

PORT ST. JOE, FLORIDA

SEPTEMBER 9, 2008

REGULAR MEETING

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

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, Planner David Richardson, Emergency Management Director Marshall Nelson, Emergency Management/911 Coordinator Ben Guthrie, Gulf County E.M.S. Director Shane McGuffin, Road Department Superintendent Bobby Knee, Public Works Superintendent Gerald Shearer, Solid Waste Director Joe Danford, Mosquito Control Director Mark Cothran, G.I.S. Director Scott Warriner, Building Inspector George Knight, Health Department Superintendent Doug Kent, S.H.I.P. Coordinator Ricky Farmer, Veteran's Service Officer James Kennedy, and Sheriff Joe Nugent.

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

Commissioner Barnes opened the meeting with prayer, and Commissioner Peters led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Upon motion by Commissioner Peters, seconded by Commissioner Barnes, and unanimous vote, the Board adopted the following consent agenda.

1. Minutes - August 6, 2008 - Special Meeting
Minutes - August 12, 2008 - Special Meeting
Minutes - August 12, 2008 - Regular Meeting
Minutes - August 20, 2008 - Special Meeting
Minutes - August 22, 2008 - Emergency Meeting
Minutes - August 26, 2008 - Special Meeting
Minutes - August 26, 2008 - Regular Meeting
Minutes - September 01, 2008 - Emergency Meeting
2. Agreements - Gulf Coast Electric Cooperative, Inc.
Electric Utility Services Distribution
Easement

- Interlocal Agreement (Medical
Examiner Services)

- Agreement for Services
(State Attorney)

3. Budget Amendments - Budget Amendment #2
(Amend the FY2007-2008 Budget for line item changes, decrease in estimated revenues and expenditures)
- Budget Amendment #3
(Amend the FY2007-2008 Budget for overspent budgets through reserve for contingencies)
 - Budget Amendment #4
(Amend the FY2007-2008 Budget for previously approved adjustments by the BOCC)

4. Invoices - Ausley & McMullen, P.A. (Invoice#69226 * in the amount of \$160.00 to be paid from Account#21111-31200)
- County Attorney Timothy McFarland
(August, 2008 * \$9,494.50 * to be paid from Account #21314-31100)
 - Fred Fox Enterprises - CDBD Grant Administration Draw Request (Invoice# 21-24 *in the amount of \$6,540.00 * to be paid from Account #27550-31000)
 - Manson Construction- St. Joseph Peninsula Erosion Control Project (Progress Payment 5 * in the amount of \$\$1,327,566.48 * to be paid from Account #25837-34000)
 - MRD Associates - St. Joseph Peninsula Erosion Control Project (Invoice# 1160 * in the amount of \$105,927.06 * to be paid from Account# 25837-34000)
 - MRD Associates - Sea Turtle and Shorebird Monitoring Program (Invoice#1159 in the amount of \$5,025.24 * to be paid from Account# 25837-34000)
 - Preble-Rish, Inc. - Route 30A Storm Water Pipe Crossing (Invoice#76964 * in the amount of \$830.00 * to be paid from

Account#26937-31000)

- Rumberger, Kirk & Caldwell - General Employment Matters (File #G214-109853 * #719279 & #718736 * \$1,756.10 * to be paid from Account #21111-31200)
- Rumberger, Kirk & Caldwell - General Employment Matters (File #G214-107990 * \$533.84 * to be paid from Account #26937-31000)
- Windolf Construction, Inc. - TDC Welcome Center (\$5,380.00 * to be paid from Account#27452-81001).

5. Resignation Letter - Doug Birmingham to the Planning Development and Review Board (P.D.R.B>)

6. Resolutions -

- Budget Amendment (unanticipated revenue in the Tupelo Fire Control District Fund, Overstreet Fire Control District Fund, Howard Creek Fire Control District Fund, and the St. Joe Fire Control District Fund for Fiscal Year 2007-2008)
- Budget Amendment (unanticipated revenue in the Tourist Development Fund for Fiscal Year 2007-2008)
- Budget Amendment (unanticipated revenue in the General Fund for Fiscal Year 2007-2008)
- Budget Amendment (unanticipated revenue in the General Fund for Fiscal Year 2007-2008)
- Budget Amendment (unanticipated grant revenue in the General Fund for Fiscal Year 2007-2008)
- Budget Amendment (unanticipated revenue in the General Fund for

Fiscal Year 2007-2008)

- Budget Amendment (unanticipated revenue in the General Fund for Fiscal Year 2007-2008)

7. S.H.I.P. - 2007-08 Annual Report Certification

- Rehabilitation Assistance (Rita Hunter, Charles Rhames, Deborah Everett)
- Subordination Agreement (Zachary Franks)

(End of Consent Agenda)

PROPOSED ORDINANCE/BUILDING CODE

County Attorney Tim McFarland announced a public hearing to consider adoption of an ordinance imposing additional restrictions on the building code. Attorney McFarland read the proposed ordinance and called for public comment. Chairman Traylor referenced a letter from Attorney McFarland directed to the Board, which was included in the Information pack, giving his legal advice for the Board to not adopt the ordinance, stating that the Board should listen to Attorney McFarland's legal advice. Commissioner Peters motioned to adopt the proposed ordinance. Commissioner Williams seconded the motion. C.W. Macomber, of the Engineered Wood Association, approached the Board to seek clarification on the status of the ordinance process. Kari Hebrank, of the Florida Building Materials Association, approached the Board and discussed the unlawfulness of discriminating against materials in the Building Code. Ms. Hebrank requested that the Board reconsider the motion, and follow Attorney McFarland's legal advice. Patricia Hardman approached the Board and stated that the decision on what materials to use in the process of building homes should be left with the homeowners. At Commissioner McLemore's request, Building Inspector George Knight approached the Board and recommended that the County follow Attorney McFarland's advice. Upon Chairman Traylor's request, Attorney McFarland read the letter that was included in the Information pack. The motion to adopt the proposed ordinance then failed 1-4, with Chairman Traylor, Commissioners Barnes, McLemore, and Williams voting no.

CITIZENS ADVISORY TASK FORCE/C.D.B.G. GRANT PROJECTS

Upon recommendation by Grant Writer Towan Kopinsky, Commissioner Williams motioned to appoint the following individuals to the Citizens Advisory Task Force for future C.D.B.G. Grant projects: Danny Clayton, John Grantland, Jim Caughey, Chief Administrator Don Butler, and Grant Writer Towan Kopinsky. Commissioner McLemore seconded the motion and it passed unanimously.

WIND ZONE

Commissioner McLemore stated that he would like for the Board to clear up the wind zone issue before moving any further into the meeting. Commissioner Williams motioned to re-adopt the 130/140 wind zone line by Ordinance. Commissioner McLemore seconded the motion and it passed 3-2, with Commissioners Peters and Barnes opposing.

FLORIDA FISH AND WILDLIFE COMMISSION GRANT

Upon Grant Writer Kopinsky's request, Commissioner Williams motioned to allow the Chairman's signature on the amended grant for the White City Bulkhead Repair and Dock Construction. Commissioner McLemore seconded the motion and it passed unanimously.

WHITE CITY BULKHEAD REPAIR AND DOCK CONSTRUCTION/BID#0708-34

Upon Grant Writer Kopinsky's recommendation, Commissioner Peters motioned to award Bid# 0708-34, for the White City Bulkhead Repair and Dock Construction to Eastern Coastal Contracting, in the amount of \$28,566.00. Commissioner McLemore seconded the motion and it passed unanimously.

Upon Grant Writer Kopinsky's request, Commissioner Peters motioned to waive the building permit fees for the White City Bulkhead Repair and Dock Construction project. Commissioner Williams seconded the motion and it passed unanimously.

COURTHOUSE CHILLER

Deputy Administrator Lynn Lanier informed the Board that the Chiller for the Courthouse arrived, and should be installed soon.

ACTUARIAL SERVICES

Upon Deputy Administrator Lynn Lanier's request, Commissioner Williams motioned to approve the contract for Actuarial Services, contingent upon the company approving the changes that the County made to the contract. Commissioner McLemore seconded the motion and it passed unanimously.

VETERAN'S MEMORIAL PARK COMMITTEE

Upon Chairman Traylor's inquiry, Veteran's Service Officer James Kennedy informed the Board that the Veteran's Memorial Park Committee is in the process of outlining bids for the Veteran's Memorial Park, and stated that they will be visiting several Veteran's Parks for ideas. Commissioner Williams stated that the project will have multiple parts that need to be worked out, and discussed the need to prioritize this park. Commissioner Peters discussed various occasions in which the Board has shown their support for Veteran's.

EMERGENCY MANAGEMENT

Emergency Management Director Marshall Nelson thanked the Board, County staff, and volunteers who helped throughout the storm.

COUNTY INSURANCE

Human Resource Director Denise Manuel informed the Board that open enrollment has begun for Health, Life & Dental Insurance.

COUNTY WEBSITE

Human Resource Director Denise Manuel requested that the Board members arrive early for the next meeting to take photographs to update the County Website. Commissioner Peters inquired about highlighting specific County projects on the website.

EMERGENCY MANAGEMENT

Sheriff Joe Nugent expressed his thanks to South Gulf Fire Department for the help in moving citizens out of the Cape area, when the roads were flooding.

ANNEXATION AGREEMENT

Chief Administrator Don Butler informed the Board that after speaking with Port St. Joe City Manager Charlie Weston, he believes that the Board should schedule a workshop meeting with the City and County Commissions to discuss the Annexation Agreement between the County and the City, specifically the Sports Complex. Commissioner Peters inquired concerning whether or not the City has acquired the property for the Sports Complex. Administrator Butler stated that the City has 60 acres of land to build on. The Board discussed possible dates for the meeting. Commissioner Williams discussed the Highland View Sewer System, and stated that he wants to get that issue resolved. Administrator Butler stated that he will speak with City Manager Weston concerning a date for this workshop.

S.H.I.P. AFFORDABLE HOUSING COMMITTEE

Administrator Butler recommended that the Board adopt the CDC's recommendations for the Affordable Housing Committee and adopt the committee by resolution.

The meeting recessed at 9:46 a.m., E.T.

The meeting reconvened at 9:53 a.m., E.T.

S.H.I.P. AFFORDABLE HOUSING COMMITTEE

Commissioner Barnes motioned to table this matter until the next meeting. Commissioner Williams seconded the motion and it passed unanimously.

MOSQUITO CONTROL

Chief Administrator Butler informed the Board that he has received a lot of calls regarding complaints about mosquitoes, and requested the Board's permission to allow the Mosquito Control Department to work extra hours and earn comp time, as long as State guidelines are met. Mosquito Control Director Cothran stated that one of their trucks, which has been broken down for two weeks, is still being worked on. Commissioner Barnes motioned to allow Mosquito Control to spray more than the usual hours, as recommended by Chief Administrator Butler. Commissioner Williams seconded the motion and it passed unanimously.

COMPREHENSIVE PLAN/PROPOSED CHANGES

Planner David Richardson presented to the Board some draft changes to the comprehensive plan and stated that the P.D.R.B. met in a special meeting to discuss these proposed changes. Planner Richardson stated that the majority of our land is agricultural land use and commercial use is not allowed in Ag unless it is agriculturally based. He stated that by the time one goes through a land use change, they are frustrated and leave. He stated that the P.D.R.B.'s intent is to open up Agricultural and allow commercial use with stipulations. Planner Richardson stated that It will be by Ordinance, requiring a Development Order so that it is specifically tied it to that development. The P.D.R.P. is also recommending it go to 100 acres. Commissioner Williams discussed precautionary measures that must be taken and the need for a linkage to EDC. Planner Richardson stated that he would add an EDC component as requested by the Board.

Planner Richardson continued review of the proposed comprehensive plan changes by discussing the Land Use Element to support military base encroachment issues, specifically, Eglin Air Force Base. A major issue for Eglin is to maintain the 3 habitual floors on pilings or 50 foot total building height at the peak, but have agreed to drop the 15 mile radius component. Planner requested direction from the Board, stating that the P.D.R.B wants to take this out, but Eglin wants it left in. Commissioner Peters motioned to leave it as Eglin requested, and with Commissioner Barnes second, the motion passed unanimously.

Planner Richardson recommended to the Board to change Policy 1.10.3 of Section 4 to read: Gulf County will assist the military in maintaining the existing safety zone around the present existing missile launching site which ends at the Federal property boundary line. Commissioner Peters motioned to accept Planner Richardson recommendation. Commissioner Barnes seconded the motion and it passed 5-0.

PLANNING DEVELOPMENT AND REVIEW BOARD (P.D.R.B.)

Planner David Richardson informed the Board that there was a vacancy on the P.D.R.B. Commissioner Peters motioned to appoint James Christy as a replacement. Commissioner McLemore seconded the motion and it passed unanimously.

ST. JOSEPH BAY AQUATIC RESERVE MANAGEMENT PLAN/DEP

Commissioner Williams requested that Kim Rinn, approach the Board to discuss the impacts of the Aquatic Reserve. Ms. Rinn approached the Board and stated that she works for the Department of Environmental Protection, under the Office of Coastal and Aquatic Managed Areas. She further discussed the management plan process for the Aquatic Bay Reserve and informed the Board that there have been several public meetings with discussions concerning water quality issues, sea grass, and increased crop scar damage. Ms. Rinn informed the Board that there has been some concern over enforcement issues. Commissioner Williams motioned to give Ms. Rinn extended time for addressing the Board. Commissioner Peters seconded the motion and it passed unanimously. Ms. Rinn discussed increasing amounts of algae in the Bay, and other DEP concerns, and stated that she would like to continue updating the Board on the progress of the Aquatic Reserve. Ms. Rinn informed the Board that she will be taking the plan before the Governor on September 16, 2008 for approval. Commissioner McLemore inquired what would happen to the project if the Gulf and Bay were to merge. Ms. Rinn stated that the area would continue to be monitored. Commissioner Williams discussed the importance that the Board and public be aware of DEP issues.

HIGHLAND VIEW FIRE DEPARTMENT/ PROPERTY APPRAISAL

Commissioner Williams informed the Board that the property appraisal is complete for the property that is being considered for the Highland View Fire Department, and stated that the appraisal came in much lower than expected. He further stated that Jamie Lester will be reviewing it. Commissioner Williams motioned for the Board's approval to go out for bid for this project. Commissioner Barnes seconded the motion, and it passed unanimously.

HIGHLAND VIEW SEWER SYSTEM

Commissioner Williams informed the Board about concerns with the progress of the Highland View Sewer System hookups, and reminded the Board of the importance of protecting the citizens of Highland View.

AMERICUS AVENUE DITCH PROJECT/BID#0708-01

Commissioner Williams informed the Board that the Americus Avenue Ditch project would be complete this week.

APOLLO STREET/ROAD PAVING BOND

Commissioner Peters inquired of G.A.C. Representative Andrew Rowell, concerning the progress of the Apollo Street project. Mr. Rowell stated that he will have an answer for Commissioner Peters later today.

PORT AUTHORITY

Commissioner Peters stated that the Board has made a commitment to the Port Authority to assist them in improving the community. Commissioner Williams stated that there is a special meeting scheduled for 10:30 to discuss this.

CONDOLENCES COMMISSIONER BARNES

Commissioner Barnes expressed his gratitude to everyone for their prayers and support through the loss of his wife. Chairman Traylor expressed the Board's condolences. Commissioner Peters stated that Commissioner Barnes is the fairest commissioner that he has had the privilege to work with.

VOLUNTEERS

Commissioner Barnes stated that he would like to send letters of appreciation to citizens who volunteer on various County committees.

STUMPHOLE PROJECT

Commissioner Barnes stated that he has spoken with Patricia Hardman concerning the Stumphole Project, and discussed asking VMS to consider removing some of the rocks off the end of the Stumphole, and moving it toward the middle. Ms. Hardman stated that this is an emergency, and DEP is not concerned with whether or not the rock wall washed out. Chairman Traylor agreed and stated that the Board will be doing everything they can. Chief Administrator Don Butler stated that D.O.T. is trying to get an emergency permit right now. Deputy Administrator Lynn Lanier stated that the rocks that are on the end of the rock wall no longer meet the requirements, and can not be moved to the middle.

The meeting then recessed at 10:38 a.m., E.T.

The meeting reconvened at 11:28 a.m., E.T.

STUMPHOLE PROJECT

Commissioner Barnes requested the Board's permission to request that D.E.P. Representative Kim Rinn send a letter to D.E.P. concerning the impact to the Stumphole, and the need to expedite the permitting process. Commissioner Peters motioned to request Ms. Rinn to do so. Commissioner Barnes seconded the motion and it passed unanimously.

FRIENDS OF WETAPPO CREEK/GULF COAST PARKWAY

Tim Stein approached the Board, as a member of the Friends of Wetappo Creek to discuss the preferred routes for the Gulf Coast Parkway project. Mr. Stein stated that his purpose for appearing before the Board today is to request that the Board make public which route they back. Mr. Stein stated that of the 12 corridors, 11 involve County Road 386, which would

cause people to lose their property and homes. Mr. Stein stated that, in his opinion, the most direct and favorable route is 17, because it does not overload County Road 386. Chairman Traylor discussed that the Economic Development Committee and the Chamber of Commerce have been involved in this process due to economic development possibilities. Commissioner Williams discussed revisions and additional models to the corridor, and the need to look at the overall impact. Mr. Stein continued and discussed TRIP funding for paving of County Road 50 and his agreement to support it only if it directly off of Jarrott Daniels Road and picked up CR50 over to State Highway 71. He stated that PBS&J and FDOT had confirmed to him that this is not going to be one of the alternates.

Steve Norris, Gulf County's representative on the Northwest Florida Transportation Corridor Authority appeared before the Board and stated that he feels that it is important that the Corridor Authority and the County come to a consensus on what we believe is best for the County. Mr. Norris stated that he believes that there would be a good bit of support by Bay County for Route 17 because it is in Bay County and helps their side of the line. Mr. Norris referenced a meeting of the Gulf County Transportation Committee where they discussed the economic advantages of keeping the southern part of the Gulf Coast Parkway in Gulf County. The committee would like to see a balance by keeping it in Gulf County, yet minimizing the impact to residents. He further stated that keeping it in our County gives us possible development opportunities. Mr. Norris stated that the County's opinion is important and they need to take a position on this matter. Commissioner Williams discussed getting all the stakeholders together to make the right decision for Gulf County and Chairman Traylor stated that he would set a workshop for that. Grant Writer Kopinsky reminded the Board and the public that the grant funding for County Road 50 is just for a PD&E Study.

Tim Stein expressed his concerns, and that of other Wetappo residents, of the possibility of losing their homes to some of the proposed routes for the Gulf Coast Parkway. He further expressed his concerns that the Commissioners are not attending the Transportation Committee and the Corridor Authority meetings. Chairman Traylor stated that no decision has been made on a route to date, and it was not fair to the people to scare them into thinking they would lose their homes or businesses. Commissioner Williams stated the need to keep people informed. Discussion continued. Commissioner Williams motioned to allow Mr. Stein an additional 3 minutes. Commissioner Barnes seconded the motion and it passed 5-0. Mr. Stein stated that he is not trying to scare the people, but trying to inform the people. He further stated that by people attending the workshops and speaking up about their preferred routes, it will influence PSB&S and FDOT.

EMERGENCY MANAGEMENT EQUIPMENT/GRANTS

Emergency Management/911 Coordinator Ben Guthrie requested the Board's permission to allow Chairman Traylor to sign two grant applications that he and Grant Writer Towan Kopinsky are working on. EM/911 Coordinator Guthrie informed the Board that one of the grants will be for Records for the 911 Dispatch Center, and the other grant will allow Emergency Management to join My Florida Network. Commissioner Williams motioned to allow Chairman Traylor to sign the grant applications, upon completion. Commissioner Barnes seconded the motion and it passed unanimously.

TRANSPORTATION MEETINGS

Commissioner Peters discussed the statement Mr. Tim Stein made, that at the last PBS&J Meeting, no Commissioners were present. Commissioner Peters stated that Steve Norris, Chair of the Gulf County Transportation Committee is the representative for the Board at

those meetings, and the Board depends on his judgment.

LETTER OF SUPPORT/NW FLORIDA TRANSPORTATION CORRIDOR AUTHORITY

Commissioner Williams stated that he wrote a letter supporting Mr. Steve Norris, who will be up for re-appointment for the Northwest Florida Transportation Corridor Authority, and discussed that Governor Crist has replaced many of the citizens that were appointed under Jed Bush, such as Mr. Norris. Commissioner Williams motioned for the Board to send a letter supporting Mr. Norris' re-appointment. Commissioner Peters seconded the motion and it passed unanimously.

There being no further business and upon motion by Commissioner Peters, the meeting did then adjourn at 12:00 a.m., E.T.

**BILLY E. TRAYLOR
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**