

FEBRUARY 14, 2012
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 Bill Williams, Vice Chairman Tan Smiley, and Commissioners Carmen L. McLemore, Ward McDaniel, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk of Court Rebecca L. Norris, Deputy Clerk Tracy Tharpe, Clerk Finance Officer Carla Hand, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, Gulf County E.M.S. Director Houston Whitfield, Emergency Management Director Marshall Nelson, 911 Coordinator Ben Guthrie, Sheriff Joe Nugent, Planner David Richardson, Public Works Director Joe Danford, Information Technology Director Dennis Barfield, G.I.S. Coordinator Scott Warner, Sheriff's Major Bobby Plair, Preble-Rish, Inc./County Engineer Clay Smallwood III, and E.D.C./Chamber Director Barry Sellers.

Sheriff's Major Bobby Plair called the meeting to order at 6:00 p.m., E.T.

Clerk Norris opened the meeting with prayer, and Chairman Williams led the Pledge of Allegiance to the Flag.

Chairman Williams thanked everyone for attending and wished all a Happy Valentine's Day.

CONSENT AGENDA

Commissioner McDaniel motioned to approve the consent agenda after pulling pages 76-130 (item #6), as follows. Commissioner Yeager seconded the motion and it passed unanimously.

1. Minutes – January 10, 2012 – Regular Meeting
- January 24, 2012 – Regular Meeting
2. Approval of Checks and warrants for January 2012 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
3. Change Order #3 – GAC Contractors- Avenue "A" Sewer** Decrease \$20,412.55*

4. Inventory – Health Department***Transfer – 120-77a * 120-77b * 130-207
Junk / Remove – 120-63 * 130-105 * 130-112 * 130-170 *
130-173 * 130-175 * 130-193 * 130-194 * 130-223 *
130-244 * 130-245 * 130-246 * 130-247 * 130-248 *
130-255 * 130-259 * 130-264 * 130-277 * 130-281 *
130-287 * 130-301 * 130-302 * 130-373 * 130-398 *
130-430 * 130-431

5. Invoices – Bluewater iNet Group LLC – VisitGulf.com ** Banners**
(Invoice #15809 * \$131.25 to be paid from T.D.C. account
#27452-48000)

- C. W. Roberts Contracting – Cape San Blas Shared Use Path *
(Application #7 * \$497,469.00 to be paid from account
#40341-53000 LAP, Phase III)

- County Attorney Jeremy Novak – Professional Services (January
16 - 31, 2012 * \$562.50 & \$7,732.65 * to be paid from account
#21314-31100)

- Florida Department of Revenue – Unemployment Tax (\$5,595.10
to be paid from account # 347511-25000)

- GAC Contractors (Invoice #26441 * \$10,339.02 to be paid from
account #113535-34000 Ave A DRI Project * Bid #1011-12)

- GAC Contractors (Invoice #26442 * \$41,909.67 to be paid from account
#113535-34000 Ave A DRI Project – Final Retainage * Bid
#1011-12)

- Gulf County Health Department (Contract between Department of
Health and Gulf BOCC * \$10,798.00 to be paid from
account #42562-81000)

- Port St. Joe High School (Invoice #20120110B * \$1,000.00 to be
paid from T.D.C. account #27452-49000)

- Roberson & Associates – Auditing Services * T.D.C. (Invoice
#PSJ9195 * \$5,000.00 * to be paid from Account
#346513-32000)

- St. Joseph Bay Humane Society – Animal Control (January, 2012 *
\$2,932.00 * to be paid from Account #43262-82000)

- The Ferguson Group, LLC – Federal Lobbyist (Invoice #0312177 *
\$6,500.00 * to be paid from Account #21111-31200)

6. DELETE - T.D.C Invoices – Consent Agenda Items Summary
- DELETE - Kerigan Marketing Associates (Invoice #6178 * \$706.00 to be paid from account #BP3 27452-49204)
- DELETE - Kerigan Marketing Associates (Invoice #6179 * \$526.00 to be paid from account #27452-49200)
- DELETE - Kerigan Marketing Associates (Invoice #6174 * \$2,640.00 to be paid from account #27452-49200)
- DELETE - Kerigan Marketing Associates (Invoice #6211 * \$660.00 to be paid from account #27452-49200)
- DELETE - Kerigan Marketing Associates (Invoice #6211 * \$1,980.00 to be paid from account #27452-49200)
- DELETE - Kerigan Marketing Associates (Invoice #6215 * \$2,562.50 to be paid from account BP Print # 27452-49202)
- DELETE - Kerigan Marketing Associates (Invoice #6205 * \$9,535.00 to be paid from account Discovery #27452-48000)
- DELETE - Kerigan Marketing Associates (Invoice #6202 * \$1,919.00 to be paid from account BP Interactive #27452-49203)
- DELETE - Big Bend Saltwater Classic (Invoice #61008 * \$2,000.00 – \$1,000.00 to be paid from account #27452-83000 * \$1,000.00 to be paid from account #BP3 27452-48000)
- DELETE - Junior Service League – Chili Cook Off (Sponsorship * \$1,500.00 to be paid from account #27452-83000)
- DELETE - 3G Broadcasting Oyster Radio WOYS 100.5 FM (Invoice #11120169 * \$150.00 to be paid from account #BP3 27452-48000)
- DELETE - Freedom Florida (Invoice #4522404-1211 * \$167.51 to be paid from account #BP3 27452-48000)
- DELETE - Turtle Beach Inn (\$585.00 to be paid from account #27452-48000)
- DELETE - Jacksonville Sound & Communications (Fire Alarm System Agreement for Monitoring for T.D.C. Building * \$240.00 to be paid from account # 27452-46200)

DELETE - Must See Media LLC Advertising Contract (Must See Magazine – Spring, Summer & Holiday 2012 * \$4,275.00 to be paid from account # 27452-49200)

DELETE - Dewey Blaylock – (Norton Anti-Virus Software Order #NP121746916 * \$44.49 to be paid from account #27452-49000)

7. Public Works – Request to Receive Sealed Bids for Courthouse Fountain

8. Waiver – Honeyville Community Center * Project Graduation for Wewahitchka's Valentine's Dance

(End)

INVOICES – THE WATER SPIGOT

Public Works Director Joe Danford presented for Board approval two (2) invoices from The Water Spigot for well monitoring services; noting there is not a contract, only a bid offer and acceptance dating back several years. Mr. Danford informed the Board the contractor has not changed but the parameters in well monitoring have changed drastically over the years; noting he has discussed this with Chief Administrator Butler. Mr. Danford stated the bills are to be paid through the Solid Waste Grant; \$2,975.00 for Buckhorn Landfill (invoice #12-1134), and \$7,600.00 for Five-Points Landfill (invoice #12-1172). Upon inquiry by Chairman Williams, Clerk Norris confirmed there was a bid and an award letter submitted, but no valid contract executed. Upon Chairman Williams' recommendation, Commissioner Yeager motioned to approve the invoices with County Attorney Novak's legal review and putting a contract together. Commissioner Smiley seconded the motion and it passed unanimously. Chairman Williams directed Attorney Novak get a contract in place immediately.

FLORIDA EMERGENCY PREPAREDNESS ASSOCIATION 2012 LEGISLATIVE ACHIEVEMENT AWARD

Emergency Management Director Marshall Nelson approached the Board, stating he attended the annual Florida Emergency Preparedness Association conference last week and had the honor of accepting the 2012 Legislative Achievement Award on behalf of Chairman Bill Williams. Mr. Nelson noted the criteria to receive this honor and presented the award to Chairman Williams. Chairman Williams recognized Mr. Nelson's and Mr. Guthrie's involvement in F.E.P.A. and the partnership through the Florida Association of Counties (FAC).

COMPREHENSIVE PLAN

Planner Richardson informed the Board he has a copy of the updated Comprehensive Plan for each Commissioner to pick up at their convenience.

CONTRACT EXTENSION/INMATE COMMISSARY AND AMTEL TELEPHONE

Assistant Administrator Michael Hammond reported on two (2) outside agency contracts at the jail, noting the Inmate Commissary contract has expired, and the AmTel inmate telephone

contract expires in March 2012. Mr. Hammond requested the Board allow County Attorney Novak to negotiate a one (1) year extension on both contracts, noting sometime during this time period they will get a Request for Proposal (R.F.P.) ready and re-bid these services. County Attorney Novak noted there was no financial benefit or burden to the County with these contracts. Commissioner McLemore motioned to allow a one (1) year extension on both contracts as recommended by Assistant Administrator Hammond. Commissioner Smiley seconded the motion and it carried unanimously.

NET BAN - RESOLUTION 2012-02

County Attorney Novak discussed and presented for the Board's consideration a Net Ban resolution. Commissioner McLemore motioned to adopt the proposed resolution. Commissioner McDaniel seconded the motion and it carried unanimously, as follows.

RESOLUTION NO. 2012-02

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA, SUPPORTING ANY AND ALL EFFORTS TO RESCIND CURRENT REGULATIONS SET FORTH IN THE FLORIDA ADMINISTRATIVE CODE RESTRICTING THE MESH SIZE OF FISHING NETS.

WHEREAS, Gulf County has a unique configuration of many citizens who engage in the use and enjoyment of net fishing in and around our coastal, near shore and open waters; and

WHEREAS, Gulf County maintains a rare tradition of commercial fishing with many citizens directly dependent upon the economic benefits derived therefrom to sustain their livelihood; and

WHEREAS, Gulf County attracts recreational fisherman who use nets to gather and harvest fish and shellfish for family consumption and enjoy the benefits derived therefrom; and

WHEREAS, the County Commission for Gulf County is dedicated to the protection of the natural environment through a well planned, clear and unequivocal regulatory scheme which provides in plain language the rules, guidelines and obligations of those individuals and entities, both recreationally and commercially, which enjoy the use of nets in and around the waters of Gulf County; and

WHEREAS, by eliminating the current net mesh limitations, the fishing net by-catch or waste would be dramatically reduced from 98% to 3%, and larger meshes in nets would help promote the future of the recreational fishing industry by allowing millions of juvenile sport and bait fish to escape and have an opportunity to spawn rather than being fatally gilled while only 6 inches long; and

WHEREAS, it is beneficial to the welfare of countless citizens of Gulf County, to rescind the net mesh limitations in order to create and sustain jobs in fish houses,

restaurants, trucking industries, box manufactures and many other industries that depend on a commercial harvest in Florida; and

WHEREAS, Gulf County is in favor of amending the current net ban law to request that seines and rectangular nets be constructed of monofilament and 1.5 inch bar or 3 inch stretch mesh or larger; and

WHEREAS, monofilament netting will protect the crab, catfish and stingray species, as well as other marine animals with barbed fins. These species will not tangle in monofilament nets as with nylon netting and the harvester will be able to release untangled by-catch alive and unharmed; and

WHEREAS, Article X, Section 16 of the Florida Constitution mandates certain limitations on marine net fishing in Florida waters in order to “protect saltwater finfish, shellfish, and other marine animals from unnecessary killing, overfishing and waste”; and

WHEREAS, one of the limitations set forth in Article X, Section 16 of the Florida Constitution is the prohibition of the use of “gill nets” or other entangling net in any Florida waters; and

WHEREAS, to implement this prohibition, the Florida Administrative Code, 68B-4.0081(2), limits the “stretched mesh” size of marine fishing nets to two (2) inches and states in part, “Any such net, with a mesh size greater than 2 inches stretched mesh shall be considered an entangling net...”; and

WHEREAS, in response to concerns raised by the Gulf County commercial fishing industry, the Board of County Commissioners of Gulf County recognizes the damaging effects of the 2-inch mesh size limit which results in non-targeted by-catch and the unnecessary killing of substantial numbers of juvenile fish; such damaging effects being contrary to the intent of Article X, Section 16 of the Florida Constitution; and

WHEREAS, this Board believes that Gulf County and Florida’s fishing industry as a whole would be better served by eliminating the 2-inch mesh size rules as it would allow fishermen the ability to use the marine net mesh size necessary to harvest legal, marketable fish and reduce unnecessary killing, overfishing and waste.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gulf County that in order to improve Florida’s fishing industry and reduce non-targeted by-catch and overfishing, the Board supports, promotes, and requests that the legislative contingency for this County as well as all areas of Florida, support any and all efforts to rescind current regulations set forth in the Florida Administrative Code that restrict the mesh size of fishing nets to two (2) inches or less.

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted to Gulf County's Legislative Delegation and the Florida Fish and Wildlife Conservation Commission.

The foregoing Resolution was offered by Commissioner McLemore, who moved its adoption. The motion was seconded by Commissioner McDaniel and, being put to vote, the vote as follows:

Commissioner Williams - Yes
Commissioner Yeager - Yes
Commissioner McLemore - Yes
Commissioner Smiley - Yes
Commissioner McDaniel - Yes

DULY adopted this 14th day of February, 2012.

(End)

CONSULTING CONTRACT/FLORIDA HOUSING COALITION/S.H.I.P.

County Attorney Novak discussed a proposed services agreement for the technical advisor from the Florida Housing Coalition, and their consulting and program guidance to Gulf County on the compliant and proper completion of pending S.H.I.P. parcels and projects, noting the final step is the White City project. Mr. Novak discussed engaging with Michael Chaney for consulting services through the Florida Housing Coalition and presented a contract not to exceed \$5,000.00 for the Board's consideration. Commissioner Yeager moved to approve the contract. Commissioner Smiley seconded the motion and it passed unanimously.

LETTER- BURG MANAGEMENT COMPANY/WINDMARK D.R.I.

County Attorney Novak presented a copy of a letter sent to Burg Management Company regarding signage (No Trespassing) posted in the Windmark (Phase 1) community. Chairman Williams thanked the Board for their support in honoring the obligations of the D.R.I. in keeping those pathways and access points to the beach open to the public. He noted issues with parking and dialog with homeowners, stating he will come back to the Board with a solution following discussion with the Homeowners Association.

ELECTION REDISTRICTING REPORT

County Attorney Novak noted the status of redistricting, stating the final redistricting maps and legal descriptions were submitted to the Department of State, Division of Elections. Mr. Novak stated the Division of Elections, as the repository of redistricting maps, has confirmed receipt.

ANIMAL CONTROL AND TETHERING REPORT

County Attorney Novak updated the Board on his meeting with the Humane Society and Mr. Butch Colbert. He advised the Board they are currently reviewing proposed

language to be introduced in the form of an ordinance regarding animal control in Gulf County; to implement fines and more extensive enforcement power for the animal control officer. County Attorney Novak thanked Commissioner McLemore for his assistance in regard to this matter.

TOURIST DEVELOPMENT COUNCIL REPORT

County Attorney Novak presented a packet regarding the T.D.C. to the Commissioners, the Clerk, and County Administration for review.

T.D.C. AUDIT REPORT AND FINDINGS

County Attorney Novak noted the receipt of the special Audit report from Robertson and Associates over a week ago. He stated since that time they have had an opportunity to meet and evaluate the thirteen (13) items that are addressed in the letter from the auditors. Mr. Novak noted the following eleven (11) items outlined in the notebook-binder (Report and Analysis of the Gulf County Tourist Development Council, Related Materials for Findings and Proposed Remedial Steps and Response) presented to the Board, as follows:

1. Audit Report
2. Gulf County T.D.C. Ordinance 98-14
3. Florida Statute – 125.0104
4. Florida Statute – 112.311 Code of Ethics for Public Officers and Employees
5. Gulf County Bidding Policies – 2008
6. Gulf County Accounts Payable Policy – 2002
7. Coastal County Council / B.P. Agreement
8. Summary of Media and Marketing Obligation and Budgets
9. Marketing Consultant Services R.F.P.
10. T.D.C. Policies/Guidelines, Application and Appointment Resolution
11. Summary Timeline for Gulf County Commission Response and Action to report

Attorney Novak stated in consultation with County Administrator Butler this packet was created for the Board; serving a twofold purpose. The first being a foundation for training for the T.D.C. Board, and second, providing the Board with materials that were cited in the audit report; providing relevant ordinances, policies and Florida Statutes that are touched on throughout the audit report. County Attorney Novak discussed a third item is the summary timeline over the next forty-five (45) days that he and Mr. Butler recommend they adopt. Mr. Novak stated he and Mr. Butler plan to provide a summary report at the March 27, 2012 meeting addressing each item in the audit report. Mr. Novak discussed the timeline (item 11), stating Mr. Butler and he met with the T.D.C. Board on February 7, 2012 to distribute and discuss the audit report. Mr. Novak recommended the Board adopt the policy (item 10), the timeline (item 11), and authorize them to advertize the policy and guidelines to be incorporated as part of County law through ordinance at the March 13th meeting. County Attorney Novak noted the deadline and criteria for T.D.C. applications and appointments; stating the deadline for applications is February 25th. Mr. Novak discussed the resolution, policies, procedures and guidelines under item 10 and asked the Board to entertain a motion to

adopt. Commissioner McDaniel motioned to adopt the resolution, policies, procedures and guidelines as recommended by County Attorney Novak. Commissioner Yeager seconded the motion. Commissioner McDaniel asked County Attorney Novak if this was the first step in getting their house in order. County Attorney Novak stated it was. Commissioner McDaniel noted the Board is the oversight committee for this and are accountable to the people, stating this is the first step in making this correction. The motion to adopt the resolution, policies, procedures, and guidelines then passed unanimously, as follows.

RESOLUTION NO. 2012-03

GULF COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTION OF TOURIST DEVELOPMENT COUNCIL POLICY, GUIDELINES, APPLICATION PROCESS AND APPOINTMENT PROCEDURES

WHEREAS, Gulf County Board of County Commissioners (“Gulf County”) has undergone and completed the recent evaluation, administrative review, internal audit of the Gulf County Tourist Development Council and its operations and procedures, and

WHEREAS, Gulf County is dedicated to the protection of public trust, compliant collection of tax revenue and the proper statutory distribution and use of said revenues, and

WHEREAS, Gulf County created the Tourist Development Council under Gulf County Ordinance 98-14 instituting and administering the permissible bed tax fee and distribution under Florida Statute 125.0104, and

WHEREAS, Gulf County upon recommendation and findings of its Office of the Administrator and the County professional staff including the office of the County Attorney and its policy recommendations submitted under cover of memorandum dated October 25, 2011 and recent audit report submitted by County special auditor have deemed necessary the implementation of additional regulations, policies and procedures to assist the Board of County Commissioners in its oversight and proper administration of the special Tourist Development advisory council, and

WHEREAS, Gulf County upon review of the current administration of the advisory council have deemed it necessary and appropriate to institute clear terms for the application and appointment process; member duties, responsibilities and conduct; and mission for all serving this Gulf County advisory council, and

WHEREAS, Gulf County have received, reviewed, revised, discussed and debated the findings of its staff and professionals and find the immediate implementation of proper policies and procedures necessary and appropriate, and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gulf County that they fully support, adopt and institute for immediate effect the

attached "Gulf County Tourist Development Council Guidelines, Policy and Application Procedure", and

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted to Gulf County's Tourist Development Council and its staff and personnel for immediate compliance and action in accordance with the "Gulf County Tourist Development Council Guidelines, Policy and Application Procedure", and

BE IT FURTHER RESOLVED that all necessary acts taken and resolutions adopted above by this County Commission are approved and ratified and the Commission hereby authorizes final memorializing actions through the necessary instruments which shall include but not limited to the adoption by amendment to the current Gulf County Tourist Development Tax and Council Ordinance 98-14 to effectuate the inclusion of the "Gulf County Tourist Development Council Guidelines, Policy and Application Procedure".

The foregoing Resolution was offered by Commissioner McDaniel, who moved its adoption. The motion was seconded by Commissioner Yeager and, being put to vote, the vote as follows:

Commissioner Williams - Yes
Commissioner Yeager - Yes
Commissioner McLemore - Yes
Commissioner Smiley - Yes
Commissioner McDaniel - Yes

DULY PASSED AND ADOPTED THIS 14th day of FEBRUARY, 2012.

(End)

T.D.C. MARKETING CONSULTANT-REQUEST FOR PROPOSALS

County Attorney Novak requested permission to advertise for an R.F.P. for a marketing consultant for the T.D.C. Chairman Williams discussed dialog he had with the current T.D.C. members, noting they can reapply if they want to continue serving on this Board. The Board had no objection to advertising an R.F.P. for a marketing consultant and the timelines discussed by County Attorney Novak.

KERIGAN MARKETING ASSOCIATES-OUTSTANDING INVOICES

County Attorney Novak referenced item #8 of the binder in regards to outstanding invoices due to Kerigan Marketing Associates. Mr. Novak noted he, Mr. Butler, and county staff has been working through those to resolve issues and make sure the vender gets paid in a timely manner. Mr. Novak thanked Jack Kerigan for providing a breakdown of his outstanding invoices. Attorney Novak reported the large portion of the invoices are B.P. media buys by Kerigan Marketing that are still outstanding, noting the moneys have been allocated and spent by the Board's marketing firm, Kerigan Marketing. Mr. Novak noted the pulled consent agenda items by Commissioner McDaniel, stating it would be appropriate to discuss these in conjunction with other

consent agenda items for commission approval and funding later in the meeting. Chairman Williams noted the estimate of outstanding Kerigan invoices provided by T.D.C. Director Tim Kerigan from the last meeting being \$7,000.00 to \$10,000.00, but now the Board finds there are invoices dated back to June 2011 totaling \$116,000.00. Upon inquiry by Chairman Williams, County Attorney Novak stated he confirmed with County Auditor Ralph Roberson that these outstanding invoices are in addition to what has already been paid.

AWARD BID#1112-05 FOR PIPE

County Administrator Butler noted five (5) bids were received (Consolidated Pipe & Supply Co., Ferguson Waterworks, HD Supply Waterworks, MSC Waterworks, and Wallace Pump and Supply) and in consultation with Public Works Director Knee and Public Works Director Jake Lewis, recommended the Board award the bid #1112-05 to HD Supply (low bidder) in the amount of \$21,689.30, to be paid from available Road Bond funds and some remaining SCRAP funds (from the Beach project). Mr. Butler noted there may be a need to buy additional pipe as they get into it, noting there is money in the grant to do it. Chairman Williams noted this will complete the work on Americus Avenue ditch. Upon motion by Commissioner Yeager, second by Commissioner McDaniel, the motion passed unanimously, as recommended by Chief Administrator Butler.

PEG CHANNEL/REQUEST TO ADVERTISE

County Administrator Butler discussed the picture quality of Board meetings on the North end of the County. Mr. Butler stated in further discussions with Mr. Troy White, it makes sense for someone to handle this for the entire County. Mr. Butler recommended the Board advertise for someone to provide this service for the entire county, taping the meeting and putting them on a good quality screen. Commissioner Yeager so moved as recommended by Chief Administrator Butler. Commissioner Smiley seconded the motion and it passed unanimously.

INVOICE/ST. JOE SHRIMP

Chief Administrator Butler presented an invoice from St. Joe Shrimp (Clint Moore) in the amount of \$350.00 for a fishing trip for band members in July 2011 during the Media Fest and recommended the Board pay the invoice. Mr. Butler noted this was not approved by the T.D.C. Board; it was approved by the T.D.C. Director (Tim Kerigan). Commissioner McLemore motioned to approve payment of the invoice. Commissioner Yeager seconded the motion and it passed unanimously.

LEASE AGREEMENT/NORTH FLORIDA CHILD DEVELOPMENT, INC.

Chief Administrator Butler presented and discussed a proposed lease agreement between North Florida Child Development, Inc. and Gulf County for the use of the old Gulf County (Wewahitchka) Courthouse for consideration. Mr. Butler pointed out the rate is increasing from \$1.03 to \$1.25 per square foot from now through the end of December 2012; requiring N.F.C.D. to now pay a pro-rata share of the utilities. For the Board's future consideration, Chief Administrator Butler informed the Board that Sharon Gaskin is looking at ways to purchase the facility; not to take it out of the public's hands

but to keep it open and active. Commissioner Yeager motioned to approve the lease agreement with North Florida Child Development, noting he attended some of the meetings with Mr. Butler, stating they have some good ideas on a not-for-profit and this will give them that timeframe to set those up. Commissioner Smiley seconded the motion and it passed unanimously.

FENCE ON COUNTY ROAD-HIGHLAND VIEW

Chief Administrator Butler presented a map to the Board, stating he received a call concerning a fence that had been placed across a county road in Highland View (2852 Victoria Avenue, JKA Home, Inc.). Mr. Butler stated that Code Enforcement Officer Aiken went out and talked to the gentleman who placed the gate across the county road, noting there was indication he would make contact with the county but he has not. Chairman Williams stated he spoke to the gentleman on both sides and noted there was a compromise that was trying to be negotiated but it did not occur. Commissioner McLemore stated that no county road needs to be gated off. Commissioner Yeager asked for direction from County Attorney Novak on how to proceed. County Attorney Novak recommended the Board authorize him to start the process by issuing a demand letter tomorrow; working through code enforcement, and authorize them to take the necessary steps following that should the owner not cooperate. Commissioner McLemore motioned to approve the recommendation of County Attorney Novak. Commissioner Yeager seconded the motion and it passed 5-0.

STRIPING – ROADS 30-B AND AVENUE A

Chief Administrator Butler noted the current bid underway for the Lola Road striping project (bid #1112-07). Mr. Butler requested permission to take quotes, or piggy-back on the Lola Road bid for striping on the 30-B and Avenue “A” roads, under County Attorney Novak’s guidance. Commissioner Yeager motioned to proceed in that respect. Commissioner Smiley seconded the motion and it passed 5-0.

FIRE COORDINATOR

Chief Administrator Butler informed the Board the advertisement for the Fire Coordinator position has been submitted to the newspaper and will be posted to the County website soon.

PORT ST. JOE ROTARY CLUB INVOICE/GULF COUNTY HEALTH FAIR

Chief Administrator Butler informed the Board of his receipt of an invoice from the Rotary Club for \$3,000.00. He noted the T.D.C. agreed about a year ago to pay the Rotary Club to do some work on the Health Fair. Mr. Butler recommended the Board pay the request, contingent upon his and Attorney Novak’s review. Chairman Williams stated he spoke with (City Commissioner) Lorinda Gingell of the Rotary Club, noting she went through the detail with him and he agrees with Mr. Butler’s recommendation. Commissioner McLemore stated the Board needs to be careful, based upon recent guidelines that we don’t need an invoice that is dated since Board action to cut them off. Mr. Butler noted this was old. Commissioner McLemore motioned to approve payment. Commissioner McDaniel seconded the motion and it passed 5-0.

STATECRAFT SUBCONTRACTORS

Chief Administrator Butler advised the Board of a letter received today from Statecraft, LLC (Amber Davis) requesting approval of three (3) subcontractor agreements/quotes for T.D.C. approved events (St. Paddy's Day by the Bay, and St. Joseph Bay Tagged Redfish and Trout Tournament events). Mr. Butler stated the contractor, Statecraft LLC, went out and found subcontractors to do some of this work, noting payment will be made directly to the subcontractors, not Statecraft, as follows:

Agreement 1: Odds on Promotions, quote #44946 in the amount of \$1,090.00 for the St. Paddy's Day Leprechaun Hunt.

Agreement 2: Odds on Promotions, quote #44945 in the amount of \$1,750.00 for the contingency prize coverage (two 10K cash prize insurance) for the St. Joseph's Bay Tagged Redfish and Trout Tournament.

Agreement 3: Florida Georgia Line Contract (Buddy Lee Attractions, Inc.) in the amount of \$1,850.00 (\$1,250.00 up front) for a live band performance at the St. Paddy's Day event.

Upon recommendation by Chief Administrator Butler, Commissioner Yeager motioned to approve payment to the subcontractors. Commissioner Smiley seconded the motion. Commissioner McDaniel directed Chief Administrator Butler to review the invoices when they come in, making sure we get what we are paying for; what they did, how many hours they have in it – all the details on it. Commissioner McLemore stated he does not like money paid up front. Mr. Butler stated that some of this type work requires money to be paid up front; such as agreement #3, but not the other two. The motion carried 4-0, with Chairman Williams abstaining due to having a personal relationship (girlfriend) with Statecraft LLC owner, Amber Davis.

PLANNING DEVELOPMENT REVIEW BOARD APPOINTMENT

Commissioner McLemore moved to appoint Patrick Ferrell to the P.D.R.B. Commissioner Yeager seconded the motion and it passed 5-0.

LANDFILL

Commissioner McLemore reported the County Engineer's looked at possible landfill sites about five (5) years ago; noting the Kate Glass property, and the 80-acre site at Wetappo were the only two (2) sites the engineers could come up with. Commissioner McLemore requested permission from the Board to begin the permitting process for the 80-acre site at Wetappo. Commissioner Yeager requested input from Public Works Director Danford and asked whether he had enough money in his budget to proceed. Mr. Danford stated the current landfill is scheduled to close in year 2018, noting an opportunity to do a vertical modification which would extend it out to year 2025 or 2030. Mr. Danford stated his operating budget was cut \$600,000.00 last year, reporting he did not budget for permitting. Public Works Director Danford stated the Professional Services line item budget is for monitoring not covered by the grant, and other fees necessary. He stated he will pay it if the Board tells him to but noted now is not the time;

but could be considered in next years' budget. Commissioner McDaniel stated Mr. Danford's numbers are very close; agreeing that by utilizing the vertical modification we can stretch it a little more. Mr. Danford discussed future changes in technology that can make it better down the road; stating there may be things better than landfills. He stated he feels Gulf County will mirror Walton County in the future and Gulf County will need a way to dispose of garbage; stating there will be other methods to do that. Chairman Williams discussed concerns due to the Five (5) year Capital Improvement plan with a 2018 deadline. Upon inquiry by Chairman Williams concerning common ground with where Commissioner McLemore is trying to go, Mr. Danford stated to help define what you have, there needs to be a geotechnical on the soils and a groundwater assessment done, reporting that a good portion of this can be done free by going through the Soil and Water Conservation (Brian McGraw). Mr. Danford briefly discussed this process and the possibly of a vertical expansion. The Board took no action to proceed with permitting.

CITY OF PORT ST. JOE-WATER BILLS

Commissioner Smiley stated he received complaints within his district concerning the high cost of water bills. He reported he has had discussions with several of the City Commissioners. Commissioner Smiley asked the City Commissioner's to consider consolidation; stating it can help not only the City, but the County as well. Chairman Williams agreed and discussed D.E.P. issues. Chairman Williams discussed the possibility of another joint meeting with the City of Port St. Joe to discuss issues and consolidation matters. Following additional discussion, Commissioner McDaniel motioned to ask for a joint meeting with the City of Port St. Joe. Commissioner Smiley seconded the motion and it passed unanimously.

SPORTS COMPLEX

Commissioner Yeager discussed the need to work with the City of Port St. Joe on the Sports Complex and asked if the Board had any objection to him working with them, and trying to find grants to get that going. The Board had no objection.

PUBLIC WORKS FENCE

Upon inquiry by Commissioner McDaniel concerning a fence for security of the Public Works site, Public Works Director Danford reported that money was given to a contractor (Eastern Coastal Construction, Inc.) to purchase fencing; noting he does not know where the contractor is at the moment. Commissioner McDaniel asked about the location of the fence and Mr. Danford stated it is wherever the contractor put it. Chief Administrator Butler advised the Board that an R.F.P. (bid #0809-26) was advertised for the fencing with the award given to the low bidder, but the project never got off the ground. He stated about 2½ years later after the project was started, the contractor requested to be paid, having bought this fencing a couple of years ago. Mr. Butler reported the Board agreed to pay for the materials and the contractor agreed to put the fencing in when the county was ready. When the county got ready to put the fence in, the contractor could not be found, stated Mr. Butler. Chief Administrator Butler reported County Attorney Novak has made contact with the company's owners (father and son) by letter. Mr. Danford suggested the Board take it to the Courts. County Attorney Novak

agreed and requested permission to proceed with court action. Commissioner McDaniel motioned to proceed with legal action as recommended by County Attorney Novak. Commissioner Yeager seconded the motion and it passed unanimously.

DEAD LAKES PARK SIGNAGE

Commissioner McDaniel discussed some problems with people coming in at night and using the showers at the Dead Lakes Park. He informed the Board he would like to place two (2) signs at the entrance stating only registered guest can use the facilities, from sun down to sun up. The Board had no objection.

WORKFORCE DEVELOPMENT BOARD PROPOSED LEGISLATION

At the request of Chairman Williams, Gary Ross of the Gulf Coast Workforce Board appeared before the Board and gave a brief overview of what occurred in Tallahassee with the Workforce Boards. He reported after meeting with Governor Scott, he agreed to pull the language from the bill that would have taken local control of Workforce Boards from the Counties, and commended Chairman Williams for his work on this issue.

SIGN-IN CARD FOR PUBLIC COMMENT

Chairman Williams announced, at Ms. Patricia Hardman's request, he is directing staff to create a sign in card for the public if they would like to address the Board on a specific item or issue on the agenda.

LAND SWAP-ELLIS SMITH/VETERAN'S MEMORIAL PARK AT BEACON HILL

Chairman Williams reported he spoke with the developer today and referenced the letter on pages 12-14 of the Information Packet. Chairman Williams discussed inquiries he received concerning this matter going through the Planning Development Review Board. Chairman Williams reported Mr. Ellis requested the Board table this matter.

PUBLIC COMMENT

Chairman Williams addressed the public, asking they make their comments brief, professional, and respectful; giving others time to voice their concerns.

KERIGAN MARKETING ASSOCIATES

Jack Kerigan and Stephanie Halseide of Kerigan Marketing Associates appeared before the Board. Jack Kerigan thanked the Board for allowing his firm to lead the County's marketing efforts. Mr. Kerigan stated they are proud of the results this T.D.C. Board achieved and shared a chart that showed a 14.4% increase in bed tax collections in fiscal year 2011, more than doubling Franklin County's performance. Another positive indicator is website visits which show a 28% increase over the previous year, stated Mr. Kerigan. Mr. Kerigan acknowledged there were administrative deficiencies, but given the urgency of B.P. funds and the plans required, decisive actions were taken without the luxury of time just as they were for Mexico Beach and the rest of the seven other affected Counties. He stated B.P. has blessed Gulf County's T.D.C. submissions and approved every one. Mr. Kerigan stated he believes everyone of T.D.C.'s members deserve one of those plaques (audience applause). Mr. Kerigan asked the Board to

consider they might be slapping in the face those who deserve a pat on the back. Commissioner Smiley moved to allow an additional three (3) minutes. Commissioner Yeager seconded the motion and it passed unanimously. Mr. Kerigan continued, stating in business terms, Gulf County T.D.C. just won the Super Bowl of tourism. He encouraged the Board to thank these people of the T.D.C. Board and focus on nurturing new industries; asking they respect the wishes of the business community. Mr. Kerigan finished by stating if we begin building each other up instead of working so hard to tear each other down, there is no limit to what this place can be.

PLEIN AIR ARTIST

Gary Ross appeared before the Board and discussed the Plein Air Artist event held in May bringing in twenty (20) Artists. Mr. Ross stated that twenty-seven (27) out of fifty (50) States participated in this event last year. Mr. Ross discussed his conversation with Jack Kerigan about a tie-in with T.D.C. for advertising in Nashville, TN; stating he understands things have been put on hold, but asked the Board to put someone in authority with the appropriate type of marketing plans that are already out there so we can move forward. He noted Gulf County is dark as far as advertising is concerned and others around us are going after the tourist. Chairman Williams stated Mr. Ross had a valid point, agreeing there needs to be some operational oversight. Chairman Williams noted no one is questioning the results, it's not the who, but the how.

LAND SWAP-ELLIS SMITH

Bo Williams appeared before the Board and questioned why this matter needs to go back through the P.D.R.B. process. He stated what this is about is they wanted the County to give up land given to us by the Department of Interior so they could profit from it. He is concerned the County is allowing them to pull out; having come asking for action. Mr. Williams questioned why they are being allowed to go through the P.D.R.B.; stating the P.D.R.P. cannot act on it because Mr. Ellis doesn't have possession of the land yet, which is a waste of County and P.D.R.B. time. Chairman Williams agreed with Mr. Bo Williams, this having been submitted as a part of the agenda and information packets, stating it has not been properly vetted and this Board will not take action until it goes through that process. Mr. Bo Williams stated if the County gives this property away, it will create a safety hazard. Upon motion by Commissioner McDaniel, second by Commissioner Smiley and unanimous vote, the Board allowed additional time for Mr. Williams to speak. Mr. Williams stated if the County gives up that frontage, they will be forcing the citizens to put themselves in harm's way going across Highway 98. Mr. Bo Williams discussed the history of the subject property. Mr. Williams recommended the Board measure the property the public crosses proportionately and remove it from the Tax Roll, noting a benefit to both Mr. Ellis by not having to pay taxes on that portion of his property, and the County for providing beach access to its citizens. Mr. Williams also recommended should Mr. Ellis sell the property, the new owners would have to come back. He asked the Board to make an exception and consider revisiting the matter annually. Chairman Williams noted he heard from many citizens opposing the matter. Chairman Williams noted the matter needs to go through the proper review process.

AMERICUS AVENUE DITCH

Tom Semmes appeared before the Board and noted Commissioner McDaniel brought up at a previous meeting the issue of the improper connections of pipe on Americus Avenue ditch and inquired as to the status. Chairman Williams reported the project has been completed. Upon inquiry by Mr. Semmes concerning who did the work, Chief Administrator Butler reported C.W. Roberts Contracting, Inc. fixed about ten (10) street connections through grant money. He stated the other work, since the contractor left, was done by the Public Works department and they have not done any work there in about six (6) to eight (8) months. Mr. Butler noted there is still one or two blocks left, stating he is not sure if there are any issues there. Upon inquiry by Mr. Semmes, Chairman Williams confirmed the work is essentially completed.

RESCUE MISSION – HOPE CENTER

Christy McElroy appeared before the Board and stated the issue she would like to address has the potential to cause the taxpayers of Gulf County a lot in the way of more taxes and requested the Board to be proactive. She reported there are over sixty (60) churches and over twenty (20) social service organizations in Gulf and Franklin County that provide much needed services and support to the community and our citizens. Ms. McElroy reported Panama City Rescue Mission chose to move into our County and is operating under the name Hope Center; stating information has been provided to this Board and requested the Board review this information to make decisions for the future of Gulf County. Upon motion by Commissioner Smiley, second by Commissioner Yeager and unanimous vote, the Board allowed additional time for Ms. McElroy to speak. Ms. McElroy continued, reporting the News Herald posted the number of homeless people in the downtown Panama City area is overwhelming City services. Ms. McElroy reported on the number of arrest from the Panama City Police Department, stating the numbers are six (6) to seven (7) times higher than that of San Antonio or St. Petersburg.

TOURIST DEVELOPMENT COUNCIL

Elaine Lerch appeared before the Board and inquired on the status of Tim Kerigan. Chairman Williams stated the work the T.D.C. Board has done is outstanding, noting they are volunteers, and reported he is not at liberty to discuss the status of Mr. Kerigan due to an outstanding investigation. Ms. Lerch noted as community people work together, she would like to see the Commissioners, T.D.C., Chief Administrator Butler, and County Attorney Novak work together and everyone be held accountable, not just one person. Chairman Williams stated the T.D.C. Board, by Florida Statute and County Ordinance, fall under the Commissioners domain for oversight. Commissioner McDaniel addressed the people on T.D.C., stating he previously brought this to the Boards attention, and the proper policy and procedures have not been followed. He reported this Board is trying to do what is right and commended Ralph Roberson for the audit. Sheriff Nugent appeared and reported he was contacted and they are waiting for the final audit report, stating they are going to turn this over to F.D.L.E. due to his office being a recipient of T.D.C. funds. Commissioner McDaniel discussed audit item #11-10 referencing Florida Statute 112 and 125, stating the audit indicates they were violated.

Lynn Kerigan appeared before the Board and requested the Board to reinstate her son Tim Kerigan as the T.D.C. Director and allow him to continue to promote Gulf County.

Helen Ramsey Carlson appeared before the Board and inquired as to why Tim Kerigan was not given the opportunity to make corrections. Chairman Williams noted his discussion with Tim Kerigan when he was hired as the T.D.C. Director, stating he was given the opportunity to correct the mistakes.

There being no further business, and upon motion by Commissioner McLemore, the meeting did then adjourn at 7:41 p.m., E.T.

**WILLIAM C. WILLIAMS, III
CHAIRMAN**

**ATTEST:
REBECCA L. NORRIS
CLERK**