

PORT ST. JOE, FLORIDA

MAY 10, 2011

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Warren J. Yeager, Jr., Vice Chairman Bill Williams, and Commissioners Carmen L. McLemore, Ward McDaniel, and Tan Smiley.

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Lynn Lanier, Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, Planner David Richardson, Public Works Director Joe Danford, Sheriff Joe Nugent, Sheriff's Office Major Bobby Plair, T.D.C. Director Tim Kerigan, and County Engineer/Preble-Rish, Inc. Clay Smallwood, III.

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

Assistant Administrator Hammond opened the meeting with prayer, and Chairman Yeager led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

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

1. Minutes – April 12, 2011 – Regular Meeting
2. Approval of Checks and warrants for April, 2011 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
3. Bid Award #1011-17 – Energy Audit (Southeastern Consulting Engineers, Inc. and Johnson Peaden Engineering, Inc. * \$24,500.00)
4. Grant Applications – (S.C.O.P. * S.C.R.A.P. * C.I.G.P.)
5. Inventory – Gulf County Health Department (Transfer * #130-132 * 1993 Ford Van #1FMEE11Y2PHA69801, Tag #70082 * #130-171 * 1995 Chevy S-10 Pickup #1GCCS1448S8218007, Tag #139962)
6. Invoices - Agency for Healthcare Administration - Medicaid (4th Quarter, 2010-11 * \$61,570.00 * to be paid from Account #51161-82000)

- Bank of New York Mellon – Gas Tax Improvement Revenue Bond
(Invoice #111-1475569 * \$1,075.00)
- County Attorney Jeremy Novak (Invoice April 18-30, 2011 * \$6,145.00
* to be paid from Account #21314-31100)
- FL Dept. of Environmental Protection – Salinas Park (OGC File
#10-1662-23-DF * \$5,750.00 * to be paid from Account
#57072-52000)
- GAC Contractors – Avenue “A” Sewer Project (Invoice #7591 *
\$56,607.78 * to be paid from 113535-34000 C.D.B.G.
D.R.I.)
- IC Contractors – Stumphole Revetment Project (Application
No. 2 * \$242,030.70 * to be paid from Account
#113538-34000 Stumphole D.R.I.)
- IC Contractors – Stumphole Revetment Project (Application
No. 3 * \$301,116.08 * to be paid from Account
#223525-34000 and \$100,372.03 * to be paid from
Account #40541-34000)
- Jordan & Associates – C.D.B.G. Grant Administration Services
(Invoice #11-K15-A07 * \$1,593.00 to be paid from
Account #113538-31000 * \$434.00 to be paid from
Account #113535-31000 * \$223.00 to be paid from
Account #113554-31000)
- Jordan & Associates – C.D.B.G. Grant Administration Services
(Invoice #10DB-K4-02-33-01-K15 * \$14,968.80 to be paid
from Account #113538 and \$2,628.17 to be paid from
Account #113535-31000)
- Ken Murphy – BOCC Recording (April, 2011 * \$1,350.00)
- Legal Services of North Florida (January 1-March 31, 2011 to be
paid from Account #71015-82000)
- Rumberger, Kirk & Caldwell – General Employment Matters
(Invoice #760491 * \$1,040.00 * to be paid from Account
#21111-31200)
- St. Joseph Bay Humane Society – Animal Control (April, 2011 *
\$2,695.00 * to be paid from Account #43262-82000)

7. Proposal – Emergency Management (Delta Development Group, Inc. *
\$7,000.00 * Total Visibility Special Needs Registry
Software)

(End)

NATURCHEM – ROAD SIDE WORK

John Ard of NaturChem appeared before the Board and discussed that NaturChem is a herbicide application company or vegetation management company, stating that they provide two services (1) roadside vegetation turf, and (2) roadside brush program. Chairman Yeager requested for Mr. Ard to meet with Public Works Director Danford concerning this service.

DEBRIS PICK-UP

Public Works Director Danford reported that the limb trucks are back on the roads working.

BOCC AUDIO/VIDEO EQUIPMENT

Planner Richardson reported that it is time to reorder tapes or change to CD for the recording of the Board meetings, and requested direction from the Board. Chairman Yeager requested for Planner Richardson to bring a recommendation back to the Board.

COMPREHENSIVE PLAN

Planner Richardson reported that there is going to be some major changes in growth management due to Legislative changes.

COMMUNITY DEVELOPMENT COUNCIL – S.H.I.P.

County Attorney Novak requested permission to send a letter to C.D.C. concerning the transition of the County taking over the S.H.I.P. Program. Commissioner McLemore motioned to approve this request. Commissioner Smiley seconded the motion, and it passed unanimously.

PORT AUTHORITY LOAN

County Attorney Novak reported that the Port Authority loan funds were issued, the mortgage has been recorded, and the original documents are with the Clerk.

RESOLUTION #2011-09 – DEEPWATER HORIZON OIL SPILL

Chief Administrator Butler discussed the proposed resolution presented at the last Board meeting, stating that the changes have been made, and recommended for the Board to adopt the resolution. Commissioner Williams motioned to adopt the proposed resolution. Commissioner McLemore seconded the motion, and it passed unanimously.

RESOLUTION NO. R2011-78 (Escambia County)
RESOLUTION NO. R2011- (Santa Rosa County)
RESOLUTION NO. R2011- (Okaloosa County)

RESOLUTION NO. R2011- (Walton County)
RESOLUTION NO. R2011- (Bay County)
RESOLUTION NO. R2011-09 (Gulf County)
RESOLUTION NO. R2011- (Franklin County)
RESOLUTION NO. R2011- (Wakulla County)

A JOINT RESOLUTION OF THE COASTAL COUNTIES OF THE NORTHWEST FLORIDA PANHANDLE REGION, RELATING TO THE DEEPWATER HORIZON OIL SPILL IN THE GULF OF MEXICO; REQUESTING SUPPORT FOR CERTAIN FEDERAL LEGISLATION; DIRECTING DISTRIBUTION OF THE RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 20, 2010, the Deepwater Horizon well off the coast of Louisiana exploded, rupturing the collection system on the Gulf floor which began spewing barrels of raw crude into the Gulf of Mexico; and

WHEREAS, federal, state and local governments banded together to control and contain this spill but were unable to do so until after the well was finally capped on July 15, 2010; and

WHEREAS, the uncontained well spewed approximate 4.9 million barrels (205.8 million gallons) of oil into the Gulf of Mexico which impacted the entire Gulf of Mexico and caused damages in all states bordering the Gulf, including Alabama, Florida, Mississippi, Louisiana and Texas; and

WHEREAS, this is the largest accidental marine oil spill in history; and

WHEREAS, the spill caused both environmental and economic damages; and

WHEREAS, individuals, businesses and governmental entities suffered effects from both the environmental and economic damage; and

WHEREAS, the Federal Government has a system to collect penalties from responsible parties through the Clean Water Act; and

WHEREAS, those monies can be reallocated by an Act of Congress to mitigate and assist with recovery from both the environmental and economic damages which were sustained by jurisdictions along the Gulf of Mexico; and

WHEREAS, the eight most impacted counties in the State of Florida came together in November, 2010, and have joined each other in solidarity to express the concerns for their impacted region and citizens; and

WHEREAS, THE Coalition of Counties in Northwest Florida has offered resolutions to both State and Federal governments to present a coordinated plan for this region and its citizens; and

WHEREAS, many pieces of Federal legislation have been put forward with many good ideas, but none effectively addressing the whole; and

WHEREAS, the plan put forward by the Coalition of Counties provides a holistic, unified approach to address the use of funds.

THEREFORE, the eight impacted counties in the State of Florida hereby offer this resolution to Legislation that they believe will be effective in recovery from the economic and environmental injuries sustained by the Deepwater Horizon spill. The individual counties hereby agree that Congress should look to support these points as legislation is crafted and past. The agreed upon principals of that legislation are as follows:

1. **RECITALS.** The recitals above are hereby incorporated in this resolution.
2. **ENDORSEMENTS.** The coalition of Florida counties hereby supports the following:
 - A. The Federal legislation should support the Mabus Report and allocate Eighty-Percent (80%) of all Clean Water Act fines related to the Deepwater Horizon spill to restoration of the Gulf of Mexico and the Gulf Coast.
 - B. That the Gulf Coast Restoration legislation clearly designate that funds are provided for projects that impact and improve economic diversification restoration, environmental restoration and human health as directed by the Mabus Report.
 - C. That Gulf Coast Restoration language legislation provide the money to the states and local jurisdictions with local jurisdictions defined as county/parish and municipal governments.
 - D. States will work with local governments to identify projects which will address economic, environmental and health projects for those specific local jurisdictions.
 - E. Collectively we endorse a policy which puts clear rules on the funding which says that it explicitly only be used for projects that improve economic, environmental or health concerns in the specific communities. No funds outside of the allowable administrative allowances can be spent on governmental operations. Additionally, the rules should limit administration expense only to the jurisdiction which performs the project, and the administrative costs should be capped in legislation.
 - F. That within each state jurisdiction up to 50-percent of the money can be spent on any of the three impacts addressed in the Mabus Report, economic, environmental and human health.

- G. We endorse a policy that equitably distributes monies to states, counties and municipalities for projects across the entire Gulf Coast. We believe in an apolitical formula for distribution would be based one-third (33.3%) on each jurisdiction that has Gulf-front exposure, one-third (33.3%) based on Gulf-front coastline for that jurisdiction, measured as the linear miles along the Gulf with inlets included in the linear distance, and one-third (33.3%) based on the population of that jurisdiction with Gulf-front exposure. This formula would ensure that everyone obtained some funding and those communities with the largest shoreline or the most individual citizens would also receive additional monies to take care of those responsibilities.
- H. We also believe that while the fund is for the entire Gulf Coast, it is intended that those with the most immediate needs for recovery that have received injury from the cause event should receive the majority of the funding. We advocate the position for those states whereby the entire coast was not impacted by the Deepwater Horizon spill that the split funding be 75% for those areas impacted and 25% for those areas that were not impacted by the Deepwater Horizon spill.
3. **RESOLVED.** The approved counties below that these points should be included in any legislation that addresses the Clean Water Act fine monies related to the Deepwater Horizon spill.
4. **EFFECTIVE DATE.** This Resolution shall be effective upon execution by the last enacting county. The last enacting county is responsible for distribution of an original copy of this resolution back to each enacting county. Additionally, the Clerk of the Court of the last enacting county is hereby directed to provide a certified copy of this resolution to:

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Senator Bill Nelson
U.S. Senate
716 Hart Senate Office Building
Washington, DC 20510

The Honorable Senator Marco Rubio
U.S. Senate
B40A Dirksen Senate Office Building
Washington, DC 20510

The Honorable Congressman Jeff Miller
U.S. House of Representatives
2416 Rayburn House Office Building
Washington, DC 20515

The Honorable Congressman Steve Southerland
U.S. House of Representatives
1229 Longworth House Office Building
Washington, DC 20515

The Honorable Rick Scott
Governor, State of Florida
Plaza Level 05, The Capitol
400 South Monroe Street
Tallahassee, FL 32399-0001

The Honorable Lisa Perez-Jackson
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, AS FOLLOWS:

ADOPTED this 10th day of May, 2011.

(End)

SURPLUS CAR

Sheriff Nugent stated that they have a used Jaguar located in the parking lot for sale, and they are taking bids to get rid of it.

DITCH LANDING ROAD

Upon inquiry by Commissioner McLemore, County Attorney Novak stated that he received a written response from the manager of the property, Mr. Newsome, stating that he (Mr. Newsome) will have a reply to the County by May 16, 2011.

ODENA LANDING

Upon inquiry by Chairman Yeager, County Attorney Novak reported that the County provided St. Joe Company the six items the County need modified, stating that all but one came back which was the insurance premium coverage need on the lease, and he has requested an update four times with no response.

GRANT WRITER

Chairman Yeager requested permission for the Grant Writer to apply for 30B for the T.R.I.P. Grant. Commissioner McDaniel motioned to approve this request. Commissioner Smiley seconded the motion, and it passed unanimously.

DEAD LAKES PARK

Diane Cummings Nevell appeared before the Board and presented a flyer she has distributed locally, and that she has a flyer to be approved for Memorial Day. Ms. Nevell requested permission to change the sign located in front of the park to include R.V.'s welcome and the international camping symbols. Commissioner McLemore motioned for Commissioner McDaniel and Chief Administrator Butler to handle the approvals for Dead Lakes Park. Commissioner Williams seconded the motion, and it passed unanimously.

CONDOLENCE – ALLEN & DAVIS FAMILIES

Commissioner Williams stated that he and Commissioner Smiley both lost a class mate today due to cancer. Commissioner McDaniel stated that Otis Davis, Jr., a prior Commissioner also passed away.

There being no further business, and upon motion by Commissioner McLemore, the meeting did then adjourn at 6:23 p.m., E.T.

**WARREN J. YEAGER, JR.
CHAIRMAN**

**ATTEST:
REBECCA L. NORRIS
CLERK**