

**OCTOBER 28, 2014**

**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 Ward McDaniel, Vice Chairman Carmen L. McLemore, and Commissioners Joanna Bryan and Tynalin Smiley <Commissioner Warren J. Yeager, Jr. was absent>.

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Sherry Herring, Deputy Clerk Leanna Roberts, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Building Inspector George Knight, Central Services Director Denise Manuel, Code Enforcement Officer Mike Aiken, Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, Grant Coordinator Towan Kopinsky, Deputy Grant Coordinator Kari Summers, Mosquito Control Director Mark Cothran, County Planner David Richardson, Sheriff Mike Harrison, Tax Collector Shirley Jenkins, T.D.C. Executive Director Jennifer Jenkins, and Veterans' Service Officer Joe Paul.

Sheriff Harrison called the meeting to order at 8:59 a.m., E.T.

Chairman McDaniel opened the meeting with prayer and led the Pledge of Allegiance to the Flag.

**MEETING – TOURIST DEVELOPMENT COUNCIL**

Chairman McDaniel reported that the first annual T.D.C. meeting will be held today at the Capital City Bank Building at 5:00 p.m., E.T. and invited the public to attend.

**CONSENT AGENDA / INFORMATION PACKET**

Chairman McDaniel called for public comment regarding the Consent Agenda or the Information Packet. There was no public comment. Commissioner McLemore motioned to approve the Consent Agenda and the Information Packet. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0), as follows:

1. Agreement – FL Department of Corrections (Obedience Training for Dogs)  
– Gulf County Health Department (Medicaid LIP)
2. Budget Amendment – Gulf County Sheriff's Office (Unanticipated Revenues  
\* \$361,028.61)

– Gulf County Supervisor of Elections (Unanticipated Grant Funds \*  
\$1,290.00)

3. Inventory – Gulf County T.D.C. (Asset Transfer to IT \* #230-5 \* Toshiba Laptop \* Serial Number 83030280C)
4. Invoices – MRD Associates, Inc. – St. Joseph Peninsula Post-Construction Physical Monitoring Services (Invoice #1686 \* \$59,692.36)
5. Letter of Support – State of Florida Governor Scott (Northwest Florida Estuaries Restoration Project)
6. Logo – Gulf County Economic Development Coalition
7. Refund Request – GW Services Heating & Air (Mechanical Permit #2014420 \* \$115.00)
8. Tax Collector – Notice of Application for Tax Deed (Certificate #3)

– Notice of Application for Tax Deed (Certificate #109)

(End)

### **PUBLIC HEARING – P.D.R.B. RECOMMENDATIONS**

The Board then considered the following recommendations from the October 20, 2014 Planning & Development Review Board meeting, as follows:

#### **VARIANCE APPLICATION – BRIAN REILLY**

Pursuant to advertisement to hold a Public Hearing to consider a variance for Brian Reilly (Parcel #06364-0041R) for a 10' Road Setback from Gulf Side White Sands Drive to meet D.E.P. requirements, County Attorney Novak read the Public Notice and reported that the P.D.R.B. recommended this variance request by a 3-0 vote. Commissioner McLemore motioned to approve the variance request for Brian Reilly. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion then passed unanimously (4-0).

#### **S.H.I.P. APPLICATIONS – PETERSON AND PARKER**

Following discussion by Veterans' Service Officer Paul, Commissioner McLemore motioned for the Chairman to sign two acceptance letters; awarding Carla Peterson and Rosetta Parker S.H.I.P. Rehabilitation Project funding (replacing the roof). Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

#### **ANNUAL REPORT – VETERANS' SERVICE**

Veterans' Service Officer Paul presented and discussed the annual Veterans' Service report.

## **REPORT – ECONOMIC DEVELOPMENT COALITION**

Grant Coordinator Kopinsky appeared before the Board to present the first E.D.C. report. She discussed a proposed resolution from Opportunity Florida. Commissioner McLemore motioned to adopt a resolution supporting Rural Area of Opportunity. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0), as follows:

### **RESOLUTION NO. 2014-46**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA EXPRESSING ITS SUPPORT THAT THE DESIGNATION OF RURAL AREA OF OPPORTUNITY (ROA), FORMERLY KNOWN AS RURAL AREA OF CRITICAL ECONOMIC CONCERN (RACEC) CONTINUE TO APPLY TO THE NORTHWEST FLORIDA REGION INCORPORATING THE COUNTIES OF CALHOUN, FRANKLIN, GADSDEN, GULF, HOLMES, JACKSON, LIBERTY, WAKULLA, WASHINGTON, AND THE CITY OF FREEPORT (INCLUDING THE CITIES, TOWNS AND COMMUNITIES WITHIN EACH); THAT ALL ENTERPRISE ZONES IN THESE COUNTIES AND COMMUNITIES CONTINUE TO EXIST; THE CONTINUATION OF ALL STAFFING GRANT FUNDING FOR THE NORTHWEST FLORIDA BUSINESS DEVELOPMENT COUNCIL, INCORPORATED, D/B/A OPPORTUNITY FLORIDA, THROUGH FUNDS APPROPRIATED BY THE FLORIDA LEGISLATURE AND ADMINISTERED THROUGH FLORIDA'S DEPARTMENT OF ECONOMIC OPPORTUNITY, AND PROVIDING FOR AN EFFECTIVE DATE NO LATER THAN JANUARY 8, 2015.**

**WHEREAS**, in 1999 Governor Bush, by Executive Order, identified eight Counties (Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, and Washington) as Rural Areas of Critical Economic Concern, and that this designation was renewed in 2004 and added the area within the City Limits of Freeport to this designation; and

**WHEREAS**, in 2000 Opportunity Florida was created to promote and improve economic development in the eight Counties designated as Rural Areas of Critical Economic concern; and

**WHEREAS**, the Counties of Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Washington, and the area within the City Limits of Freeport were re-designated in 2009, as Rural Areas of Critical Economic Concern for a period of five years; and

**WHEREAS**, Executive Order 11-103 added Wakulla County to the Northwest Florida Rural Area of Critical Economic Concern; and

**WHEREAS**, the designation of Rural Areas of Critical Economic Concern has been renamed as Rural Areas of Opportunity; and

**WHEREAS**, the various Counties and Municipalities in the Opportunity Florida region request that Governor Rick Scott renew the designation of Rural Areas of Opportunity (formerly RACES); and

**WHEREAS**, the Northwest Florida Business Development Council, Inc., in cooperation with the through the support of the nine Counties, all Municipalities within the nine Counties, the City of Freeport, all Career Source Centers serving the region and corporate sector partners, has made great strides in improving the economic outlook for the Northwest Florida RAO (formerly RACEC) by assisting with recruiting new industries, supporting infrastructure projects and working together with local communities and other organizations such as the Department of Economic Opportunity, Enterprise Florida, FDOT, and the Governor's Office; and

**WHEREAS**, notwithstanding the progress that has been made since 2009, there is still much work that needs to be done to help these nine Counties complete economically with other parts of the State;

**NOW, THEREFORE, BE IT RESOLVED** that the Gulf County Board of County Commissioners does hereby express its support of the following:

1. That the designation "Rural Area of Opportunity" formerly referred to as "Rural Areas of Critical Economic Concern," continue to apply to Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington Counties, and the City of Freeport;
2. That all existing Enterprise Zones in these Counties continue to exist; and
3. That all Staff Grant Funding for Opportunity Florida be continues and expanded for the Northwest Florida Business Development Council, Inc. through funds appropriated by the Florida Legislature and administered Through Florida's Department of Economic Opportunity, Enterprise Florida, Inc., and other designated agencies.

**DULY ADOPTED** this 28<sup>th</sup> day of October, 2014.

(End)

**LETTERS OF SUPPORT – GULF COAST PARKWAY/ENTERPRISE ZONE/RURAL AREA OF OPPORTUNITY**

Upon request by Grant Coordinator Kopinsky, Commissioner McLemore motioned to submit three (3) support letters to Senator Bill Montford and Representative Halsey Beshears regarding the Gulf Coast Parkway alternate route, to extend the Enterprise Zone, and to continue the Rural Area of Opportunity. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

### **REPORT – ENTERPRISE DEVELOPMENT AGENCY**

Grant Coordinator Kopinsky gave the Enterprise Development Agency quarterly report from July, 2014 through September, 2014 to the Board; stating she does have the annual report from last year available for review. Commissioner Bryan requested that Grant Coordinator Kopinsky email her with the new businesses report.

### **SCHEDULE – CAPITAL IMPROVEMENT**

Planner Richardson reported that the Capital Improvement Schedule is almost complete; stating that if the Board or Staff have anything to add they need to submit those additions soon.

### **AGREEMENT – FLORIDA DEPARTMENT TRANSPORTATION**

Following discussion by Deputy Grant Coordinator Summers, Commissioner McLemore motioned to approve two (2) modified Joint Participation Agreements with the Florida Department of Transportation (D.O.T.) for the resurfacing of County Road 30B and the construction of Jarrott Daniels Road. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

### **GRANT APPLICATION – HONEYVILLE AND DEAD LAKES PARKS**

Following discussion by Deputy Grant Coordinator Summers, Commissioner McLemore motioned to submit two (2) F.R.D.A.P. grant applications to the Florida Department of Environmental Protection for Honeyville Park and Dead Lakes Park. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

### **POLICY – COMMITTEE TERM LIMIT**

County Attorney Novak discussed the proposed amended committee term limit policy that was placed in the Information Packet on pages 3-4 for the Board to review and recommended adoption. Commissioner Bryan motioned to approve the amended Committee Term Limit Policy. After discussion, the motion failed for a lack of a second. Upon inquiry by County Attorney Novak, Commissioner Smiley requested that the proposed amended committee term limit policy be placed in the next Consent Agenda.

### **POLICY – SURPLUS PROPERTY**

After discussion by County Attorney Novak, Commissioner McLemore motioned to approve the Surplus Property Policy. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

### **APPOINTEE – GULF COAST CAREER SOURCE**

Chief Administrator Butler discussed a letter from Kim Bodine from Gulf Coast Career Source requesting the nomination of Joanna White to serve on the Gulf Coast Career Source Board. After discussion, Commissioner McLemore motioned to allow the Economic Development Advisory Council to nominate a person to serve on the Gulf Coast Career Source Board. Commissioner Bryan seconded the motion. Chairman McDaniel

called for public comment. There being no public comment, the motion passed unanimously (4-0).

### **BID #1415-01 / RESTORE ACT CONSULTANT**

Chief Administrator Butler recommended that the Board award Bid #1415-01 for the Restore Act Consultant to Dewberry Consultant, LLC and to hire Erin L. Deady, P.A. for technical assistant work, not to exceed \$5,000.00 (not to be paid from Restore Act funds). After discussion by County Attorney Novak regarding the proposals, Commissioner McLemore motioned to approve the recommendation. Commissioner Smiley seconded the motion. After discussion by Commissioner Bryan, Commissioner Smiley withdrew his second. Commissioner Bryan requested that the proposals be provided to her for review and be placed in the next Consent Agenda. After discussion by members of the Board, the motion failed for a lack of second.

### **ROAD MAINTENANCE – TREY'S LANE**

Upon inquiry by Commissioner Bryan, Chief Administrator Butler discussed working on Carr Lane and a few other roads within this unrecorded subdivision. Upon inquiry by Commissioner Bryan, Chief Administrator Butler discussed the roads and the plat; stating that the owner of the subdivision would like to give the County the roads. Upon inquiry by Commissioner Bryan, Chief Administration Butler reported that there is no written procedure, but the subdivision owner could submit a written request to the Board for consideration. After discussion, Commissioner Bryan discussed creating a policy regarding how the County handles private roads and she requested a copy of the Limited Maintenance Agreement for Spruce Avenue. County Attorney Novak discussed creating a policy that is fact specific and encouraged the Board to review each request on a case by case basis. After discussion by members of the Board, Chief Administrator Butler discussed using guidance from the Subdivision Ordinance.

### **DISTRICT IV – COMMISSIONER SMILEY**

Commissioner Smiley noted during his term as Commissioner he worked to have the Washington Recreational Center reopened, and created a resource center and food bank within the Center. He discussed the Summer Program and the newly built kitchen at the Washington Recreational Center. Commissioner Smiley reported that seven (7) residents received new homes through the S.H.I.P. Program and many residents' homes were rehabilitated with S.H.I.P. funds. He discussed a grant that helped fund the work on Martin Luther King Boulevard and thanked the City Commission for applying for a grant to install water lines in District IV. Commissioner Smiley stated that he enjoyed serving as a County Commissioner and serving District IV. He also discussed the \$5.5 million dollar housing project that will put (50) fifty new affordable apartments in District IV. He further discussed installing a restroom in a park. Commissioner Smiley thanked the Board and Staff. Chairman McDaniel thanked Commissioner Smiley for his years of service and presented him with a plaque.

## **APALACHEE REGIONAL PLANNING COUNCIL**

Executive Director Chris Rietow, of the A.R.P.C. appeared before the Board to introduce himself and discuss the Apalachee Regional Planning Council Program. He discussed the 2013-14 Programmatic Assistance Overview; reporting that Gulf County's dues will remain the same. Commissioner Smiley motioned to allow Mr. Rietow an additional three (3) minutes to speak. Commissioner Bryan seconded the motion. Mr. Rietow discussed various projects that benefit Gulf County through A.R.P.C. Chairman McDaniel discussed the A.R.P.C. and thanked Mr. Rietow for appearing before the Board. Assistant Administrator Hammond reported that twelve (12) projects within the last ten (10) years within the City of Port St. Joe has been funded through A.R.P.C.

## **RESOLUTION – HEALTHIEST WEIGHT**

Sarah Hinds, of the Gulf County Health Department appeared before the Board to request support of a proposed resolution regarding Healthiest Weight Florida. She then read the proposed resolution for consideration. Commissioner McLemore motioned to adopt a resolution supporting Healthiest Weight Florida. Commissioner Smiley seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0), as follows:

### **RESOLUTION NO. 2014-47**

**WHEREAS**, the Gulf County Board of County Commissioners support policies that focus on healthy weight, health and wellness, and healthier lifestyles in all communities; and

**WHEREAS**, the Florida Department of Health has launched a healthy weight campaign known as "Healthiest Weight Florida", a public-private collaboration to help Florida's children and adults make informed, consistent choices about healthy eating and active living; this program has been embraced by individuals and businesses in many cities, counties, and communities; and

**WHEREAS**, the State Surgeon General has launched the 2015 Healthy Weight Community Champion Recognition Program that will recognize local governments and active municipalities (cities, towns and villages) and 67 Counties that implement policies to help people become more physically active and improve nutrition; best practice policies implemented by communities will be recognized on January 5, 2015; and

**WHEREAS**, 66% of residents in Gulf County are estimated to be overweight or obese and more than 27 % of middle and high school students are obese or overweight; and

**WHEREAS**, nearly 80% of Gulf County adults do not consume at least 5 servings of fruits and vegetables daily; and

**WHEREAS**, poor nutritional choices and a lack of physical activity are linked to excessive weight and obesity which increase the risk of diabetes, cancer, heart disease, liver disease, hypertension and other health conditions; and

**WHEREAS**, County Officials believe there are important, long-term community benefits to be gained by encouraging healthy lifestyles, including a decrease in overweight and obesity in Florida's adults and children and the associated negative health related impacts; and

**WHEREAS**, cities and community partners can work together to ensure that there are safe places for residents to be active, such as in parks, ball fields, and exercise trails; and

**WHEREAS**, access to healthy foods has a direct impact on the overall health of our community and planning for fresh food, open space, sidewalks, and parks should be a priority.

**NOW, THEREFORE, BE IT RESOLVED** THAT THE GULF COUNTY BOARD OF COUNTY COMMISSIONERS challenge all local governments, businesses, students, parents, and all residents to participate in the Healthy Weight Florida campaign to foster healthy weight and improve overall health, improve job, and school performance and decrease work and school absenteeism.

Signed this 28<sup>th</sup> day of October, 2014.  
(End)

#### **CELL TOWERS – GULF COUNTY**

Pat Hardman, of Port St. Joe appeared before the Board to request support from the Board to pursue the construction of cell towers in South Gulf County to improve cell communications for the Sheriff, Volunteers, E.M.S., residents, businesses, and tourists. She discussed her concerns regarding the lack of cell communications at the South end of the County. Ms. Hardman reported that Verizon will build a cell tower at the junction of State Road 30A and Cape San Blas Road, and American Towers will build a cell tower near the fire department at the end of the Cape. Upon inquiry by Chairman McDaniel, Ms. Hardman stated she is representing Coastal Community Association. County Attorney Novak reported that under the County's Speaking Ordinance, if appearing on behalf of a group you are allowed five (5) minutes to speak. Chairman McDaniel directed the Clerk to add two minutes to the time clock. Ms. Hardman made a formal request to the Board to allow the E.D.C. to undertake the task of working with and obtaining cell towers in South Gulf County. (The Board took no action.)

#### **SAVE THE CAPE – BEACH RESTORATION**

Pat Hardman, of Port St. Joe appeared before the Board to discuss her concerns regarding the "Save the Cape" beach restoration project. Upon motion by Commissioner Smiley, second by Commissioner Bryan, and unanimous 4-0 vote, the Board allowed Ms. Hardman three (3) additional minutes to speak. Ms. Hardman discussed the Cape and

requested support from the Board regarding the beach restoration project. She discussed her concerns regarding losing houses between "the rocks" (Stumphole) and Scallop Cove. (The Board took no action.)

**GOVERNMENT PUBLIC WORKS**

Bill Koran, of St. Joe Beach appeared before the Board to discuss his concerns regarding the Americus Street Ditch Project (Mr. Koran provided photos to the Board for review). He reported that his property is still flooding. Mr. Koran inquired from the Board what is the correct information regarding this ditch project. After discussion by Mr. Koran, Commissioner Bryan discussed Mr. Koran's statements and a complaint that was received from another property owner. County Attorney Novak reported that the pilot program has been completed by the engineers. Upon inquiry by Commissioner Bryan, Chief Administrator Butler stated that he will provide the report to the Board, once Preble-Rish, Inc. submits it to the County.

**DISTRICT IV – COMMISSIONER SMILEY**

Christy McElroy, of Port St. Joe appeared before the Board to thank Commissioner Smiley for his years of service.

**LAWSUIT – ETHICS**

Christy McElroy, of Port St. Joe appeared before the Board to report that the ethics lawsuit that was filed by the PAC against her, has been dismissed. She stated that she will continue to volunteer for the community.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner Smiley, and unanimous 4-0 vote, the meeting did then adjourn at 10:51 a.m., E.T.

**WARD MCDANIEL  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**