

DECEMBER 17, 2013
PORT ST. JOE, FLORIDA
SPECIAL MEETING

The Gulf County Board of County Commissioners met this date in special session with the following members present: Chairman Tynalin Smiley, Vice Chairman Ward McDaniel, and Commissioners Carmen L. McLemore, Joanna Bryan, and Warren J. Yeager, Jr.

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Clerk Finance Officer Sherry Herring, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Inspector George Knight, Central Services Director Denise Manuel, G.I.S. Coordinator Scott Warner, Grant Writer Towan Kopinsky, Maintenance Superintendent Steve Mork, Planner David Richardson, and Public Works Director Joe Danford.

Chairman Smiley called the meeting to order at 9:30 a.m., E.T.

TAX COLLECTOR EMPLOYEE

Chief Administrator Butler discussed a request from the Gulf County Tax Collector requesting funding approval for an additional employee. Upon inquiry by Commissioner McLemore, Chief Administrator Butler discussed the monies associated with hiring an additional employee (\$31,000.00). Commissioner McLemore motioned to approve this request. Commissioner Yeager seconded the motion for discussion. After discussion, Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously.

CLERK'S OFFICE EMPLOYEE

Upon discussion by Chief Administrator Butler, Commissioner McLemore motioned to approve funding to hire an employee for the Gulf County Clerk's Office (\$33,737.00). Commissioner Yeager seconded the motion. Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously.

M.S.T.U. / M.S.B.U. RESOLUTION – BEACH NOURISHMENT

Chief Administrator Butler discussed the proposed resolutions regarding beach nourishment. Commissioner Yeager discussed this being an alternate source of revenue, and the need to reduce the Ad Valorem Tax. County Attorney Novak then read the proposed resolution for beach nourishment by title. After discussion, Commissioner Yeager motioned to adopt the proposed resolution for beach nourishment. Commissioner Bryan seconded the motion for discussion. Chairman Smiley called for public comment. Julia Cunningham appeared before the Board to inquire about the proposed resolution. County Attorney Novak stated that the vote today is to keep the

option available should the Board wish to impose such M.S.T.U./M.S.B.U. Upon inquiry by Commissioner Bryan, County Attorney Novak reported that by ordinance it would be adopted and through the ordinance process there would be Public Hearings. The motion then passed unanimously.

RESOLUTION NO. 2013-50

A RESOLUTION OF GULF COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING BEACH NOURISHMENT SERVICES AND FACILITIES TAX ASSESSMENTS LEVIED WITHIN THE ENTIRE AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gulf County, Florida (the "County") is contemplating the imposition of special assessments for the provision of beach nourishment services and facilities pursuant to Section 125, Florida Statutes; and

WHEREAS, the County intends to use the uniform method for collecting non-ad valorem assessments for the cost of providing beach nourishment services and facilities pursuant to Section 125, Florida Statutes, to property within the entire area of the County as authorized by Section 197.3632, Florida Statutes, as amended, because this method will allow such tax assessments to be collected annually commencing in November, 2014, in the same manner as provided for ad valorem taxes; and

WHEREAS, the County held a duly advertised Public Hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED:

1. Commencing with the Fiscal Year beginning on October 1, 2014, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the County, the County intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing beach nourishment services and facilities pursuant to Section 125, Florida Statutes. Such non-ad valorem assessments shall be levied within the specific identified areas of the County. A legal description of such identified areas subject to the assessment is attached hereto as Exhibit "B" and incorporated by reference.
2. The County hereby determines that the levy of the tax assessments is needed to fund the cost of beach nourishment services and facilities pursuant to Section 125, Florida Statutes, within the entire area of the County.

3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Gulf County Tax Collector, and the Gulf County Property Appraiser by March 10, 2014.
4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 17th day of December, 2013.

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

Commissioner Yeager	<u>Yes</u>
Commissioner McLemore	<u>Yes</u>
Commissioner Bryan	<u>Yes</u>
Commissioner Smiley	<u>Yes</u>
Commissioner McDaniel	<u>Yes</u>

(End)

M.S.T.U. / M.S.B.U. RESOLUTION – SOLID WASTE MANAGEMENT SERVICES

County Attorney Novak read the proposed resolution for Solid Waste Management Services by title. Commissioner Yeager motioned to adopt the proposed resolution for Solid Waste Management Services. Commissioner Bryan seconded the motion for discussion. Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously.

RESOLUTION NO. 2013-51

A RESOLUTION OF GULF COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING SOLID WASTE MANAGEMENT SERVICES AND FACILITIES TAX ASSESSMENTS LEVIED WITHIN THE ENTIRE AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gulf County, Florida (the “County”) is contemplating the imposition of special assessments for the provision of solid waste management services and facilities pursuant to Section 125, Florida Statutes; and

WHEREAS, the County intends to use the uniform method for collecting non-ad valorem assessments for the cost of providing solid waste management services and facilities pursuant to Section 125, Florida Statutes, to property within the entire area of the County as authorized by Section 197.3632, Florida Statutes, as amended, because

this method will allow such tax assessments to be collected annually commencing in November, 2014, in the same manner as provided for ad valorem taxes; and

WHEREAS, the County held a duly advertised Public Hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED:

1. Commencing with the Fiscal Year beginning on October 1, 2014, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the County, the County intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing solid waste management services and facilities pursuant to Section 125, Florida Statutes. Such non-ad valorem assessments shall be levied within the specific identified areas of the County. A legal description of such identified areas subject to the assessment is attached hereto as Exhibit "B" and incorporated by reference.
2. The County hereby determines that the levy of the tax assessments is needed to fund the cost of solid waste management services and facilities pursuant to Section 125, Florida Statutes, within the entire area of the County.
3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Gulf County Tax Collector, and the Gulf County Property Appraiser by March 10, 2014.
4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 17th day of December, 2013.

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

Commissioner Yeager	<u>Yes</u>
Commissioner McLemore	<u>Yes</u>
Commissioner Smiley	<u>Yes</u>
Commissioner McDaniel	<u>Yes</u>
Commissioner Bryan	<u>Yes</u>

(End)

M.S.T.U. / M.S.B.U. RESOLUTION – STORMWATER MANAGEMENT SERVICES

County Attorney Novak read the proposed resolution for Stormwater Management Services by title. Commissioner Yeager motioned to adopt the proposed resolution regarding the Stormwater Management Services. Commissioner McDaniel seconded the motion for discussion. Chairman Smiley called for public comment. Bill Koran appeared before the Board to discuss his concerns with the language of this proposed resolution. After further discussion, the motion then passed 4 to 1, with Commissioner Bryan voting no.

RESOLUTION NO. 2013-52

A RESOLUTION OF GULF COUNTY, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING STORMWATER MANAGEMENT SERVICES AND FACILITIES TAX ASSESSMENTS LEVIED WITHIN THE ENTIRE AREA OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gulf County, Florida (the "County") is contemplating the imposition of special assessments for the provision of stormwater management services and facilities pursuant to Section 125, Florida Statutes; and

WHEREAS, the County intends to use the uniform method for collecting non-ad valorem assessments for the cost of providing storm water management services and facilities pursuant to Section 125, Florida Statutes, to property within the entire area of the County as authorized by Section 197.3632, Florida Statutes, as amended, because this method will allow such tax assessments to be collected annually commencing in November, 2014, in the same manner as provided for Ad Valorem Taxes; and

WHEREAS, the County held a duly advertised Public Hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED:

1. Commencing with the Fiscal Year beginning on October 1, 2014, and with the tax statement mailed for such Fiscal Year and continuing until discontinued by the County, the County intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing stormwater management services and facilities pursuant to Section 125, Florida Statutes. Such non-ad valorem assessments shall be levied within the specific identified areas of the County. A legal description of such identified areas subject to the assessment is attached hereto as Exhibit "B" and incorporated by reference.

2. The County hereby determines that the levy of the tax assessments is needed to fund the cost of storm water management services and facilities pursuant to Section 125, Florida Statutes, within the entire area of the County.
3. Upon adoption, the County Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Gulf County Tax Collector, and the Gulf County Property Appraiser by March 10, 2014.
4. This Resolution shall be effective upon adoption.

DULY ADOPTED this 17th day of December, 2013.

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

Commissioner Yeager	<u>Yes</u>
Commissioner McLemore	<u>Yes</u>
Commissioner Smiley	<u>Yes</u>
Commissioner McDaniel	<u>Yes</u>
Commissioner Bryan	<u>No</u>

(End)

M.S.T.U. / M.S.B.U. RESOLUTION – ROAD IMPROVEMENT SERVICES

County Attorney Novak read the proposed resolution for Road Improvement Services by title. Commissioner Yeager discussed supporting a Gas Tax more than a M.S.T.U./M.S.B.U. Commissioner Bryan voiced opposition to the proposed resolution due to not having a plan in place on what roads need to be paved; stating there needs to be a Plan of Action. Commissioner Yeager noted he agrees with a Plan of Action moving forward. After discussion, Commissioner Yeager motioned to adopt the proposed resolution for Road Improvement Services. The motion failed for a lack of a second.

H.M.G.P. GRANT AGREEMENT – TROPICAL STORM DEBBY-STUMPHOLE PROJECT

Grant Writer Kopinsky discussed an H.M.G.P. Grant Agreement for T.S. Debby; stating that the County had applied for \$1.2 million. She reported that notification was received that the County will receive \$1.2 million for the second phase of the Stumphole Project (Southern end), and F.D.O.T. will be providing \$420,000 as our match. She discussed a Department of Emergency Management Grant Agreement for the design and engineering phase, in the amount of \$105,000. Commissioner Yeager motioned to allow the Chairman to sign and execute the Grant Agreement from Department of Emergency Management, in the amount of \$105,000 for the design and engineering for the

Stumphole Project. Commissioner McDaniel seconded the motion. Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously.

C.D.B.G. GRANT MODIFICATION – AFFORDABLE HOUSING

Grant Writer Kopinsky discussed the C.D.B.G. Grant Modification for affordable housing and requested permission for the Chairman to sign and execute the grant modification. Commissioner McDaniel motioned to approve this request. Commissioner Bryan seconded the motion. Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously.

LIGHTHOUSE

Patricia Harman, Julia Cunningham, and Betty McNeil, of the Lighthouse Committee appeared before the Board to discuss issues with the Lighthouse. Julia Cunningham discussed the obstacles the City of Port St. Joe has had in relocating the Lighthouse to the City of Port St. Joe. Commissioner Yeager discussed speaking with City Manager Jim Anderson regarding the status of this project. Betty McNeil stated that the Lighthouse needs to stay on Cape San Blas due to its historical significance. Patricia Hardman requested that the County submit a letter to the City of Port St. Joe requesting the Lighthouse be moved to Salinas Park, with the State and Duke Energy funding in assisting with this project. After discussion by members of the Board, Commissioner McLemore motioned to submit a letter to the City of Port St. Joe to state that the County is willing to take over the Lighthouse and the funding. Commissioner Yeager seconded the motion for discussion. After discussion by members of the Board, Chairman Smiley called for public comment. There being no public comment, Commissioner Yeager discussed working with County Attorney Novak and Staff in drafting a letter to the City of Port St. Joe. Betty McNeil requested that a copy of the proposed letter be sent to the Lighthouse Committee. Chairman Smiley called for public comment. There being no public comment, the motion then passed 4 to 1, with Commissioner Bryan voting no.

JAIL

County Jail Warden Hammond discussed receiving notification from the Bay County Jail that they will no longer have the capacity to house Gulf County's female inmates. He reported that he reached out to Liberty County in regards to housing the female inmates. Upon discussion by County Jail Warden Hammond, Commissioner Yeager motioned to allow County Attorney Novak to draft a Memorandum of Understanding for Liberty County to house Gulf County's female inmates, in the amount of \$39.00 per day. Commissioner McLemore seconded the motion for discussion. After further discussion, Chairman Smiley called for public comment. There being no public comment, the motion then passed 4 to 1, with Chairman Smiley voting no.

CLOSED SESSION MEETINGS

County Attorney Novak requested that Elected Officials and County Staff, should there be particular issues of concern, to notify him and the County Administrator so an appropriate meeting can be conducted.

EMPLOYEE LEGACY TRUST

County Attorney Novak discussed the Employee Legacy Trust Program, stating this is a life insurance and death benefits program. He requested permission to work with the Municipalities Attorneys and draft a standard enrollment form, stating this will be no cost to the County or its employees. County Attorney Novak requested permission to submit a letter of intent to the Financial Group. After further discussion, Commissioner Yeager motioned to proceed with options recommended by County Attorney Novak. Commissioner McDaniel seconded the motion for discussion. After discussion, Chairman Smiley called for public comment. There being no public comment, the motion then passed unanimously.

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner Yeager, and unanimous vote, the meeting did then adjourn at 11:06 a.m., E.T.

**TYNALIN SMILEY
CHAIRMAN**

ATTEST:

**REBECCA L. NORRIS
CLERK**