

**APRIL 14, 2015**

**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 Warren J. Yeager, Jr. <Commissioner Quinn, Jr. arrived to the meeting at 10:42 a.m., E.T.>.

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Clerk Finance Officer Sherry Herring, Deputy Clerk Leanna Roberts, Chief Administrator Don Butler, Assistant Administrator Michael L. Hammond, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, Building Inspector George Knight, Emergency Management Director Marshall Nelson, Gulf County E.M.S. Director Houston Whitfield, Deputy Grant Coordinator Kari Summers, Mosquito Control Director Mark Cothran, Preble-Rish, Inc./County Engineer Clay Smallwood, III, Public Works Director Joe Danford, Sheriff Mike Harrison, T.D.C. Executive Director Jennifer Jenkins, T.D.C. Deputy Director Towan Kopinsky, and Veterans' Service Officer Joe Paul.

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

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

**CONSENT AGENDA / INFORMATION PACKET**

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

1. Minutes - January 27, 2015 – Regular Meeting
  - January 27, 2015 – Special Meeting
  - February 10, 2015 – Regular Meeting
  - February 19, 2015 – Special Meeting
2. Approval of Checks and warrants for March, 2015 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
3. Inventory – Public Works (Junk #100-518 \* Ice-o-Matic Ice Machine \* Serial Number C21304930Z \* #100-584 \* Scottsman Ice Machine \* Serial Number 0610320013342 \* #70-773 \* Defender Security Camera \* 501-16CH-006 \* #70-527 \* Scottsman

Ice Machine \* 910369-09A)

- Public Works (Trade-in #70-698 \* Scottsman Ice Machine \* Serial Number CMA506AS \* #70-768 \* 2" Trash Pump \* #70-585 \* Genesis Diagnostic Scanner \* Serial Number ADA25016559)
  
- Public Works (Sale & Transfer to T.D.C. #70-586 \* 2000 Chevrolet 4X4 \* Serial Number 2GCEK19T9Y1212205 \* \$3,000.00 \* #70-604 \* 1996 Ford F150 \* Serial Number 1FTEF14N8TLB10569 \* \$1,000.00)

(End)

### **NATIONAL LIBRARY WEEK – GULF COUNTY LIBRARY**

Nancy Brockman, of the Gulf County Library appeared before the Board to request adoption of a proposed proclamation regarding National Library Week. She then read the proposed proclamation to the Board for consideration. Commissioner Yeager motioned to accept the National Library Week Proclamation. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0). <Proclamation on file with Clerk.>

### **STATUS REPORT – GULF COUNTY LIBRARY**

Nancy Brockman, of the Gulf County Library thanked County Staff and provided an update to the Board; reporting that they have had over 1,800 visits this fiscal year at both Libraries.

### **TRAINING – FIRE DEPARTMENTS**

Chief Administrator Butler reported that the County has received four (4) letters from ISO (Insurance Services Office) regarding ratings for the Volunteer Fire Departments; stating that specifically Highland View and Overstreet Fire Departments will be reverted back to a ten (10) rating if the County does not obtain more trained volunteers to serve. He reported that the County has to guarantee four (4) fire fighters on the truck for each structural fire. Chief Administrator Butler reported that Stone Mill Creek and Wetappo Creek are not rated, as ISO does not recognize these as Fire Departments. After discussion, Chief Administrator Butler reported that Fire Coordinator Price will be calling a Chiefs' meeting to discuss this matter further; stating the County has one (1) year to get four (4) people responding to fires at the Highland View and Overstreet Fire Departments. After discussion by Chairman McDaniel, Fire Coordinator Price appeared before the Board to discuss the need for volunteers to complete the classes to receive a good ISO rating. After further discussion, Commissioner Yeager discussed Chairman McDaniel attending a meeting in Marianna regarding this matter and bringing a report back to the Board.

### **COMMUNICATIONS – SOUTH GULF COUNTY FIRE DEPARTMENT**

Chief Administrator Butler discussed radio communications problems with South Gulf Fire Department; stating that the County is working under an old radio system. He reported that the Sheriff's Office has made contact with First Communications to climb the radio tower to find out what the problems are. Commissioners Yeager and Bryan discussed their concerns regarding safety issues and the need for an upgrade.

### **BID #1415-10 – 2014 JARROTT DANIELS ROAD S.C.O.P. PROJECT**

Following discussion by Chief Administrator Butler, Commissioner Yeager motioned to award Bid #1415-10 for the 2014 Jarrott Daniels Road S.C.O.P. Project to Roberts and Roberts, Inc. (low bidder), in the amount of \$3,299,006.55. Chairman McDaniel passed the Chair to Vice Chairman McLemore and seconded the motion. After Board discussion, Commissioner McDaniel withdrew his second and Commissioner Yeager withdrew his motion. Chairman McLemore returned the Chair to Commissioner McLemore. The Board agreed to review this matter further and discuss it in two (2) weeks.

### **E.D.C. DIRECTOR – HOLLEY**

Chief Administrator Butler reported that Chris Holley will be the new E.D.C. Director to be placed on the payroll the end of June, 2015.

### **INVOICES – SACRED HEART HOSPITAL**

After discussion by County Attorney Novak, Commissioner Bryan motioned to approve the payment of Invoices 3-26-15-A (\$462,086.000), 3-26-15-B (\$44,482.00), and 3-26-15-C (\$44,482.00) to Sacred Heart Health System. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being on public comment, the motion then passed unanimously (4-0).

### **MSTU UPDATE – CAPE SAN BLAS AREA**

County Attorney Novak provided an update regarding the MSTU; reporting the Supervisor of Elections will be sending out the ballots on April 18<sup>th</sup> and the election is set for May 18<sup>th</sup>. Commissioner Yeager motioned to limit the taxpayers share regarding the MSTU to four million dollars (\$4,000,000.00). Commissioner Bryan seconded the motion the discussion. After discussion by members of the Board, Patricia Hardman, of Coastal Community Association appeared before the Board to discuss the need for a cap and her concerns regarding the long-term maintenance. She reported that a meeting will be held Saturday at the Golf Club (St. Joseph Country Club) to discuss this topic further. Chairman McDaniel called for public comment. There being no further public comment, the motion passed unanimously (4-0).

### **RESTORE ACT UPDATE**

County Attorney Novak discussed meeting with the consultant yesterday regarding Restore; reporting that Dewberry is here today to give a presentation. Bryon Griffith, Dewberry Vice President, appeared before the Board to give a presentation regarding Restore Act <Commissioner Bryan left the meeting at 10:01 a.m., E.T.>. After discussion by members of the Board, Chairman McDaniel called for public comment.

Doug Smith, of Beacon Hill appeared and inquired about the final decision. Mr. Griffith reported that the Federal Government lays out the guidelines and allocates the funds <Commissioner Bryan returned to the meeting at 10:05 a.m., E.T.>. County Attorney Novak stated the reason the Federal Government is involved is because it is a Federal Law. After discussion by members of the Board, Chairman McDaniel called for public comment. City Commissioner Bo Patterson inquired about the payout increments. Mr. Griffith stated that the payout increments will not be determined until the penalty phase is concluded with BP.

#### **PUBLIC HEARING – ROAD BOND**

County Attorney Novak reported that a Public Hearing will be held on April 22, 2015 to discuss a proposed road bond ordinance and resolution at noon. Commissioner Yeager reported that he be out of town that day and inquired whether he could appear using SKIPE or some other video technology.

#### **POLICY – POLYCOM OR TELECOM APPEARANCE**

Commissioner Yeager motioned to proceed as a policy going forward that Staff will set up polycom or telecom in advance, with notice from the Commissioner, to make that available so the Commissioner can participate in hearings and such when it is necessary. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

#### **POLICY - LEAVE NO TRACE ORDINANCE RATES AND POLICY**

County Attorney Novak discussed a memorandum that was presented to the Board regarding the Leave No Trace Ordinance. He then read the memorandum to the Board for consideration. Commissioner Yeager motioned to approve the memorandum (2015 Leave No Trace Rates and Policy). Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0). <Memorandum on file with Clerk.>

#### **REDISTRICTING – SPELLMAN**

County Attorney Novak reported that Attorney Spellman will be on the Agenda to speak to the Board regarding redistricting on April 28, 2015.

#### **APPLICATIONS – GRANT LIST**

Upon request by Deputy Grant Coordinator Summers, Commissioner Yeager motioned to approve the grant application list for S.C.O.P., S.C.R.A.P., and C.I.G.P. and to allow the Chairman to sign any necessary documents. Commissioner McLemore seconded the motion for discussion. After discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

#### **RESOLUTION – INDIAN PASS BOAT RAMP**

Following discussion by Deputy Grant Coordinator Summers, Commissioner Yeager motioned to adopt the following resolution regarding the Indian Pass Boat Ramp. Commissioner McLemore seconded the motion. Chairman McDaniel called for public

comment. There being no public comment, the motion passed unanimously (4-0), as follows:

#### **RESOLUTION NO. 2015-05**

#### **AUTHORIZING THE FILING OF AN APPLICATION WITH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR A FLORIDA BOATING IMPROVEMENT GRANT FOR THE RELOCATION OF THE INDIAN PASS BOAT RAMP FACILITY.**

**WHEREAS**, the Gulf County Board of County Commissioners desires to increase and enhance access for boaters in Gulf County; and

**WHEREAS**, the Gulf County Board of County Commissioners has agreed to pursue the grant process to enhance boating facilities;

**NOW, THEREFORE, BE IT RESOLVED** by the Gulf County Board of County Commissioners that the County Grant Writer hereby be authorized to execute and file an application on behalf of the County of Gulf with the Florida Fish and Wildlife Conservation Commission for a grant for the relocation of the Indian Pass Boat Ramp Facility to increase mooring capacity and access for boaters.

**APPROVED** this 14<sup>th</sup> day of April, 2015.

(End)

#### **BID #1415-12 – SALE METAL AT FIVE POINTS LANDFILL**

Solid Waste Director Danford reported that no bids were received for the sale of metal at Five Points Landfill for Bid #1415-13 and requested approval to re-advertise to receive sealed bids. Commissioner Yeager motioned to approve this request. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

#### **MONTHLY REPORT – T.D.C.**

T.D.C. Director Jenkins appeared before the Board and discussed the March, 2015 status report from T.D.C. <Complete report on file with Clerk.>

#### **AWARD BID #1415-13 – BEACH GROOMING/RAKING SERVICES**

Upon request by T.D.C. Director Jenkins, Commissioner Yeager motioned to award Bid #1415-13 for the beach grooming and raking services to Coastal Parasail, Inc. (only bidder), in the amount of \$1,250.00 per day. Commissioner Bryan seconded the motion. After discussion, Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

#### **OFFICE SPACE – T.D.C.**

T.D.C. Director Jenkins reported that T.D.C. Staff is growing and they need more office space. She stated that the conference room has been changed to office space and that

the T.D.C. meetings will now be held in the Board of County Commissioners Board Meeting Room.

### **SPONSORSHIP AND SPECIAL FUNDING – SCALLOP FESTIVAL**

T.D.C. Director Jenkins reported that the deadline to submit applications for the Sponsorship and Special Funding Program is tomorrow. She stated that the Chamber of Commerce has changed the way they manage and host the Scallop Festival this year; reporting that the Festival will be held the first Saturday in October. Upon request by T.D.C. Director Jenkins, Commissioner Yeager motioned to redirect the \$5,000.00 for this event to T.D.C. for marketing expenses for the Scallop Festival. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

### **PET FRIENDLY TRAVEL – PORT ST. JOE**

T.D.C. Director Jenkins reported that Port St. Joe, according to gopetfriendly.com, is America's number one (1) best city for travelers with pets.

### **SUBMIT BID – STATE SOFTBALL TOURNAMENT**

Upon inquiry by Commissioner McLemore, T.D.C. Director Jenkins stated she has been in contact with Mr. Banks and is waiting to hear back from him and the Regional Directors from Marianna and Franklin County regarding the State Softball Tournament. She reported that the State Softball Tournament for 2016 has not been awarded to anyone.

### **OPERATION GREEN LIGHT – GULF COUNTY CLERK OF COURT**

Clerk Norris reported that Operation Green Light, a Statewide initiative, will be held on April 18<sup>th</sup> from 9:00 a.m. to 4:00 p.m., E.T.; stating anyone having fines, fees, court cost, or traffic tickets that have been sent to a collection agency will have the surcharge of up to 40% waived if the amount due is paid in full on this day. She thanked the Sheriff's Office for partnering in this event.

### **INTERLOCAL AGREEMENT – MEDICAL EXAMINER**

Upon recommendation by Chief Administrator Butler, Commissioner Bryan motioned to approve the Amended Medical Examiner Interlocal Agreement (change in physician). Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

### **SUPPLEMENTAL AGREEMENTS – ST. JOSEPH PENINSULA**

Following discussion by Chief Administrator Butler, Commissioner Yeager motioned to approve the Supplemental Agreement regarding the St. Joseph Peninsula Beach Restoration Project for the Post-Construction Shorebird Monitoring Services and the St. Joseph Peninsula Sea Turtle and Escarpment Monitoring 2015. Commissioner Bryan seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (4-0).

## **PUBLIC HEARING – RECREATIONAL VEHICLES ORDINANCE**

Chairman McDaniel noted that this is the first of two Public Hearings regarding the proposed recreational vehicles ordinance. Chairman called for public comment. County Attorney Novak discussed the Public Notice and reported the Public Hearings have been scheduled to advertise in the local circulation on April 1<sup>st</sup> and April 15<sup>th</sup>, before the second Public Hearing to be held on April 28<sup>th</sup>. After discussion by County Attorney Novak, Doug Smith of Beacon Hill appeared before the Board to discuss his concerns regarding the proposed ordinance and trying to sale his lot. County Attorney Novak read the proposed ordinance by title. Dawn Newberry, of Cape San Blas appeared before the Board to request that the Board leave the RV Ordinance where it is; stating that she emailed the Commissioners photos so that they would be aware as to what is going on at the Cape <Commissioner Quinn, Jr. arrived at the meeting at 10:42 a.m., E.T.>. Chairman McDaniel called for public comment. Clay Lewis, of Cape San Blas appeared before the Board to discuss his concerns regarding commercial use and enforcement. Jeremy Novak, of Beacon Hill appeared before the Board to address concerns raised by Mr. Lewis regarding his wife’s business; stating that the one (1) trailer regarding his wife’s business is inside the city limits; the other is in the County unincorporated areas and is not a recreational vehicle. Coyle Mayo, of Beacon Hill appeared before the Board and passed out photos to the Board and discussed the proposed change to the Coastal Construction Zone; reporting that Beacon Hill is not in a flood zone and requested that the Board include Beacon Hill in the exemption. Ron Shaeffer, of St. Joseph Peninsula appeared before the Board to discuss his concerns regarding the proposed amended recreational vehicle ordinance. Chairman McDaniel called for public comment. Becky Tompkins, of Indian Pass appeared before the Board to inquire about the grandfather clause within the ordinance and her concerns regarding this clause. Patricia Hardman, of Coastal Community Association appeared before the Board to discuss her concerns regarding the proposed amended ordinance; requesting the Board give the original RV Ordinance time to work. Chairman McDaniel called for public comment. There being no further public comment, Chairman McDaniel reported that the Second and Final Public Hearing will be held on April 28<sup>th</sup>. After discussion by members of the Board, County Attorney Novak discussed obtaining clarification and recommendation from the Board regarding language in Section 7D and Section C. Upon inquiry by Commissioner Bryan, County Attorney Novak discussed the intent and bed tax to recreational vehicles. Doug Smith, of Beacon Hill appeared before the Board to discuss his concerns regarding his property value and use. Susan Johnson, of Indian Pass appeared before the Board to inquire if “tie-downs” where allowed instead of moving their RV. Commissioner Yeager responded that there is no provision in the ordinance regarding this matter. Chairman McDaniel discussed provisions within the Ordinance where local people will move your RV for you, if you are unable to move them on your own. Upon inquiry by Mrs. Johnson, Commissioner Yeager reported that the Bio-Storage is within the corridor that is exempt from the Coastal Construction Line. Chairman McDaniel stated that this concluded the First Public Hearing.

## **FISH TOURNAMENT – VETERANS’ MEMORIAL/BEACON HILL PARK**

Following discussion by County Attorney Novak, Commissioner Bryan motioned to allow the Chairman to sign an application to enable the MBARA (Mexico Beach Artificial Reef

Association) to hold a special sales license for beer at the Kingfish Tournament at Veterans' Memorial/Beacon Hill Park. Commissioner Yeager seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (5-0).

### **ROAD REPAIR – BYRD PARKER DRIVE**

Commissioner McLemore reported that the rock portion of Byrd Parker Drive road repair project is complete, but the asphalt is damaged due to the installation of the rock. He requested the Board keep the road closed until the asphalt is repaired and obtain pricing from small contractors for this project. After discussion by Chairman McDaniel, Commissioner McLemore motioned to allow Staff to work through this project before the Board reopens this road to the public. Commissioner Yeager seconded the motion for discussion. After discussion by members of the Board, Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (5-0).

### **YARD DEBRIS – CODE ENFORCEMENT**

Commissioner Bryan discussed her concerns regarding yard debris and furniture being dumped along the road within District III. Commissioner McLemore reported that he is having the same issue within District I; stating he contacted the Code Enforcement Officer to red tag violations within the District. After discussion by Commissioner Yeager, Commissioner Bryan discussed people placing debris on vacant lots. Commissioner Yeager discussed Staff finding the owner and if Staff cannot find the owner, the County will need to get it off the right-of-way.

### **GRANT – TIGER**

Commissioner Yeager motioned to allow Staff to apply for a Tiger Grant. Commissioner McLemore seconded the motion. Chairman McDaniel called for public comment. There being no public comment, the motion passed unanimously (5-0).

### **GULF CONSORTIUM**

Commissioner Yeager reported that the Consortium hired a consultant to do a planning grant for the State and the State Implementation Plan. He also reported that the application has been completed and submitted to the Council for consideration. Commissioner Yeager reported that a meeting will be held in August to discuss this plan.

### **GULF COAST PARKWAY**

Commissioner Yeager discussed the alternate route that was presented to the Board by D.O.T. and requested the Board allow Jason Peters, of D.O.T. to come back before the Board to discuss the alternates regarding the Gulf Coast Parkway Project. He requested the Board allow him to work with Mr. Peters and bring a recommendation back before the Board. Chairman McDaniel had no objection.

**BID #1415-10 – JARROTT DANIELS ROAD S.C.O.P. PROJECT**

City Commissioner Bo Patterson appeared before the Board to discuss his concerns regarding awarding Bid #1415-10 for the Jarrott Daniels Road Project to a contractor that will be sensitive to homeowner's driveways.

**ROAD BOND – GAS TAX, SERIES 2015**

City Commissioner Bo Patterson reported that the portion (funding) from the proposed road bond to the City of Port St. Joe is not enough to repave Long Avenue; discussing Commissioners Yeager and Quinn helping the City of Port St. Joe out with County portions from these two (2) Districts. Commissioner Yeager committed to City Commissioner Patterson that he is willing to work with the City of Port St. Joe to ensure Long Avenue is paved.

**LIABILITY WAIVER – DEMOLITION BUILDINGS**

City Commissioner Patterson inquired about the status of a liability waiver before the County can assist with the demolition projects within the City of Port St. Joe. He requested if the County could expedite the required documents so that the projects can begin.

**BOAT RAMP – CITY OF PORT ST. JOE**

City Commissioner Patterson informed the Board that the City of Port St. Joe is taking bids to redo the center ramp at the City Boat Ramp; noting the project will be completed by Memorial Day and to be paid from the boat ramp usage fees.

**REPORT – ECONOMIC DEVELOPMENT COALITION**

Christy McElroy, E.D.C. Chairman appeared before the Board to provide a status update report. She reported that the E.D.C. will hold a meeting tomorrow and encouraged the Board to attend. E.D.C. Chairman McElroy discussed the E.D.C. website. Upon motion by Commissioner Yeager, second by Commissioner Quinn, the Board allowed additional time for E.D.C. Chairman McElroy to speak. Chairman McDaniel directed the Clerk to add three (3) minutes to the time clock. Ms. McElroy discussed The Port and its importance to the local economy. <Report on file with Clerk.>

There being no further business, and upon motion by Commissioner McLemore, second by Commissioner Bryan, and unanimous vote (5-0), the meeting did then adjourn at 11:32 a.m., E.T.

**WARD MCDANIEL  
CHAIRMAN**

**ATTEST:**

**REBECCA L. NORRIS  
CLERK**