

PORT ST. JOE, FLORIDA

JUNE 16, 2008

SPECIAL MEETING

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

Others present were: County Attorney Tim McFarland, Clerk of Circuit Court Rebecca L. Norris, Clerk Finance Officer Carla Hand, Deputy Clerk Kayla Duke, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Human Resource Director Denise Manuel, Grant Writer Towan Kopinsky, Supervisor of Elections Linda Griffin, Planner David Richardson, Mosquito Control Director Mark Cothran, Solid Waste Director Joe Danford, Building Official Lee Collinsworth, Road Department Supervisor Bobby Knee, TDC Director Paula Pickett, Veteran's Service Officer James Kennedy, and Sheriff Joe Nugent.

Chairman Traylor called the meeting to order at 4:00 p.m., E.T.

COMPRESSED WORK WEEK SCHEDULE/BUDGET

At Chairman Traylor's request, Chief Administrator Butler gave a presentation concerning the benefits of a 4-day work week. Mr. Butler informed the Board that many Counties are moving to a 4-day work week and in doing so would save the County in fuel, electricity, and maintenance costs, as well as, provide a possible benefit to the employees. The Board discussed possible savings to the tax payers, raises for employees, and what affect this might have on the Courthouse employees and the Judiciary. Administrator Butler recommended going to a compressed work week (4-10 hour days for Board staff, and 4-9 hour days for Courthouse staff) across the board, contingent upon the Judiciary's approval. Butler recommended a blended work week should the Courthouse have to remain open 5 days a week. The Board directed Butler and McFarland to approach the Judiciary and the Constitutional Officers about the possibility of going to a 4-day work week. Commissioner McLemore motioned for all public works related departments to go to a 4-day work week. Commissioner Williams seconded the motion for discussion, stating that there can be no compensatory time or overtime unless it is an emergency. The Board amended the motion to exclude comp time and overtime except in emergency situations. Commissioner Peters requested that Butler keep track of how much overtime and comp time is used once the County implements a 4-day work week. The motion then passed 4-1, with Commissioner Peters opposing. Based on Commissioner McLemore's inquiry, Chairman Traylor stated that Mr. Butler will handle issues and schedules related to the inmate labor work crews. Administrator Butler informed the Board that, based on Board Policy, only he or the Board can authorize comp time or overtime. Commissioner Williams stated that permission needs to come from the Board.

<Compressed Work Week Schedule on file in the Clerk's Office>

BUDGET/ALTERNATIVE REVENUE OPTIONS

Administrator Butler presented a power point presentation concerning various budgets and alternative revenue sources for the Board's consideration. Butler stated that some of the options will require Board action by July 1, 2008 to implement.

OPTION ONE/LOCAL GOVERNMENT INFRASTRUCTURE SURTAX

Butler informed the Board that this surtax can only be passed by the voters in a countywide referendum and its proceeds must be used to finance, plan and construct infrastructure, and finance the closure of local government owned landfills. The Board took no action.

OPTION TWO/ADDITIONAL ELMS FIVE CENTS GAS TAX

Butler stated that the Board has already levied \$.01 cent of this tax, and has the option to increase, by ordinance, to the maximum of \$.05 cents, which would generate an additional \$211,000.00 a year. The Board took no action.

OPTION THREE/SOLID WASTE SPECIAL ASSESSMENT

Butler informed the Board that the Solid Waste Special Assessment is a charge levied on property benefited by the provision of Solid Waste Management Services. Butler discussed that the deadline for this is September. The Board took no action.

OPTION FOUR/STANDARD FRANCHISE:FRANCHISE AGREEMENT WITH ELECTRIC UTILITIES

Administrator Butler explained that this is a charge imposed upon a utility for the privilege of using the county Right of Way for the conduct of the utilities business and constitutes fair rental for the use of such right of way. Butler stated that the Board can impose franchise fees under Home Rule. Attorney McFarland explained to the Board that the County can enforce a franchise fee, but the Court cases are rampant on this issue, and the fee must be tied to the fair use of the right of way and other provisions of the contract with the utility company. Attorney McFarland stated that to implement this, the Board would need to immediately enter into negotiations with Utility Companies (excluding Cable Companies) that use the County Right of Ways. Butler stated that this could generate approximately \$100,000.00 per year. Chairman Traylor asked for the Board's input, and Commissioner Williams responded that an MSBU can be a positive tool if, as a result, Ad Valorem taxes are reduced. Commissioner Peters voiced his concerns about the Utility companies passing on the franchise fees to the consumer, and suggested the Board wait until the economy improves. The Board took no action.

OPTION FIVE/OCCUPATIONAL LICENSE TAX

Administrator Butler discussed imposing an Occupational License Tax for the privilege of engaging in or managing any business, profession or occupation within the county. The Board took no action at this time.

OPTION SIX/COMMUNICATION SERVICES TAX

Butler explained that the county may, by ordinance, levy a local communications services tax on local, long distance and cable services in the unincorporated areas of the County. Butler informed the Board that the County's current levy is .54%, stating that the Board could levy up to the maximum of 1.84%, which would generate approximately an additional \$71,000.00. Chairman Traylor passed the Chair to Commissioner Peters and motioned to

increase the Communication Services tax to the maximum allowable (1.84%), and allow G.I.S. to identify residents that the County is not currently collecting from due to issues with zip codes. Commissioner McLemore seconded the motion, and it passed 4-1, with Commissioner Williams opposing. Chairman Peters returned the Chair to Commissioner Traylor.

OPTION FIVE/OCCUPATIONAL LICENSE TAX

Commissioner Peters re-addressed the Board concerning the Occupational License Tax and motioned to impose an Occupational License Tax for the privilege of engaging in or managing any business, profession or occupation within the county. Attorney McFarland explained that both City's already imposed the tax within the City limits. Chairman Traylor passed the Chair to Commissioner Barnes and seconded the motion, and it passed unanimously. Chairman Barnes returned the Chair to Commissioner Traylor.

OPTION SEVEN/PUBLIC SERVICE TAX

Attorney McFarland informed the Board that Gulf County is a non-chartered County and cannot impose this tax, which is a levy on the purchase of electricity, metered natural gas, and liquefied petroleum.

OPTION EIGHT/MSTU/MSBU OPTION

Attorney McFarland informed the Board that a decision needs to be made concerning MSBU/MSTU options by September 1, 2008, reminding the Board that this is a very lengthy process and requires studies to determine what the benefit is to the properties. Chairman Traylor passed the Chair to Commissioner Peters and motioned to start the process of implementing an MSBU/MSTU on all Public Service Departments including everything in Option Eight (*Corrections, Landfill, Medicaid/Medicare/Special Programs, Courthouse Facilities, EMS, Jaws of Life, Search and Rescue, Mosquito Control, Animal Control, and Parks and Recreation*), except the Waste Management portion. Commissioner McLemore seconded the motion, and discussion followed. Upon Commissioner McLemore's inquiry, Mr. Danford stated that the cost to have a landfill could be paid through an MSBU, and the cost to operate the landfill could be paid through tipping fees. The motion to move forward with the MSBU/MSTU (Option 8), excluding the Waste Management portion, failed 2-3, with Commissioners Williams, Peters, and Barnes opposing. Chairman Peters returned the Chair to Commissioner Traylor.

Administrator Butler summarized the options presented and stated that staff would move forward with the items adopted by the Board.

<Complete June 16, 2008 Slide Presentation on Alternative Revenue Options on file in the Clerk's Office>

PROPOSALS/OUT-SOURCING COUNTY DEPARTMENTS/PROGRAMS

Commissioner McLemore motioned to give Butler authority to look into and advertise for proposals for out-sourcing certain County Departments. Commissioner Williams seconded the motion. Commissioner Peters objected, stating that it would not be fair to the current employees. Commissioner McLemore stated that if the private sector could do the same job at a reduced cost, the Board needs to look into it. The motion then passed 3-2, with Commissioners Peters and Barnes objecting.

REPLACING LARGE COUNTY VEHICLES/FLEET MANAGEMENT

Commissioner McLemore motioned for the Board to consider replacing large vehicles that consume too much fuel for smaller, more efficient ones, and for the Departments to analyze their fleet management opportunities. Commissioner Williams seconded the motion and it passed unanimously.

ST. JOSEPH BAY HUMANE SOCIETY

Deputy Administrator Lynn Lanier presented an invoice to the Board from the St. Joseph Bay Humane Society for May, 2008, in the amount of \$2,254.00 to be paid out of their budgeted funds. Commissioner Williams motioned to pay the invoice. Commissioner Peters seconded the motion and it passed unanimously.

FLORIDA BUILDING CODE/HIGH VELOCITY HURRICANE ZONE/ISO RATING

Attorney McFarland informed the Board that Gulf County is not in the High Velocity Hurricane Zone, but that does not affect the 140/130 mph wind zone issues. Commissioner McLemore inquired if the County enforces the 140 mph building requirements. Attorney McFarland stated that there is a portion of the County that can be excluded, and Highway 22 is the line the State is using to determine the division, but it can be moved down by using the exemption in the statute that states you can use a landmark whenever possible. McFarland stated that the Board could have the G.I.S. Department draw an artificial line where the State indicates the 140mph wind zone stops, and have it put in place by Ordinance. Attorney McFarland stated that it could only be reduced from 140mph to 130mph. Commissioner McLemore stated that he would like to go forward with the process and reduce it. Commissioner Williams inquired about the impact to the ISO rating and other insurance carriers. Building Official Lee Collinsworth stated that if the ISO rating increases, it will affect everyone in the County. Upon inquiry by Commissioner McLemore, Attorney McFarland stated that the Insurance Companies have the right to change their rates based on the ISO rating. Commissioner McLemore stated that he would like to see something in writing to back that up.

Pat Hardman approached the Board and discussed the wind impact and the affects on the insurance rates, stating that it will hurt more people than it will help in terms of the percentage cost from the builder to the owner. Hardman suggested the Board look at adjusting the permitting fee and placing a moratorium on Impact Fees, as opposed to changing the building code.

Michael Hammond approached the Board and stated that he agrees with Mr. Collinsworth, and strongly encouraged the Board to support their building official. Hammond requested the Board consider cutting the impact fee, stating that it would have an immediate economic impact.

James Taunton approached the Board concerning the High Velocity Hurricane Zone, stating that he feels that Gulf County is not in line concerning the use of OSB on the roof. Taunton stated that Gulf and Miami-Dade are the only 2 counties in the Nation that do not allow OSB, and based on his discussions with Engineers and Manufacturers, it is equal to CDX. Taunton stated that he has a permit pending based on Gulf County not allowing OSB

to be used for roof decking, and requested the Board consider changing the Ordinance to allow the use of OSB. Commissioner McLemore inquired if Mr. Collinsworth had received any information from the State about this and Mr. Collinsworth stated that he had, and he does not feel that OSB should be allowed. Commissioner Peters stated that he does not like OSB and supports Collinsworth. Attorney McFarland stated that the County is not in the High Velocity Hurricane Zone so builders can use OSB today, but if the Board wishes to use a higher, more stringent standard than the current rules allow, it will have to be implemented by Ordinance. Mr. Collinsworth agreed that OSB is as strong as plywood (CDX) as long as it stays dry. Commissioner Williams stated that he will support Mr. Collinsworth's opinion, and expressed the need to protect structural integrity. James Taunton stated that if the Board bans the use of OSB, Gulf County will be one of two Counties in the entire Country that enforces this. Commissioner Barnes motioned to adopt an Ordinance that will require 2x6 studs, R-19 insulation, and CDX. Commissioner Peters seconded the motion, and it passed 4-1, with Commissioner McLemore objecting. Attorney McFarland explained the Ordinance requirements and process, stating that this Ordinance must also be approved by the Florida Building Commission before it becomes effective. Upon Mr. Taunton's inquiry, Attorney McFarland confirmed that as of today there is no law prohibiting the use of OSB.

DONNIE WAYNE BRAKE PARK/CHANGE ORDER #1/INVOICE

Grant Writer Towan Kopinsky presented Change Order #1 for an upgrade on a pump and tank for the Donnie Wayne Brake Park Project, in the amount of \$900.00 for the Board's approval. Commissioner Williams motioned to approve the change order. Commissioner McLemore seconded the motion and it passed unanimously. Ms. Kopinsky requested the Board's permission to pay invoice #112 to Williamson Well Drilling, in the amount of \$900.00, to be paid from grant funds. With Commissioner Williams motion and Commissioner McLemore's second, the motion passed unanimously.

There being no further business and upon motion by Commissioner McLemore, the meeting did then adjourn at 5:43 p.m., E.T.

**BILLY E. TRAYLOR
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**