

## PORT ST. JOE, FLORIDA

MARCH 24, 2009

### REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Nathan Peters, Jr. Vice Chairman Carmen L. McLemore, and Commissioners Billy E. Traylor, Bill Williams, and Warren Yeager.

Others present were: County Attorney Timothy McFarland, Clerk Rebecca L. Norris, Deputy Clerk Leanna Roberts, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, Emergency Management Director Marshall Nelson, Grant Writer Towan Kopinsky, Human Resource Director Denise Manuel, Maintenance Superintendent Steve Mork, Planner David Richardson, Public Works Director Gerald Shearer, Assistant Road Department Superintendent Chris Wood, Veterans' Service Officer James Kennedy, and Sheriff Joe Nugent.

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

Planner Richardson opened the meeting with prayer, and Commissioner Traylor led the Pledge of Allegiance to the Flag.

#### **CONSENT AGENDA**

Upon motion by Commissioner Yeager, second by Commissioner McLemore, and unanimous vote, the Board approved the Consent Agenda, after removal of Item #2 (pages 23-24), Page 32 (located under Item #5), and Page 34 (locate under Item #6), as follows:

1. Minutes - February 24, 2009 Regular Meeting
  - February 27, 2009 Special Meeting
  - February 27, 2009 Special Meeting
  - March 4, 2009 Special Meeting
  - March 5, 2009 Special MeetingMinutes Correction September 23, 2008 - Regular Meeting  
(Resolution No. 2008-50)
- \*\*DELETED\*\*** 2. Award Bid - #0809-11 \* Barber Surf Rake (Pensacola Tractor \* \$47,200.00 \* to be paid from Account #57072-64001)
3. Agreement - Consulting Agreement (Governance Services, LLC \* Governmental Affairs Consultant for State and Federal)
4. Amendments - Budget Amendment #1 (Amend the FY 2008-09 Budget for previously approved adjustments by the BOCC), as follows:

## Budget Amendment #1 General Fund

	Original Budget	Increase	Decrease	Amended Budget
<b>Park &amp; Recreation Facilities:</b>				
57072-46200 R&M Equipment	\$ 0.00	\$ 7,626.00	\$ 0.00	\$ 7,626.00
57072-63000 Impr Other than Bldg	\$ 60,000.00	\$ 0.00	\$ 4,994.00	\$ 55,006.00
57072-64001 Equipment>\$5,000	\$ 60,000.00	\$ 0.00	\$ 7,626.00	\$ 52,374.00
57072-81004 Aid to OGA	\$ 0.00	\$ 2,000.00	\$ 0.00	\$ 2,000.00
<b>Howard Creek VFD:</b>				
H2722-52000 Operating Supplies	\$ 0.00	\$ 2,994.00	\$ 0.00	\$ 2,994.00
<b>BOCC</b>				
21111-49000 Other Current Chgs	\$ 2,000.00	\$ 10,000.00	\$ 0.00	\$ 12,000.00
21111-83000 Other Grants/Aids	\$ 10,000.00	\$ 0.00	\$ 10,000.00	\$ 0.00
<b>Clerk to Board</b>				
21212-91000 Budget Transfer	\$ 394,405.00	\$ 2,400.00	\$ 0.00	\$ 396,805.00
21212-23000 Life, Health, Dental	\$ 115,842.00	\$ 0.00	\$ 2,400.00	\$ 113,442.00
<b>Tax Collector</b>				
22213-91000 Budget Transfer	\$ 403,429.00	\$ 4,800.00	\$ 0.00	\$ 408,229.00
22213-23000 Life, Health, Dental	\$ 52,202.00	\$ 0.00	\$ 4,800.00	\$ 47,402.00
<b>Fine &amp; Forfeiture Fund</b>				
<b>Sheriff's Law Enforcement</b>				
F3121-91000 Budget Transfer	\$ 2,176,287.00	\$ 22,600.00	\$ 0.00	\$ 2,198,887.00
F3121-23000 Life, Health, Dental	\$ 302,268.00	\$ 0.00	\$ 22,600.00	\$ 279,668.00
<b>Emergency 911 Fund</b>				
<b>E911</b>				
24352-40000 Travel	\$ 5,550.00	\$ 9,000.00	\$ 0.00	\$ 14,550.00
24352-54100 Education	\$ 3,500.00	\$ 3,000.00	\$ 0.00	\$ 6,500.00
24352-64001 Equip>\$5,000	\$ 82,926.00	\$ 0.00	\$ 12,000.00	\$ 70,926.00

(End)

- FL Dept. of Transportation (Amendment #2 for Transportation Regional Incentive Program JPA \* Stumphole Revetment Project)

5. Fees - Culture & Recreation Impact Fee (Honeyville Parking, Phase II, in the amount of \$10,000.00)

**\*\*DELETED\*\*** - Tipping Fees (Youth Activities & Outdoor Recreation, in the amount of \$15,000.00)

6. Invoices - The Arbitrage Group, Inc. Professional Services 2006 Ad Valorem Tax Bonds (Invoice #95113 \* \$1,750.00 \* to be paid from Account #28037-73000)

**\*\*DELETED\*\*** - Carr, Riggs & Ingram, LLC 2007-08 Audit Services (Invoice #20090968 \* \$65,320.00 \* to be paid from Account #21111-3200)

- County Attorney Timothy J. McFarland (February, 2009 \* \$9,909.55 \* to be paid from Account #21314-31100)

- MRD Associates, Inc. St. Joseph Peninsula Construction Services (Invoice #1238 \* \$24,724.84 \* to be paid from Account #43137-34000)

- Manson Construction Company St. Joseph Peninsula Erosion Control Project Bid # 0607-34 (Pay Request #11 \* \$2,232,189.56 \* to be paid from Account #43137-31000)
- St. Joseph Bay Humane Society Animal Control Services (February, 2009 \* \$2,879.00 \* to be paid from Account #43262-82000)
- Rumberger, Kirk, & Caldwell - General Employment Matters (File #G214-107990 \* Invoice #734238 \* in the amount of \$720.00 \* to be paid from Account #21111-31200)

7. Resolutions - Budget Amendment (Unanticipated Revenue in the Howard Creek Fire Control District Fund for FY 2008-09), as follows:

**RESOLUTION 2009-08**

**WHEREAS**, the Gulf County Board of County Commissioners of Gulf County, Florida, has received unanticipated revenue in the Howard Creek Fire Control District Fund for fiscal year 2008-2009; and

**WHEREAS**, said revenue is needed to help pay certain expenditures incurred in fiscal year 2008-2009;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The 2008-2009 fiscal year budget is amended as follows:

**HOWARD CREEK FIRE CONTROL DISTRICT FUND**

<u>Original Budget</u>	<u>Increase</u>	<u>Amended Budget</u>
<b>REVENUES:</b>		
<b>Federal Grants:</b>		
20000 Public Safety - Forestry 5,215	\$ -0-	\$ 5,215
20001 Public Safety - Homeland Sec 199,500	\$ -0-	\$ 199,500
<b>Contributions and Donations:</b>		
00000 Misc Rev Donations 200	\$ -0-	\$ 200

**EXPENDITURES:**

**Howard Creek Fire Department:**

52000 Operating Supplies 12,086	\$ 6,671	\$ 5,415	\$
64001 Equipment>\$5,000 210,000	\$ 10,500	\$ 199,500	\$

**THIS RESOLUTION ADOPTED** by the Gulf County Board of County Commissioners, this 24th day of March, 2009.

(End)

- Budget Amendment (Unanticipated Revenue in the County Road & Bridge Fund for FY 2008-09), as follows:

**RESOLUTION 2009-09**

**WHEREAS**, the Gulf County Board of County Commissioners of Gulf County, Florida, has received unanticipated revenue in the County Road & Bridge Fund for fiscal year 2008-2009; and

**WHEREAS**, said revenue is needed to help pay certain expenditures incurred in fiscal year 2008-2009;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The 2008-2009 fiscal year budget is amended as follows:

**COUNTY ROAD & BRIDGE FUND**

**Original Budget      Increase      Amended Budget**  
**REVENUES:**

**DISPOSITION OF FIXED ASSETS:**

00000 Disposal of Fixed Assets 7,600	\$ -0-	\$ 7,600	\$
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**EXPENDITURES:**

**County Road & Bridge:**

64001 Equipment>\$5,000 27,600	\$ 20,000	\$ 7,600	\$
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**THIS RESOLUTION ADOPTED** by the Gulf County Board of County Commissioners, this 24th day of March, 2009.

(End)

- Budget Amendment (Unanticipated Revenue in the W911 Fund for FY 2008-09), as follows:

**RESOLUTION 2009-10**

**WHEREAS**, the Gulf County Board of County Commissioners of Gulf County, Florida, has received unanticipated revenue in the W911 Fund for fiscal year 2008-2009; and

**WHEREAS**, said revenue is needed to help pay certain expenditures incurred in fiscal year 2008-2009;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The 2008-2009 fiscal year budget is amended as follows:

**W911 FUND**

<u>Original Budget</u>	<u>Increase</u>	<u>Amended Budget</u>	
<b>REVENUES:</b>			
<b>STATE GRANT:</b>			
24000 State Grant W911 21,930	\$ -0-	\$ 21,930	\$
<b>EXPENDITURES:</b>			
<b>Wireless 911:</b>			
64001 Equipment>\$5,000 21,930	\$ -0-	\$ 21,930	\$

**THIS RESOLUTION ADOPTED** by the Gulf County Board of County Commissioners, this 24th day of March, 2009.

(End)

8. Road Closure (Temporary) - U.S. Highway 98 in the vicinity of Veterans' Memorial Park for the Beach Blast Triathlon and Duathlon (April 25, 2009)

9. S.H.I.P. Purchase Assistance (Carl Book - \$17,500.00)
10. Travel Request NACo Conference (July 24-28, 2009)

(End of Consent Agenda)

**PUBLIC HEARING / COMPREHENSIVE PLAN WATER SUPPLY PLANNING ORDINANCE**

Pursuant to advertisement to hold a public hearing to consider adoption of a proposed Water Supply Planning Ordinance amending the Gulf County Comprehensive Plan, County Attorney McFarland read the proposed ordinance by title and called for public comment. There being no public comment, Commissioner Traylor motioned to adopt the following titled ordinance. Commissioner Williams seconded the motion, and it passed unanimously.

**ORDINANCE NO. 2009-02**

**AN ORDINANCE ADOPTING WATER SUPPLY PLANNING INTO THE GULF COUNTY COMPREHENSIVE PLAN BY AMENDING THE COMPREHENSIVE PLAN LAND USE ELEMENT; SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER AND NATURAL GROUNDWATER AQIFER RECHARGE ELEMENTS; CONSERVATION ELEMENT; CAPITAL IMPROVEMENTS ELEMENT; INTERGOVERNMENTAL COORDINATION ELEMENT; AND THE COMPREHENSIVE PLAN MAP SERIES.**

\* Complete Ordinance on file with Clerk \*

**PUBLIC HEARING / SMALL-SCALE MAP AMENDMENT ORDINANCE**

Pursuant to advertisement to hold a public hearing to consider adoption of a proposed Small-Scale Map Amendment Ordinance, County Attorney McFarland read the proposed ordinance by title and called for public comment. There being no public comment, Commissioner McLemore motioned to adopt the following titled ordinance. Commissioner Yeager seconded the motion, and it passed unanimously.

**ORDINANCE NO. 2009-03**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF GULF COUNTY, FLORIDA BY AND THROUGH PROCEDURES REQUIRED FOR SMALL-SCALE MAP AMNENDMENTS PURSUANT TO AUTHORITY UNDER STATE STATUTES SECTION 163.3187, SPECIFICALLY CHANGING PARCEL ID #01359-255R, 4.62 ACRES OF**

**LAND LYING AND BEING PART OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 10 WEST, GULF COUNTY, FLORIDA FROM AGRICULTURAL TO RESIDENTIAL LOW DENSITY PROVIDING AN EFFECTIVE DATE.**

\* Complete Ordinance on file with Clerk \*

**PUBLIC HEARING / SETBACK VARIANCE GUROSKY**

Pursuant to advertisement to hold a public hearing to consider an encroachment variance for Jeff Gurosky (Parcel ID #03180-125R), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Traylor motioned to approve a 58" side setback variance. Commissioner Williams seconded the motion, and it passed unanimously.

**PUBLIC HEARING / SETBACK VARIANCE KITTS**

Pursuant to advertisement to hold a public hearing to consider a 15' setback variance for Thomas Kitts (Parcel ID #06276-011R), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner McLemore motioned to approve a 15' road setback variance located on Cape San Blas. Commissioner Yeager seconded the motion, and it passed unanimously.

**STATE ATTORNEY'S OFFICE**

State Attorney Glenn Hess appeared before the Board to discuss the State Attorney's Office, stating that the office serves all Counties within the 14<sup>th</sup> Judicial Circuit. He also stated that his office is committed to Gulf County. Chairman Peters thanked State Attorney Hess for his support in Gulf County. State Attorney Hess discussed the possibility of having an office in the Wewahitchka area. Commissioner Traylor thanked State Attorney Hess for his years of service. Upon inquiry by Commissioner Williams, State Attorney Hess discussed the Pre-Trail Release Program that is being implemented in Bay County, and stated that he would review this program to be used in Gulf County.

**RESOLUTION / DR. DAVID B. LANGSTON**

Chairman Peters requested that Eric Langston, son of Dr. David B. Langston, appear before the Board. Chairman Peters discussed Dr. David B. Langston's accomplishments and directed County Attorney McFarland to read a proposed resolution. County Attorney McFarland then read the proposed resolution. Commissioner Yeager motioned to adopt the following resolution honoring the life of Dr. David B. Langston. Commissioner McLemore seconded the motion, and after discussion, it passed unanimously.

**RESOLUTION NO. 2009-11**

**WHEREAS**, the Gulf County Board of County Commissioners would like to honor the accomplishments of Dr. David Bruce Langston; and

**WHEREAS**, Dr. David B. Langston was born on March 29, 1951 and departed this life on March 9, 2009 leaving behind many loved ones to cherish his memory; and

**WHEREAS**, during his life, Dr. Langston was a dedicated community activist who gave wholeheartedly to his family and the youth of Gulf County; and

**WHEREAS**, he was a giving, strong, and influential person who loved life and, as the founder and CEO of the Norris D. Langston Foundation, assisted many young people in achieving goals they never would have thought possible; and

**WHEREAS**, through his hard work and dedication to all of Gulf County, Dr. Langston became an associate and friend to all members of the Gulf County Board of County Commissioners;

**NOW, THEREFORE, BE IT RESOLVED** that the Gulf County Board of County Commissioners joins in the celebration of the life of Dr. David Bruce Langston.

**ADOPTED** this 24<sup>th</sup> day of March, 2009.

(End)

**RESOLUTION / SAUL'S CREEK BOAT RAMP**

Upon discussion by Grant Writer Kopinsky, Commissioner Williams motioned to adopt the following resolution to apply for a Boating Improvement Grant to repair the Saul's Creek Boat Ramp. Commissioner Traylor seconded the motion, and after discussion, it passed unanimously.

**RESOLUTION NO. 2009-12**

**AUTHORIZING THE FILING OF AN APPLICATION WITH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR A FLORIDA BOATING IMPROVEMENT GRANT TO REPAIR THE SAUL'S CREEK BOAT RAMP.**

**WHEREAS**, the Gulf County Board of County Commissioners desires to increase and enhance access for boaters in Gulf County; and

**WHEREAS**, the Gulf County Board of County Commissioners has agreed to pursue the grant process to enhance boating facilities;

**NOW, THEREFORE, BE IT RESOLVED** by the Gulf County Board of County Commissioners that the County Grant Writer hereby be authorized to execute and file an application on behalf of the County of Gulf with the Florida Fish and Wildlife Conservation Commission for a grant to renovate the Saul's Creek Boat Ramp to increase mooring capacity and access for

boaters.

**ADOPTED** this 24<sup>th</sup> day of March, 2009.

(End)

**ADVERTISE / TOWN HALL MEETINGS**

Upon discussion by Deputy Administrator Lanier, Commissioner Williams motioned to approve to advertise the Town Hall Meetings for District III in the local paper and to utilize the D.O.T. signs to notify the public of these meetings. Commissioner McLemore seconded the motion, and it passed unanimously.

**ENERGY SAVINGS / PROGRESS ENERGY**

Deputy Administrator Lanier reported that she is working with Progress Energy regarding the Street Light Study (for the South end of the County), stating that their Audit Report will not be available until April. She also reported that Progress Energy will be assisting the County in alternatives to conserve energy.

**LIGHTING / GASKIN PARK**

Deputy Administrator Lanier reported that the City of Wewahitchka Employee's Club requested that the Board leave the lights on at Gaskin Park and allow the Wewahitchka Employee's Club to pay the light bill from present day until October, 2009. Upon discussion by County Attorney and members of the Board, Commissioner McLemore motioned to approve this request, contingent upon the County Attorney's review. Commissioner Traylor seconded the motion, and it passed unanimously.

**INVOICE / GULF COUNTY ECONOMIC DEVELOPMENT COUNCIL**

Upon discussion by Deputy Administrator Lanier and members of the Board, Commissioner McLemore motioned to pay Invoice #2 from Gulf County Economic Development Council, in the amount of \$18,375.00, for the Apalachicola River Sand Project (to be paid from Conservation & Resource Management Grants, Account #33537-3400). Commissioner Williams seconded the motion, and it passed unanimously.

**INVOICE / CARR, RIGGS, & INGRAM, LLC**

Deputy Administrator Lanier discussed an invoice received from Carr, Riggs, & Ingram, LLC, in the amount of \$21,739.00, and requested approval for payment. Upon inquiry by Commissioner Williams, Deputy Administrator Lanier reported that the invoice that was pulled from the Consent Agenda (page 34) is to be paid with this year's budget. Commissioner Traylor motioned to pay Invoice #20090968, in the amount of \$65,320.00, (pulled from the Consent on page 34) and Invoice #20091459, in the amount of \$21,739.00, to Carr, Riggs & Ingram, LLC for Audit Services (to be paid from Board of County Commissioners' Professional Services Audit). Commissioner McLemore seconded the motion, and it passed unanimously.

**HEALTH FAIR / SPRING 2009**

Human Resource Director Manuel reported to the Board that the Annual Employee's Spring Health Fair will be held on Thursday, March 26, 2009 from 10:00 a.m. to 2:00 p.m.,

E.T., and encouraged the Board to attend.

### **EMPLOYEE HEALTH / GYM MEMBERSHIP**

Human Resource Director Manuel reported to the Board that many of the County employees are taking advantage of the gym membership at Coastal Fitness and Wellness Center. Commissioner Williams stated that the facility has a Certified Nutritionist and a Certified Personal Trainer on site.

### **WORKER'S COMP RATES / GULF COUNTY EMPLOYEES**

Human Resource Director Manuel reported to the Board that the State and County Worker's Comp rates are going up, but stated that Gulf County's rates will remain the same (will not increase this year). She recommended that the Board schedule a workshop to discuss the proposed Insurance Policies.

### **PRESCRIPTION DRUG PLAN / GULF COUNTY EMPLOYEES**

Upon inquiry by Chairman Peters, Human Resource Director Manuel stated that the County has a Prescription Drug Plan with NACO, and also stated that employees may pick up a prescription card in various places, including her office.

### **GRANT APPLICATION / SHERIFF'S OFFICE**

Upon recommendation by Sheriff Nugent, Commissioner Williams motioned to apply for a Department of Justice COPS Hiring Recovery Program (C.H.R.P.) for the Gulf County Sheriff's Office. Commissioner Traylor seconded the motion, and it passed unanimously.

### **GULF COUNTY JAIL**

Sheriff Nugent reported that his office is working with the State Attorney's Office to speed up the Probation Hearings, insuring that prisoners are not detained in the County Jail for a longer amount of time. Upon inquiry Commissioner Williams, Sheriff Nugent reported that approximately 10% to 15% of the prisoner population would benefit from the Pre-Trial Release Program that is currently implemented in Bay County. Upon inquiry by Commissioner Yeager, Sheriff Nugent stated that the committee has discussed this issue with the State Attorney's Office. Chief Administrator Butler also discussed meetings that were held by the Public Safety Council regarding this issue.

### **TABLE BID #0809-13 / SOLID WASTE SERVICES**

Upon discussion by Chief Administrator Butler and members of the Board, the Board agreed to table Bid #0809-13 for Solid Waste Services for further review.

### **BUDGET COMMITTEE / RECOMMENDATIONS**

Chief Administrator Butler reported to the Board that the Budget Committee recommends that each department turn in their 2009-10 Budget Requests by May 1, 2009 for review.

Upon discussion by Chief Administrator Butler and recommendation by the Budget Committee, Commissioner McLemore motioned to submit a letter to the City of Port St. Joe requesting that the City abate the levy on the D.R.A. for a period of two years. Commissioner Traylor seconded the motion for discussion, after discussion, the motion

passed unanimously.

Chief Administrator Butler discussed holding a meeting with the Budget Committee to discuss their recommendations regarding the 2009-10 Budget. After discussion by members of the Board, Chairman Peters stated that he will schedule a workshop to discuss this issue.

### **INVOICES / BAY MEDICAL CENTER**

County Attorney McFarland discussed a mandate from Bay Medical Center regarding three separate invoices that have not been paid. He reported that after meeting with Bay Medical Center, they have agreed to reduce two of the invoices by half, and stated that Bay Medical Center is asking \$150,000.00 (reduced from \$250,000.00) for the third invoice. After further discussion by County Attorney McFarland, he requested direction from the Board regarding this matter. Upon discussion and recommendation by County Attorney McFarland, Commissioner Traylor motioned to pay the two invoices, less than \$35,000.00, for prisoner healthcare to Bay Medical Center (to be paid from Jail Medical). Commissioner Yeager seconded the motion for discussion. After discussion, the motion then passed unanimously. The Board agreed to allow Commissioner Williams to contact Bay Medical Center regarding the third invoice.

### **FIRE / FRANKLIN COUNTY LINE**

Upon inquiry by Chairman Peters, Emergency Management Director Nelson reported that there was a fire, last Sunday, on the Westside of the Franklin County line, stating that some residents were asked to evacuate. He also reported that the ground is dry and encourage the public to be careful, and discussed his concerns regarding the wind having an impact on outside fires.

### **LOCAL MITIGATION STRATEGY TASK FORCE**

Emergency Management Director Nelson reported that the Local Mitigation Strategy Task Force met last week and they are working on the project list for the upcoming fiscal year. He stated that the Board will need to submit their request to him and they will be added to the project list.

### **INVOICE / FLOYD LOCAL MITIGATION STRATEGY CONSULTANT SERVICES**

Upon recommendation by Emergency Management Director Nelson, Commissioner Yeager motioned to pay Invoice #09-003, in the amount of \$1,250.00, to Chris Floyd for Local Mitigation Strategy Consultant Services (to be paid from account #39425-34000). Commissioner Traylor seconded the motion, and it passed unanimously.

### **WORKFORCE / DEBRIS REMOVAL**

Upon inquiry by Commissioner Traylor, Emergency Management Director Nelson reported that the County does not have a disaster relief workforce in place at the present time, and stated that the County has advertised to receive sealed bids (#0708-25) regarding a debris removal contract. Emergency Management Director Nelson stated that these bids are under review and a recommendation will be presented to the Board soon. Members of

the Board discussed their concerns regarding cost, budgeting, and reimbursement issues.

### **BOARD MEETINGS / COUNTY EMPLOYEES**

Chairman Peters stated that beginning with the next regular scheduled meeting, County Staff will not be required to attend all Board meetings (only be present if needed). He stated that each Departmental Supervisor will need to contact the Chief Administrator's Office to see if they need to attend.

### **TABLE BID #0809-11 / BEACH RAKE**

Upon discussion, Commissioner Williams motioned to table Bid #0809-11 for the purchase of a Beach Rake (pulled from Consent Agenda, page 23). Commissioner Yeager seconded the motion, and it passed unanimously.

### **ADVERTISE SEALED BIDS / OUT-SOURCE BEACH RAKE SERVICES**

Upon motion by Commissioner Williams, second by Commissioner Yeager, and unanimous vote, the Board agreed to advertise for sealed bids to out-source beach raking clean-up services.

### **TIPPING FEES / RECREATION NEEDS**

Upon inquiry by Commissioner Williams, Commissioner Traylor discussed using the tipping fees that was collected from Phoenix Construction (pulled from Consent Agenda, page 32), in the amount of \$15,000.00, for youth activates and outdoor recreation needs, stating that the County does not have a budget to meet these needs. After further discussion, Commissioner Williams motioned to approve this request, contingent upon the Board's approval for each individual request. Commissioner Traylor seconded the motion, and it passed unanimously.

### **HOMEOWNERS ASSOCIATION / ASSOCIATION FOR RETARDED CITIZENS**

Commissioner Williams discussed his concerns regarding a lien, in the amount of \$7,000.00, that the St. Joe Company is implementing on A.R.C. regarding property landscaping through a homeowners association, and requested that the Board assist in this matter. Commissioner Williams motioned to allow County Attorney McFarland to review this issue further. Commissioner Traylor seconded the motion, and it passed unanimously.

### **LIGHTING / HIGHLAND VIEW BOAT RAMP**

Commissioner Williams reported that Progress Energy is in the process of installing a street light at the Highland View Boat Ramp.

### **AFFORDABLE HOUSING / COMMUNITY DEVELOPMENT CORPORATION**

Commissioner Williams discussed his concerns regarding time restrains on property that the County purchased with S.H.I.P. Funds for affordable housing, and requested that the Board allow County Attorney McFarland to review this issue. The Board agreed to this request. County Attorney McFarland discussed the expenditure policy and the time line regarding using S.H.I.P. Funds to purchase property.

### **RESOLUTION / NET BAN**

Upon discussion by Commissioner McLemore, Commissioner Yeager motioned to adopt the following resolution opposing the Net Ban. Commissioner McLemore seconded the motion, and it passed unanimously.

### **RESOLUTION NO. 2009-13**

**WHEREAS**, Gulf County has many residents who were making a living net fishing and have suffered financially because of the net ban currently in effect; and

**WHEREAS**, Gulf County residents who net fish have found it almost impossible to abide by the stringent definition of what a net is, and still provide financially for their families; and

**WHEREAS**, the Gulf County Board of County Commissioners would like to see the definition of net modified or the net ban abolished totally because the current interpretation of net by the Florida Wildlife Commission is too restrictive;

**NOW, THEREFORE, BE IT RESOLVED** by the Gulf County Board of County Commissioners, that they strongly oppose the Net Ban and would ask that it be modified or abolished so that these commercial fisherman can once again provide for their families.

**ADOPTED** this 24<sup>th</sup> day of March, 2009.

(End)

### **OVERSTREET / WATER SYSTEM PROJECT**

Commissioner Traylor discussed his concerns regarding the Overstreet Water System Project, stating that this project has been ongoing for three years and the project has not been completed. Upon inquiry by Chairman Peters, Commissioner Traylor stated that Chief Administrator Butler has met with the City of Port St. Joe (Charlie Weston) regarding this issue. Chief Administrator Butler reported that the bids received to complete Phase II of this project were greater than the amount budgeted, and stated that the City of Port St. Joe is working on this issue. After discussion by members of the Board, Commissioner Traylor motioned to submit a letter to the City of Port St. Joe requesting a start date and a finished date for Phase II of the Overstreet Water System Project. Commissioner Williams seconded the motion, and it passed unanimously.

### **ADVERTISE FOR SEALED BIDS / SOUTH GULF COUNTY FIRE DEPARTMENT**

Following discussion by Commissioner Yeager, he then motioned to advertise for sealed bids for a design/build construction of a building for the South Gulf County Fire Department. Commissioner Williams seconded the motion, and it passed unanimously.

### **GOLF-CART COMMUNITY**

Upon inquiry by Commissioner Yeager, County Attorney McFarland discussed adopting a proposed resolution regarding a County-wide golf-cart community. Commissioner Yeager motioned to allow County Attorney McFarland to draft a proposed resolution that would implement a County-wide Golf-cart Community. Commissioner Traylor seconded the motion, and it passed unanimously.

### **MANDATORY TRASH COLLECTION / TOURIST AREA**

Commissioner Yeager reported to the Board that he is working with a committee regarding the mandatory garage collection in various areas within the County.

### **CLERK'S ANNEX OFFICE / JANITORIAL SERVICE**

Chairman Peters discussed a letter (in information packet, page 9) that was submitted to the Board regarding the Clerk's Annex Office in Wewahitchka, requesting that the office be cleaned during normal working hours. Chairman Peters requested that Commissioner Traylor and Chief Administrator Butler follow through with this request.

### **ADVERTISE FOR BIDS / SALE FIRE TRUCK H.C.F.D.**

Billy Moore, of the Howard Creek Fire Department, appeared before the Board to request approval to advertise for sealed bids for the sale of a fire truck, located at the Howard Creek Fire Department. After discussion, Commissioner Traylor motioned to junk the 1973 Mack Pumper Fire Truck (Vin #CF795F121041) from the Howard Creek Fire Department. Commissioner McLemore seconded the motion, and it passed unanimously. Commissioner Traylor then motioned to advertise for sealed bids for the sale of the 1973 Mack Pumper Fire Truck from the Howard Creek Fire Department. Commissioner McLemore seconded the motion, and it passed unanimously.

### **ADVERTISE FOR BIDS / SALE AMBULANCE SEARCH & RESCUE**

Upon request by Howard Creek Fire Department Volunteer Billy Moore, Commissioner McLemore motioned to junk a 1980 Ford Ambulance (Vin #S34LHHJ5243) from the South Gulf County Search and Rescue. Commissioner Yeager seconded the motion, and it passed unanimously. Commissioner McLemore then motioned to advertise for sealed bids for the sale of the 1980 Ford Ambulance from Gulf County Search and Rescue. Commissioner Traylor seconded the motion, and it passed unanimously.

### **LIGHTING / HOWARD CREEK FIRE DEPARTMENT**

Billy Moore, of the Howard Creek Fire Department, appeared before the Board to report that the Howard Creek Fire Department is in need of lights within the building.

### **MEMORIAL DAY / WHITE CITY PARK**

Upon discussion by Larry Allison, Commissioner Williams motioned to allow Mr. Larry Allison to hold a Memorial Service at the White City Park on Memorial Day (Monday, May 25, 2009). Commissioner Traylor seconded the motion, and it passed unanimously.

### **SUBDIVIDING LAND / GRABEL L. RICKS, III**

Chairman called Grabel L. Ricks, III, of Southern Forest Land, Inc., to appear before the Board to discuss Subdividing Land. Mr. Ricks, III was not present. (He was placed on the agenda, per his request.)

### **HONEYVILLE COMMUNITY CENTER / A.A. MEETINGS**

Jack Kelly and Terry Helms appeared before the Board to request permission to hold Alcoholic Anonymous Meetings three days a week for one hour (Mondays, Tuesdays, and Fridays), in one of the smaller rooms, at the Honeyville Community Center. Commissioner Traylor motioned to approve this request. Commissioner McLemore seconded the motion for discussion. After discussion, the motion passed unanimously.

### **RECORDING FEES / CLERK OF COURT**

John Hill, retired Navy Diver, appeared before the Board to discuss his concerns regarding the cost of recording a document (his son's Last Will and Testament) in the Gulf County Clerk of Court's Office, and discussed the option of filing the document in Probate. Upon inquiry by Commissioner Williams, County Attorney McFarland stated that there is no Statute that requires a person to record a Last Will and Testament in the Official Records. He also stated that the filing fees are not set by the Board or the Clerk of Court. Upon discussion by Mr. Hill, Chairman Peters stated that the Clerk is an elected official and has State Regulations that govern this office, also stating that it is not the Board of County Commissioners' responsibility to monitor the Clerk's Office. Commissioner Williams discussed providing Mr. Hill with contact information of our State Representatives, so he may contact them with his complaint regarding recording fees. Commissioner Williams also discussed the issue regarding the option of recording a Last Will and Testament (not a requirement). Upon inquiry by Mr. Hill, Clerk Becky Norris reported that the Last Will and Testament has not been filed under Probate, but it is being held on deposit, free of charge. Veteran's Service Office Kennedy appeared before the Board to discuss the proceeding of a Military Last Will and Testament, and told Mr. Hill that the document has been placed in a Trust for safe keeping, not filed in Probate.

### **ANIMAL CONTROL**

Mickey Word appeared before the Board to discuss his concerns regarding two dog attacks that happened on his property. He discussed a letter that he received from the County notifying him that the dog was not considered a dangerous animal according to the Animal Control Ordinance. Upon inquiry by Chairman Peters, Mr. Word reported that the dog owner did receive a citation/fine after the second incident. Upon inquiry by Chairman Peters, County Attorney McFarland discussed the Animal Control Ordinance and the definition of a "dangerous animal", stating that these two incidents occurred prior to the ordinance being amended which changed the definition of a dangerous animal. After further discussion, Chairman Peters stated that he would review this issue further.

### **PROCLAMATION / N.A.A.C.P.**

Amy Rogers, President of the Local Chapter of the N.A.A.C.P., appeared before the Board to request that the Board adopt a proclamation celebrating 100 years of the National

Association for the Advancement of Colored People (N.A.A.C.P.). Deputy Administrator Lanier discussed Mrs. Rogers' request. Chairman Peters stated that the anniversary date has already past (letter in the information packet, page 48). Mrs. Rogers discussed the accomplishment made by the N.A.A.C.P. and the Board's support in adopting a proclamation. The Board took no action.

There being no further discussion, and upon motion by Commissioner McLemore, second by Commissioner Traylor, and unanimous vote, the Board did then adjourn at 8:19 p.m., E.S.T.

**NATHAN PETERS, JR.**  
**CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS**  
**CLERK**