15-26 (Asset #4332) – Vertex Mobile Radio EM Command Post ** Serial Number 8H250950; **Tag #15-22 (Asset #4328) – Vertex Mobile Radio – EM Truck ** Serial No.8H250945

Inventory – BOCC Administration Department – Asset Transfer to Sheriff Department **Tag #15-28 (Asset #4528) – 90K ME X-Ray Machine; **Tag #15-29 (Asset #4529) – Maglock Security System

Inventory – BOCC Administration Department –Asset Disposal **Tag #15-11 Compaq Computer

- Building Department – Asset Disposal **Tag #260-59 HP Computer

Inventory – Emergency Management – Asset Disposal – To Be Junked

**Tag #90-224 – Dell Desktop Computer;

**Tag #90-231 – Dell Desktop Computer;

**Tag #90-254 – Security/ID Badge System with CS100 Digital Camera

Inventory – E9-1-1 – Asset Disposal & Donate to a School– Tag #95-27, #95-29

#95-30 –Old 911System Workstations;

Asset Transfer to Surplus – Tag #95-23 Dell Precision M70, Tag #95-26 Mini Server HP, Tag #95-34 Dell Precision M6300 Computer

Inventory – Property Appraiser – To Be Junked **Eight (8) HP Computers

Tag #80-96, 80-99, 80-101, 80-102, 80-106, 80-108 80-113, 80-114

Inventory – Wewa Search & Rescue – Asset Disposal – Tag #125-21 1987

Dodge Ram Charger; Tag #125-13 1986 International Bus

Transfer to Emergency Management

Three (3) Jaguar Radios, Tag #125-23, 125-24, 125-25

Transfer to Emergency Management

Two (2) Jaguar Radios Tag #135-31, 135-32

To Be Junked – Tag #125-26 – 18K

BTU Evaporator and Condenser

Transfer to City of Lynn Haven

Tag #125-5 – 1993 Avenger Bayou Runner Watercraft

Tag #125-6 – Johnson Forty (40) HP Motor

Request for Physical Removal City Property

Tag #210-83 – 1983 Ford Econoline 350 Ambulance

Van; Tag #220-40 – 1976 Ford 1 Ton Pickup with EMT

Body; Retired 1989 International Bus

Request Items Be Added:

GC 125-29 – 2001 Dodge Dakota

VIN #1B7GG2AN81S1940076 (Transferred from

Sheriff's Department)

125-30 – 1989 Chevrolet Silverado 3500/Ambulance

Body Red VIN #1GBJR34W8KF300383 (Transferred from

Wewahitchka Ambulance)

GC 125-10 – 1984 15 Ft Mitchcraft (FL 1205FF) Watercraft

GC 125-19 – 2000 22 Ft Low Aluminum Pontoon

(FL 7005LE) Watercraft

-Wewahitchka Volunteer Fire Department – Asset Disposal Tag
#250-2 Midland Mobile Radio, Tag #250-12 –
Ice-O-Matic Generator/Compressor and Correction to
Description Tag #250-16 –To Read Scotsman Ice
Machine

10. Invoices – Attorney Novak – June 1, 2012 – August 31, 2012 **\$1,715.00**
Professional Services for Deepwater Horizon Litigation
to be Paid From Account #21314-23000;
June 1, 2012 – August 31, 2012 **\$1,961.00**
Professional Legal Services to be Paid From Account
#21314-23000

- Coastal Parasail – Invoice #12009 **\$1,000.00**
Beach Raking June 27 and 28 to be Paid From Account
#27452-46100; Invoice #12009 **\$1,500.00**
Beach Raking July 6,7,8 to be Paid From Account
#27452-46100 Invoice #12008 **\$1,500.00** Beach
Raking July 16,18,19 to be Paid From Account
#27452-46100

- Combined Insurance Services, Inc. - **1,600.00** Consulting/
Agency Services Month of August 2012 to be Paid
From Account #21111-34000

- Crest Enterprises & LD, Inc. – Invoice #636 **\$14,825.00**
Evelyn Marcus 6757 White City SHIP Rehabilitation
Assistance to be Paid From Account #46455-82000

- Fisher Construction Co., Inc. – Pay Request #01 **\$16,000.00**
Gulf County EMS Awning/Canopy to be Paid
From Account #51652-63000

- Gulf County Chamber of Commerce – Invoice #11-571
\$20,750.00 Fourth Quarter Billing FY 2011-12
to be Paid From Account #27152-82000

- Gulf County Sheriff – Reimbursement Request (Clyde G. Cole)
WCU Cadaver Dog Training Course Level 2 * \$665.80 *
to be paid from Account #31021-91002 * 2nd Dollar
Funds

- Gulf County Sheriff – Reimbursement Request (Christopher
Buchanan) FCOA Conference *\$739.50 *
to be Paid From Account #31021-91002 * 2nd
Dollar Funds

- Ken Murphy – Invoice #081012 **\$1,350.00** Taping County Commission Meetings August 2012 to be Paid From Account #27452-34000
- Preferred Governmental Insurance Trust – Invoice #37419 **\$29,626.50** Agreement #WC FL1 0231023 12-03(Workers Compensation) to be Paid From Account #225513-24000
- Public Risk Insurance Agency – Invoice #25742 **\$143,622.50** Policy #PK FL1 0231023012-03 to be Paid From Account #225513-45000
- The Ferguson Group – Invoice #1012174 **\$6,500.00** Retainer for Month of October 1-31, 2012 (Federal Lobbyist) to be Paid From Account #21111-31200
- The Water Spigot, Inc. – Invoice #12-7224 **\$90.00** Dead Lakes Rec Area Sample to be Paid From Account #57172-52000; Invoice #12-7139 **\$8,060.00** Semi-Annual Landfill Monitoring for Port St. Joe to be Paid From Account #281534-31; Invoice #12-6933 **\$3,135.00** 2nd Semi-Annual Landfill Monitoring at Buckhorn to be Paid From Account #281534-31

11. Policy – FEMA Request for Revision of Disaster Overtime Pay
12. Request – Supervisor of Elections – Request Monies in Special Fund Account to Replenish Office Supplies during 2012 Election Cycle **Approximately \$2,300.00**
13. SHIP – LHAP Recommendation Modification – Increase Purchase Assistance Strategy from \$17,500.00 to \$30,000.00 FY 2009-10; FY 2010-11, and FY 2011-12

(end)

PUBLIC HEARING

County Attorney Novak asked the Board to wait for the P.D.R.B. matters until Planner Richardson was present.

MEDICAL EXAMINER AGREEMENT

Deputy Administrator Lynn Lanier presented for Board consideration the annual (2012-2013) Medical Examiners Agreement. She informed the Board that County Attorney

Novak had reviewed and approved the agreement. Upon motion by Commissioner McDaniel, second by Commissioner Smiley and unanimous vote, the Board approved the agreement.

INVOICE-FISHER'S CONSTRUCTION COMPANY, INC.

E.M.S. Director Whitfield presented the final payment request from Fisher's Construction Co., Inc. in the amount of \$5,000.00 for work on the Gulf County E.M.S. Awning/Canopy project. Mr. Whitfield requested permission to pay the invoice, pending final inspection by Building Official Collinsworth. Commissioner Yeager so moved. Commissioner McDaniel seconded the motion and it passed 5-0.

T.D.C. REPORT/TRAVEL WRITER

T.D.C. Director Jenkins informed the Board that last week they hosted a travel writer from AAA Endeavor magazine (Eric Lindberg, an award winning writer and photographer); which was a joint venture between Bay, Gulf, and Franklin Counties. She reported they spent three (3) days with him, the first being in Port St. Joe on the Bay, the second visiting Wewahitchka, and Cape San Blas on the third day. She stated their strategy was to align him with story tellers. Ms. Jenkins gave an overview of the places they visited and acknowledge and thanked those who helped (David Warriner, Jason Bogan, Dave Ashcroft, Patti Blaylock, Captain Clint Moore, Jeff Bowman, Zach Ferrell, Philip Gaskin, Don Smiley, Mark Knapke, Landy Luther, and Jimmy McNeill). She reported the story will run in the Spring, with a distribution of over 400,000 households.

WELLNESS PROGRAM

Deputy Administrator Brett Lowry recommended the County move forward with the wellness program. He stated he has a quote from Gulf Coast (Medical Center) hospital that will do the wellness check screening for \$12.00 per employee, costing less than \$2,500.00. Mr. Lowry noted he has this budgeted in the next fiscal year. He explained they will do a body mass index screening, weight, and a diabetes check. Additionally, he stated that United Health Care (UHC) has offered to come in and contract with CVS to do flu shots, free of charge to those who have UHC coverage; combining this on the same day as to limit employee down time. Deputy Administrator Lowry offered these for the Board's consideration. Chairman Williams asked whether Sacred Heart Hospital Systems (SHHS) were involved in these negotiations. Deputy Administrator Lowry stated that Sacred Heart was involved and still are, but it has been ongoing for six (6) months and he hasn't received a response from them yet. Commissioner McLemore so moved. Commissioner Yeager seconded the motion. Upon inquiry by Commissioner McDaniel, Deputy Administrator Lowry reported that Gulf Coast (Medical Center) hospital will come here and will also have a make-up day for any employee who may have been on vacation and such. The motion then carried 5-0.

INVOICE-GULF 2 BAY DEVELOPMENT AND CONSTRUCTION, LLC/STATE HOUSING INITIATIVE PROGRAM

Deputy Administrator Brett Lowry presented for Board approval an invoice (#97425) from Gulf 2 Bay Development and Construction, LLC, for half of what has been done, in

the amount of \$19,411.58 on behalf of S.H.I.P. recipient, Ruby H. Brown. Commissioner Yeager motioned to approve. Commissioner Smiley seconded the motion and it passed 5-0.

FLOOD ZONE PROTECTION ORDINANCE/CRS RECERTIFICATION

Planner David Richardson stated a while back he mentioned the flood zone protection ordinance; reporting he received confirmation from the State and will soon present it to the Board for adoption following some housekeeping on local titles. Planner Richardson also referenced the Information packet (page 21); noting the CRS (Community Rating System) Recertification was approved.

LANDSCAPE GRANT-WHITE CITY BRIDGE APPROACHES BID#1112-23

Grant Writer Towan Kopinsky requested permission for the Chairman to execute the contract documents for the landscape grant on the White City Bridge approaches, upon approval by County Attorney Novak. Commissioner McLemore so moved. Commissioner Smiley seconded the motion and it passed 5-0.

DERELICT VESSEL REMOVAL GRANT APPLICATION

Grant Writer Kopinsky advised the Board of information she has on a grant available for derelict vessel removal. She discussed the possibility of applying for a NOAA (National Oceanic Atmospheric Administration) grant. She stated Fish and Wildlife also has a derelict vessel removal application and stated she would like to also follow up with the next rotation with Fish and Wildlife (FWC) if funding is not approved through NOAA. Ms. Kopinsky asked permission to research it. Commissioner McLemore so moved. Commissioner Yeager seconded the motion and it passed 5-0.

GULF TOURISM AND SEAFOOD PROMOTIONAL FUND

Grant Writer Kopinsky informed the Board of an email T.D.C. Director Jenkins received from Okaloosa County, stating there is a Gulf Tourism and Seafood Promotional Fund in the amount of \$57 million dollars. She stated it is evidently a competitive grant and believes it does not have anything to do with the RESTORE Act. She also stated this grant is open to public entities and private enterprise. Ms. Kopinsky asked if the Board was interested in her looking into it, noting the application is due by October 5, 2012. Commissioner McLemore so moved. Commissioner Smiley seconded and it passed 5-0. Ms. Kopinsky stated she has information on the grant application for anyone interested.

MEDICAID LITIGATION/PAYMENT PLAN AGREEMENT

County Attorney Novak referenced the Proposed Stipulation and Order in the Information packet (pages 7-13). He stated he has since received a Payment Plan Agreement from the 2nd Judicial Circuit in this case. County Attorney Novak stated that the final step for the county to stay in compliance with this (the county has filed each step of the settlement) is to authorize the Clerk for the distribution of the final certified funds, noting Clerk Norris' staff has certified those funds, as well as having a certified number from AHCA in the amount of \$17,350.16. Mr. Novak noted that with the incentive final settlement terms (15% discount), the final certified sum will be

\$14,747.64. Novak requested the Board approve the Payment Plan Agreement and authorize the Clerk for final distribution. Commissioner Yeager so moved. Commissioner McDaniel seconded the motion and it passed 5-0. Chairman Williams added that this is a tremendous outcome from the litigation from the Florida Association of Counties (FAC).

SIGN ORDINANCE

At the request of Code Enforcement Officer Michael Aiken, County Attorney Novak noticed the Commission and public of the recent adoption of the sign ordinance. He stated, pursuant to section 6.17 (the transition rules) and bringing to everyone's attention, any permit issued prior to the effective date of the adoption of the sign regulations the County passed would remain valid until the order of the date of the said permit expired or ninety (90) days after the effective date of the adoption of this article. Mr. Novak noted that if signs were put up without permits prior to the adoption of the ordinance they would receive a three (3) month grace period in which to fall into compliance. He stated they found and sited a lot of signs in State and County Right of Ways throughout the County, and starting tomorrow they will go out and begin to enforce and remove those signs. Mr. Novak noted pictures were provided to him and staff showing where those signs are on the R.O.W.'s. For the public, he stated; if you have a sign on County or State R.O.W., you'll want to remove it today or it will be removed by the County starting tomorrow.

RESTORE ACT

County Attorney Novak noted the RESTORE Act local committee will be meeting again today in the E.O.C. Building at 11:00 a.m., E.T. He stated Chairman Williams will have comments in regards to the latest interlocal agreement as well as a resolution that was introduced at the Florida Association of Counties (FAC) last week on the 19th (of September) in South Florida.

TRAVEL

County Administrator Butler requested approval of a F.E.M.A. trip that he and Commissioner Yeager took last week. He stated it was an impromptu trip at the request of the Congressman (Steve Southerland); noting it was a worthwhile trip in regards to the 2008 Hurricane Gustav damages and their issues with F.E.M.A. on that. Mr. Butler requested the Board approve their travel for that trip, to Washington, D.C. and back, on September 19th and 20th. Commissioner Smiley so moved. Commissioner McDaniel seconded the motion and it passed 5-0.

JOINT COUNTY AND CITY OF PORT ST. JOE MEETING

Chief Administrator Butler stated the City of Port St. Joe have agreed to a joint meeting on October 1, 2012 at 10:00 a.m., E.T. in the E.O.C. Building.

RESTORE ACT COMMITTEE

Chief Administrator Butler discussed requests received to serve on the RESTORE Act Committee. He noted Okaloosa County has twenty-one (21) people serving on theirs; stating that is too many. Chairman Williams stated that will not work, recommending

setting a limit on committee members. Commissioner Yeager stated this committee will have town hall meetings and are open to the public, so anyone can attend and be a part of these meetings, stating the numbers need to be controlled. Chairman Williams agreed with Chief Administrator Butler in capping committee members at twelve (12). Commissioner McDaniel moved to cap committee members at twelve (12). Commissioner Smiley seconded the motion and it passed 5-0.

WEWAHITCHKA COURTHOUSE/OLD WEWAHITCHKA HEALTH DEPARTMENT

Chief Administrator Butler reported they about have it narrowed down to the Extension Agent moving into one side (old or new) of the old Health Department building, but not the entire building. He noted there may be a time when others may need to move into that building. Mr. Butler stated that Deputy Administrator Lanier is working on getting the phone system with AT & T VOIP. He reported they are moving forward and as soon as they can they will move the Extension Agent over.

INDUSTRIAL PARK/ECONOMIC DEVELOPMENT ADMINISTRATION

Chief Administrator Butler advised the Board of a group interested in locating at the Industrial Park. He noted the County still has four (4) years remaining under their agreement with E.D.A. out of Atlanta; a grant with strings attached for twenty (20) years, stating the County is about sixteen (16) years into the agreement. Mr. Butler stated you must have E.D.A.'s approval before allowing anyone to move into it. As this group comes together, providing the number of employees and rate they are willing to pay per month, Mr. Butler requested permission to go ahead and send it to Atlanta for pre-approval, then bringing it back before the Board for approval at some point. He stated he made contact yesterday and they have to have another market analysis for a rate per square foot for that building. Commissioner Yeager so moved to give Administration that authority. Commissioner McLemore seconded the motion. Upon inquiry by Commissioner McDaniel on who was interested in using the building, County Administrator stated that he has been talking to Tony Muina. Commissioner McLemore stated these people are ready move on this, noting they already have about twenty (20) employees but are looking to expand. Commissioner McLemore also stated he feels the Board will be surprised at their proposal. The motion then passed 5-0.

ABANDONED PROPERTY/331 EAST CHURCH STREET, WEWAHITCHKA

Chief Administrator Butler presented pictures of property at 331 East Church Street, Wewahitchka. He stated this is a health and safety issue, and presented for the Board's consideration, the removal of the structure, noting it is abandoned and causing problems. Commissioner McLemore noted this to be the old Daniels home and stated the Sheriff's Department recently made an arrest due to a methamphetamine lab on the premises. Chairman Williams expressed a concern due to the chemicals involved with a methamphetamine lab and asked Sheriff Nugent if it was clear if the county wanted do any kind of demolition work. Sheriff Nugent's response was inaudible. Commissioner Smiley stated he takes these jobs very serious and feels the County should address this and take care of it. Commissioner Yeager brought up prior discussion of placing liens on the property when the County spends public funds to take down. County Attorney Novak informed the Board of a policy adopted last year regarding this; stating Code

Enforcement Officer Aiken needs to be involved to make sure they follow the proper path and stay in compliance with the ordinance. Chairman Williams agreed with Commissioner Yeager, stating the lien is an important part of the process. Commissioner McDaniel noted the property is in the Wewahitchka City limits and asked where they stood on it and whether the County would get them involved. Commissioner McLemore said he felt the County should get the City of Wewahitchka involved with it, noting they are probably already aware of it because a City employee owns the property. Commissioner McLemore motioned to move forward. Commissioner Smiley seconded the motion and it passed 5-0.

MEDICAL EXAMINER AGREEMENT

Chief Administrator Butler discussed the Medical Examiner Agreement and how it has increased over the last twenty (20) years, having increased from \$23,000.00 up to \$42,000.00 during that time. Commissioner Yeager noted they used to meet with all the Counties prior to the budget. Mr. Butler stated they have not met in the last three (3) to four (4) years, but in his conversation recently with Bay County they agreed before the next budget cycle, possibly in January, to get together and have conversations.

HUMMINGBIRD AVENUE

Millie Scofield of 231 Sparrow Street, Overstreet appeared before the Board to discuss and again ask for help on Hummingbird Avenue. She stated since her last appearance before the Board, there has been quite a bit of rain; noting the County had put in two (2) culverts but have not been back. She stated the road has not been graded. Ms. Schofield reported that she has placed calls to Chairman Williams, Commissioner McDaniel, and the County Commissioner's public phone and no one called her back. She noted she did call back and talked to Mr. Butler but felt he tried to appease her with telling her what problems the Road Department had getting other areas graded, feeling he was not listening to what she was saying. Ms. Schofield stated that Hummingbird Avenue is in very bad shape; noting the school bus may not be able to continue to get down that road if something isn't done soon, it is tearing up their cars, and they need help. She reported that the dirt the county brought in is washing off into the ditches and gullies that were dug to drain the water off of St. Joe's property; noting the ditches are three-fourths ($\frac{3}{4}$) across the road and are over twenty-four (24) inches deep. Commissioner McDaniel motioned to continue (allowing Ms. Scofield additional time to speak). Commissioner Smiley seconded the motion and it passed 5-0. Chairman Williams inquired of Mr. Butler on the status of the run-off of the area that burned. Chief Administrator Butler said he talked with Assistant Public Works Director Jake Lewis who had conversation with the St. Joe Company and was allowed to go in and do some trenching on their side of the road. He reported when they released the water from St. Joe, the big vacant area that had been timbered, there was a lot of water that left that point and went across the road. He stated there had been progress in getting that part taken care of. Upon inquiry by Chairman Williams concerning any suggestions for follow-up, Mr. Butler stated the Road Department is doing all the Road Department can do; noting at the same time this is going on the County is having torrential rain. Mr. Butler gave examples of other problems areas in the County; noting the County only has one (1) road (motor) grader that makes a circle around the county and can only be

in one place at one time. Chairman Williams advised Ms. Schofield that she was not being ignored, the County is just overwhelmed; explaining that with having cut the budget 40% they do not have the resources and man power, so they are dealing with an issue of priority but, under direction of the Board, will continue to try to give her assistance with that road. Commissioner McDaniel apologized for not getting back with Ms. Schofield, stating she does need some help. He stated Assistant Public Works Director Lewis was in the area yesterday and will try to get a machine in there but noted you cannot grade water, but offering some relief as soon as they can. Ms. Schofield thanked the County, knowing they have a lot of problems, but felt like at least Hummingbird should be a little bit over Saul's Creek Road for the fishermen to get in with their boats. Commissioner McLemore stated that Saul's Creek Road has not been graded in months.

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

County Attorney Novak advised the Board that the P.D.R.B. met on September 17th and tabled all issues that were presented before them. He stated there are several policy, Comprehensive Plan and LDR (Land Development Regulations) revisions they are discussing. Mr. Novak stated they tabled all the issues, to pick back up next month in October, but there were no recommendations made from that meeting.

RESTORE ACT COMMITTEE TRAINING

County Attorney Novak stated, in accordance with the County's Sunshine Policy adopted last year, seven (7) of the RESTORE sub-committee members took the Sunshine training last week; noting the remainder will complete their training this afternoon or by the end of the week and will be submitted to the County for the record. Mr. Novak stated the majority of training last week was for the purpose of Sunshine and the rest was in regards to the criteria for sub-committee.

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

Upon inquiry by Chairman Williams, County Attorney Novak re-affirmed there was no action, no recommendation, and no call for public comment in regards to it today.

GRASS CUTTING/CAPE SAN BLAS

Commissioner Yeager discussed a call he received from Bill McGhee concerning grass cutting on Cape San Blas. He reported Deputy Administrator Lanier contacted Transfield Services and found there was an environmental group that met with the Florida Department of Transportation (FDOT) who are trying to shut down grass cutting in Gulf, Franklin, and Wakulla Counties because of butterfly habitat. Commissioner Yeager stated he called and expressed his concerns about safety with District Secretary Tommy Barfield, noting Mr. Barfield understands and is working on it. He reported he also submitted a letter to FDOT District Secretary Barfield yesterday, as well as discussed the matter with Representative Jimmy Patronis.

CAPE SAN BLAS LIGHTHOUSE AND KEEPER'S QUARTERS

Commissioner Yeager referenced pages 22-26 of the Information packet, a Notice on the Lighthouse Keeper's Quarters. Commissioner Yeager motioned to proceed with

sending a letter of intent to receive those buildings, just to make sure someone within the County has done that; requesting the County Attorney send that letter. Commissioner McLemore seconded for discussion. Commissioner McLemore asked whether Commissioner Yeager has approached the idea of moving the structures to a different location, rather than bringing it all the way into town. Commissioner Yeager confirmed he had discussions with the Major (Mel Magidson) and the Historical Society; noting this is an ongoing process. Commissioner Yeager discussed an email from Eglin regarding a temporary move. He stated the committee needs to look at all the options on how to best preserve and protect them. The motion then passed 5-0.

F.E.M.A.

Commissioner Yeager discussed his meeting with Congressman Steve Southerland and his staff, and F.E.M.A. staff. He stated basically what we've done and what they have asked us if we wanted to do is to take U. S. Fish and Wildlife out of it. Commissioner Yeager explained that the statute and COBR law allows F.E.M.A. to make this determination, that the Beach Re-nourishment is an exception to the COBR and so we said yes. He reported that he trusts them; noting they have sent countless documents to them, documenting that this is an exception, and documenting that it is good to the habitat. Commissioner Yeager stated he believes U. S. Fish and Wildlife cannot make that call based on the facts, but F.E.M.A. can and that is what we've asked them to do. Chief Administrator Butler stated they are aware our permit expires on December 3, 2012 so they know it would nice to get an answer before then. Commissioner McDaniel commented that F.E.M.A. is on board with this, with U. S. Fish and Wildlife being the hold-up, stating hopefully they (F.E.M.A.) can override U. S. Fish and Wildlife.

COUNTY ROAD 386

Commissioner McDaniel stated the County has to address CR 386 and get moving on it. Commissioner McLemore asked about the progress on getting the reflectors. Chairman Williams reported a letter had been sent requesting the reflectors. Chief Administrator Butler said the request was made the next day to FDOT. It was noted the reflectors are free.

BAY COUNTY AMBULANCE SERVICE (MEXICO BEACH)

Commissioner McDaniel asked E.M.S. Director Whitfield to approach the podium. Commissioner McDaniel reported that he and Mr. Whitfield went over to Bay County a couple of months ago and negotiated for money to come out of Bay County for us to protect. According to the News, it appears the Bay County Commission will take over the ambulance service, Commissioner McDaniel stated. Commissioner McDaniel requested E.M.S. Director Whitfield to check to see if our agreement (with Bay Medical Center for \$36,000.00) will be grandfathered in. Mr. Whitfield stated he will meet with County Attorney Novak this afternoon to finalize it for Board approval, and then submit to them to see if they will adopt the same agreement.

GULF COUNTY E.M.S. BUILDING/FINANCIAL REPORT

Commissioner McDaniel stated he inspected the sheds for housing the ambulances, noting it looks nice and will help the vehicles and personnel. Commissioner McDaniel noted the ambulance service was in the red approximately \$800,000.00 several years ago and asked about its current status. E.M.S. Director Whitfield stated it will be around November before he can report on that, but estimated it to be around \$200,000.00. Upon inquiry, Clerk Finance Director Hand stated she did not feel it would be less.

INTERLOCAL AGREEMENT-CONSORTIUM/B.P. OIL SPILL

Chairman Williams discussed his recent meeting in St. Petersburg Beach with all twenty-three (23) Counties. He noted Federal Law requires each affected County have a representative on the Consortium, but how the Consortium is constructed is not very clear. He stated there are two (2) issues; (1) the Consortium working together as a whole and, (2) the funding formula differential they are trying to massage through. Chairman Williams expressed a need to have a spirit of unity, particularly with the eight (8) County Consortium, and hopefully with the other fifteen (15); suggesting the Board review the interlocal agreement, and talk to constituents; particularly the fishing industry. Chairman Williams addressed the need to know these numbers and their impacts; suggesting the Board table any decision on the interlocal agreement until its review. Mr. Williams stated it will have to be dealt with within thirty (30) days, by October 19, 2012, with the State plan to be completed within six (6) months.

FEE WAIVER-SMALL SCALE MAP AMENDMENT/CHRIS MCLEMORE

Commissioner McLemore stated for the record that he cannot comment on pages 153-156 that were pulled from the Consent Agenda but would like it to be put back on the table. Commissioner McDaniel asked for clarification from Planner David Richardson and Building Official Lee Collinsworth. Based on Commissioner McDaniel's request for clarification, County Attorney Novak stated that Mr. McLemore is abstaining and offering no comment due to a direct relative in regards to those pages, subject to FORM 8B and Florida Statute 112. Commissioner McDaniel stated there had been some misconception in regards to this matter and asked Planner Richardson for clarification. Planner Richardson stated they received a complaint in July 2012 regarding construction on the Chipola River without a permit and the Building Department put a Stop Work Order on it. Planner Richardson reported the properties where the complaint was filed are listed in Conservation Land Use; noting the Comprehensive Plan and LDR's in conservation will not support structures. Planner Richardson gave an overview of how the properties possibly got placed in Conservation Land Use many years ago. Planner Richardson explained the structure was built without a permit, it is in conservation land and for any further progress on this structure to continue, the property will have to be brought into the proper Land Use; they will have to face the building permits issue, environmental issues, and anything else that may surface before they can begin to finish the structure, if at all. Mr. Richardson stated their goal is to protect this county, this Board and the property rights of the owners. Commissioner McDaniel interjected and stated the matter before the Board today is strictly a request to waive the fee. Commissioner McDaniel noted that 99.9% is State land which is conservation, the rest just got caught up in that and now they are requesting to get out;

stating they should not be penalized for getting put into that unknowingly. Planner Richardson confirmed the application in the consent agenda was strictly to open the door for advertisement to start the process, not for approval; noting either the fee is waived or is paid before it can go before the P.D.R.B. Commissioner McDaniel stated the Board previously waived the fee for someone in the same circumstance. Commissioner Yeager stated in his review, there will be quite a few properties in that conservation area and asked whether it will take a large scale map amendment to correct the error. County Attorney Novak responded that going back a month or two to the P.D.R.B. hearings, there was consideration of various options, ultimately the P.D.R.B. made a recommendation to this Commission in August to go through the small scale map amendment process which would allow the county by statute to do up to one hundred and twenty (120) acres a year for amendment process. He stated over eight-five (85) were identified, but could be as much as ninety-five (95) or more properties affected in Gulf County by this process; noting there was consideration by the P.D.R.B. before they made the recommendation to the Board to follow the small scale map amendment process, which is permitted by statute. County Attorney Novak went on to say, going back eight (8) months to January the Commission as a whole identified the hardship as they identified it for that small number in comparison to the majority of the State property and approved the waiver of the fee, not the application; noting the application must still come in but the fee was waived due to that small percentage of Gulf County affected by it. Building Official Collinsworth reminded the Board that this started way before, stating when this previous one was brought out there were multiple parcels that had a structure on them previously. He stated one of the reasons they didn't do this as a blanket is that some owners may not want theirs out of conservation so there is no reason to penalize them by doing it all at one time; as they wish to be brought out then they can come before and be brought out as individual parcels. Mr. Collinsworth state they were put in there (conservation) when they should not have been and to allow them to get out they still have to go through the process of getting it pulled out. Mr. Collinsworth stated if they want to put a structure on it they still have to go through the Health Department, maybe D.E.P., Fish and Wildlife, Corps of Engineers, who knows, that process still stands but this is the very first step.; noting they cannot go any further until this step is resolved. Chairman Williams stated he agreed. Mr. Tom Semmes of Wewahitchka appeared before the Board and stated that the letter Planner Richardson wrote is incorrect; noting it states it is in conservation, but the Property Appraiser shows those fifteen (15) properties listed in that section not in conservation. The property in question, he stated, is listed as single-family. Mr. Semmes stated originally a permit was pulled for a shed to put hog food in; then a house was built and is valued at \$41,061.00. Mr. Semmes stated the application for the comprehensive change shows a recreation outdoor fish camp and noted the address is wrong. He reported the Land Use says conservation, but the Property Appraiser says it is not in conservation; any of that property. Mr. Semmes went on to say that the applicant says the existing property is vacant, it is not, and there is a house on it. Mr. Semmes requested the Board to refuse this application because the information is wrong. Mr. Semmes noted that the Property Appraiser has thirteen (13) of the fifteen (15) properties in that area listed as vacant and the Land Use is not conservation. Chief Administrator Butler stated the Land Use map the Property Appraiser uses is a different

Land Use map than what the County Comprehensive Plan has; it is two (2) different maps. He stated the Property Appraiser does not recognize the County Comprehensive Plan map and the County Comprehensive Plan does not recognize the Property Appraiser map. County Attorney Novak stated in regards to the actual application; the memorandum from Planner Richardson is with regard to the waiver of the fee, not the application or review of itself. The last is the Small Scale Land Use amendment process, Attorney Novak stated, part of which is vetting out the application and going through this process for it; noting if there are inaccuracies, or errors, they will be vetted out through the process. County Attorney Novak state Planner Richardson's memo is specific in regards the waiver of the fee. Chairman Williams stated this is not about Commissioner McLemore; this is about a process that has clearly been identified that there are errors in the process; noting the Board gave an exception before. Chairman Williams acknowledged this has to be vetted, but today is simply whether to waive the fee, or not. He stated all the things Mr. Semmes brought up is correct and need to be looked at but there is a process for that. Commissioner McDaniel motioned to approve. Commissioner Yeager seconded the motion and it passed 4-0, with Commissioner McLemore abstaining from the vote with regard to county permitting/application fees on a specific application of a relative (son) (FORM 8B on file in the Clerk's Office). County Planner Richardson explained the Property Appraiser land designation is strictly for taxation and Land Use is strictly for development governing purposes and that's the difference between the two (2) and many times they conflict.

COUNTY ROAD 386

Bill Williams (William C. Williams, II) of Overstreet appeared before the Board concerning the condition of CR386; stating it is bad. Mr. Williams asked the Board to continue sending letters to Tallahassee to get some help.

SOUTH CANAL STREET DITCH/MOSQUITO SPRAYING

Bill Williams (Williams C. Williams, II) discussed the ditch on South Canal Street in Overstreet, stating there is no place for the water to go. He stated they need to continue work on that ditch so they can get relief, asking someone to come out and connect the two ditches. Mr. Williams then commended the County for their mosquito spraying efforts.

COUNTY ROAD 386

Mr. Bill Williams discussed again the condition of CR386; stating it is spooky. Upon motion by Commissioner McDaniel, second by Commissioner Smiley and unanimous vote, the Board agreed to allow an additional three (3) minutes for Mr. Williams to speak. Commissioner McDaniel stated he would really like to give the road back to the State; it is an evacuation route, heavily traveled. Mr. Williams stated the grass is taking over the border lines and the center line is weak.

There being no further business and upon motion by Commissioner Yeager, the meeting did then adjourn at 10:17 a.m., E.T.

WILLIAM C. WILLIAMS, III
CHAIRMAN

ATTEST:
REBECCA L. NORRIS
CLERK OF COURT