

**NOVEMBER 8, 2011**

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

Others present were: County Attorney Jeremy Novak, Clerk Rebecca L. Norris, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Lynn Lanier, Deputy Administrator Brett Lowry, Building Official Lee Collinsworth, E.D.C./Chamber Director Barry Sellers, Grant Writer Towan Kopinsky, Gulf County E.M.S. Director Houston Whitfield, Mosquito Control Director Mark Cothran, Preble-Rish, Inc. County Engineer Clay Smallwood, Public Works Director Joe Danford, Sheriff Joe Nugent, Sheriff's Office Major Bobby Plair, and T.D.C. Director Tim Kerigan.

Sheriff Nugent called the meeting to order at 6:00 p.m., E.T.

Assistant Administrator Hammond opened the meeting with prayer, and Chairman Yeager led the Pledge of Allegiance to the Flag.

### **CONSENT AGENDA**

Upon motion by Commissioner McLemore, second by Commissioner Smiley, and unanimous vote, the Board approved the Consent Agenda as follows:

1. Approval of Checks and warrants for October, 2011 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
2. Agreement – Bike Florida, Inc. (Honeyville Community Center \* March 26-27, 2011)  
Agreement – Section 125 Pre-Tax Premium Plan  
Agreement – Statewide Mutual Aid (Representative Designation \*  
Primary Representative - Marshall Nelson, 1<sup>st</sup>  
Alternate - Ben Guthrie)
3. Bid Advertisement – Mosquito Control (Data Management Hardware/  
Software)

4. Bid Rejection #1011-14 (Leasing of Industrial Park Building)  
Bid Rejection #1011-15 (Grass Cutting)
5. Engagement Letter – Roberson & Associates, P.A./Vance CPA, LLC  
(Audit Services T.D.C.)
6. Invoices – County Attorney Jeremy Novak (Invoice 10/15/11-10/31/11  
\* \$6,323.05 \* to be paid from Account #21314-31100)
  - C.W. Roberts Contracting, Inc. – Beaches Resurfacing  
Project (Application #1 \* \$258,510.84 \* \$144,939.22  
to be paid from Account #233541-63000 - SCRA1  
\* \$5,023.28 \* to be paid from Account #233541-63000  
- SCRA2 \* \$39,292.58 \* to be paid from Account  
#233541-63000 - SCRA3 \* \$808.04 \* to be paid  
from Account #223541-63000 – SCRA4 \* \$68,447.72  
\* to be paid from Account #223541-63000 – SCRA5)
  - C.W. Roberts Contracting, Inc. – Cape San Blas Shared Use  
Path Phase 3 (Application #4 \* \$145,283.86 \* to be  
paid from Account #40341-53000)
  - GAC Contractors – C.I.G.P. - Iola Road Paving Project  
(Invoice #26302 \* \$144,130.88 \* to be paid from  
Account #40741-63000)

7. Resolution – Section 125 Pre-Tax Premium Plan as follows:

**RESOLUTION NO. 2011-44**

The undersigned, as a representative or representatives of the Plan Sponsor, does hereby consent to the following resolution:

**WHEREAS**, the Plan Sponsor maintains an employer-sponsored benefit plan(s) for certain employees; and

**WHEREAS**, a Pre-Tax Premium Plan, pursuant to Section 125 of the Internal Revenue Code, would allow employees to reduce their taxable compensation to pay for their portion of the costs of the designated employer-sponsored benefit plan(s);

**THEREFOR, BE IT RESOLVED**, as conclusive evidence of the adoption of the provisions of the Pre-Tax Premium Plan, the Plan Administrator has caused this Adoption Resolution to be duly executed in its name and on its behalf.

(End)

Resolution – Seven County Coalition – Deepwater Horizon Oil Spill as follows:

**RESOLUTION NO. 2011-45**

**A JOINT RESOLUTION OF THE COASTAL COUNTIES OF THE NORTHWEST FLORIDA PANHANDLE REGION, RELATING TO THE DEEPWATER HORIZON OIL SPILL IN THE GULF OF MEXICO; REQUESTING SUPPORT FOR CERTAIN FEDERAL LEGISLATION; DIRECTING DISTRIBUTION OF THE RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on April 20, 2010, the Deepwater Horizon well off the coast of Louisiana exploded, rupturing the collection system on the Gulf floor which began spewing barrels of raw crude into the Gulf of Mexico; and

**WHEREAS**, federal, state and local governments banded together to control and contain this spill but were unable to do so until after the well was finally capped on July 15, 2010; and

**WHEREAS**, the uncontained well spewed approximate 4.9 million barrels (205.8 million gallons) of oil into the Gulf of Mexico which impacted the entire Gulf of Mexico and caused damages in all states bordering the Gulf, including Alabama, Florida, Mississippi, Louisiana and Texas; and

**WHEREAS**, this is the largest accidental marine oil spill in history; and

**WHEREAS**, the spill caused both environmental and economic damages; and

**WHEREAS**, individuals, businesses and governmental entities suffered effects from both the environmental and economic damage; and

**WHEREAS**, the Federal Government has a system to collect penalties from responsible parties through the Clean Water Act; and

**WHEREAS**, those monies can be reallocated by an Act of Congress to mitigate and assist with recovery from both the environmental and economic damages which were sustained by jurisdictions along the Gulf of Mexico; and

**WHEREAS**, the eight most impacted counties in the State of Florida came together in November, 2010, and have joined each other in solidarity to express the concerns for their impacted region and citizens; and

**WHEREAS**, the eight impacted counties in the State of Florida hereby offer this resolution in support of House Bill 3096, the “Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2011” (hereinafter referred to as “the Act”), which calls for Eighty Percent (80%) of the fines to be deposited in the Gulf Coast Restoration Trust Fund and reallocated to the Gulf Coast states with a portion directly allocated to Northwest Florida.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS OF COUNTY COMMISSIONERS AS FOLLOWS:**

**Section 1.** The recitals above are hereby incorporated in this resolution.

**Section 2.** The undersigned coalition of Florida counties hereby supports the Act in its entirety as it relates to the Gulf Coast Restoration Trust Fund to address the needs of the Gulf Coast region directly impacted by the Deepwater Horizon oil spill.

**Section 3.** This Resolution shall be effective upon execution by the last enacting County. The last enacting County is responsible for distribution of an original copy of this resolution back to each County. Additionally, the Florida Association of Counties is hereby directed to provide a certified copy of this resolution to the following, as well as to the individual counties in the Northwest Florida Oil Spill Impacted Coalition:

The Honorable Barack Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

The Honorable Senator Bill Nelson  
U.S. Senate

716 Hart Senate Office Building  
Washington, DC 20510

The Honorable Senator Marco Rubio  
U.S. Senate  
B40A Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Congressman John A. Boehner  
U.S. House of Representatives  
1011 Longworth House Office Building  
Washington, DC 20515

The Honorable Congresswoman Nancy Pelosi  
U.S. House of Representatives  
235 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Jeff Miller  
U.S. House of Representatives  
2416 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congressman Steve Southerland  
U.S. House of Representatives  
1229 Longworth House Office Building  
Washington, DC 20515

The Honorable Congresswoman Corrine Brown  
U.S. House of Representatives  
2336 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congressman Ander Crenshaw  
U.S. House of Representatives  
440 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Richard Nugent  
U.S. House of Representatives  
1517 Longworth House Office Building  
Washington, DC 20515

The Honorable Congressman Cliff Stearns  
U.S. House of Representatives  
2306 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congressman John Mica  
U.S. House of Representatives  
2187 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congressman Daniel Webster  
U.S. House of Representatives  
1039 Longworth House Office Building  
Washington, DC 20515

The Honorable Congressman Gus M. Bilirakis  
U.S. House of Representatives  
407 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman C.W. Bill Young  
U.S. House of Representatives  
2407 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congresswoman Kathy Castor  
U.S. House of Representatives  
137 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Dennis Ross  
U.S. House of Representatives

404 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Vern Buchanan  
U.S. House of Representatives  
221 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Connie Mack  
U.S. House of Representatives  
115 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Bill Posey  
U.S. House of Representatives  
120 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Tom Rooney  
U.S. House of Representatives  
1529 Longworth House Office Building  
Washington, DC 20515

The Honorable Congresswoman Frederica Wilson  
U.S. House of Representatives  
208 Cannon House Office Building  
Washington, DC 20515

The Honorable Congresswoman Ileana Ros-Lehtinen  
U.S. House of Representatives  
2206 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congressman Ted Deutch  
U.S. House of Representatives  
1024 Longworth House Office Building  
Washington, DC 20515

The Honorable Congresswoman Debbie Wasserman Schultz  
U.S. House of Representatives  
118 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Mario Diaz-Balart  
U.S. House of Representatives  
436 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Allen West  
U.S. House of Representatives  
1708 Longworth House Office Building  
Washington, DC 20515

The Honorable Congressman Alcee L. Hastings  
U.S. House of Representatives  
2353 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congresswoman Sandy Adams  
U.S. House of Representatives  
216 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman David Rivera  
U.S. House of Representatives  
417 Cannon House Office Building  
Washington, DC 20515

The Honorable Congressman Doc Hastings  
U.S. House of Representatives  
1203 Longworth House Office Building  
Washington, DC 20515

The Honorable Congressman Ed Markey

U.S. House of Representatives  
2108 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congressman Ralph M. Hall  
U.S. House of Representatives  
2405 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congressman Eddie Bernice Johnson  
U.S. House of Representatives  
2468 Rayburn House Office Building  
Washington, DC 20515

The Honorable Congressman Nick Rahall  
U.S. House of Representatives  
2307 Rayburn House Office Building  
Washington, DC 20515

The Honorable Lisa Perez-Jackson  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

The Honorable Rick Scott  
Governor, State of Florida  
Plaza Level 05, The Capitol  
400 South Monroe Street  
Tallahassee, FL 32399-0001

Doug Darling  
Deputy Chief of Staff  
Office of Governor Rick Scott  
State of Florida  
The Capitol  
Tallahassee, FL 32399-0001

Ms. Mimi Drew  
DEP  
Marjory Stoneman Douglas Bldg  
Mail Station 10  
3900 Commonwealth Blvd  
Tallahassee, FL 32399-3000

**ADOPTED** by the Gulf County Board of County Commissioners on the 8<sup>th</sup> day of November, 2011.

(End)

**PUBLIC HEARING – RE-DISTRICTING MAP**

County Attorney Novak reported since the last meeting in September when the Board adopted the re-districting maps and new legal descriptions, we have since gone out and secured legal descriptions for District 2 and 3, stating pursuant to Florida Statutes the notice ran for two consecutive weeks in the paper. Upon adoption, they will be incorporated into the minutes and provided to the Supervisor of Elections to be sent to Tallahassee, Novak noted. Chairman Yeager called for public comment. There was no public comment. Commissioner Williams motioned to incorporate the new legal descriptions into the minutes. Commissioner McDaniel seconded the motion, and it passed unanimously as follows:

**COUNTY COMMISSIONER DISTRICT NO. 1:**

Beginning at the intersection of the center lines of State Road No. 71 and Jehu Road in the City of Wewahitchka for the Point of Beginning; thence run Northeasterly and Northerly along the center line of said Jehu Road to the point of termination of said Jehu Road; thence extend last line described North to the thread of the channel of the West Arm of Dead Lakes; thence following the thread of the channel of the West Arm of the Dead Lakes in an Easterly direction to a point of intersection with the North boundary line of Section 18, T4S, R9W; thence run East along the North boundary line of Sections 18, 17, 16, and 15 of T4S, R9W to a point of intersection with the thread of the Apalachicola River; thence run Southerly following the thread of the Apalachicola River to a point of intersection with the South boundary line of Section 14, T7S, R8W; thence run West along the South boundary line of Sections 14, 15, 16, 17, and 18 of T7S, R8W, and Sections 13, 14, 15, 16, 17, and 18 of T7S, R9W and Section 13, T7S, R10W to the Southwest corner of Section 13, T7S, R10W; thence run North along the West boundary line of Sections 13, 12, and 1 of T7S, R10W and Sections 36, 25, 24, 13, 12, and 1 of T6S, R10W, and Sections 36, 25, 24, 13, 12, and 1 of T5S, R10W to a point of

intersection with the center line of County Road No. 386; thence run Easterly along the center line of said County Road No. 386 to the point of intersection with the center line of State Road No. 71; thence run North following the center line of said State Road No. 71 to the POINT OF BEGINNING.

**COUNTY COMMISSIONER DISTRICT NO. 2:**

Beginning at the intersection of the center lines of State Road No. 71 and Jehu Road in the City of Wewahitchka for the Point of Beginning; thence run Northeasterly and Northerly along the center line of said Jehu Road to the point of termination of said Jehu Road; thence extend last line described North to the thread of the channel of the West Arm of Dead Lakes; thence following the thread of the channel of the West Arm of the Dead Lakes in an Easterly direction to a point of intersection with the North boundary line of Section 18, T4S, R9W; thence run East along the South boundary line of Sections 7, 8, 9, and 10 of T4S, R9W to a point of intersection with the thread of the Apalachicola River; thence run Northerly following the thread of the Apalachicola River to the point of intersection with the Gulf-Calhoun County line; thence run West following said County line to a point of intersection with the Bay County line, the same being the Northwest corner of Section 30, T3S, R11W; thence run South following the Gulf-Bay County line to the point of intersection with the center line of Pleasant Rest Road; thence Southeasterly and Easterly along the center line of said Pleasant Rest Road to the point of intersection with the center line of County Road No. 386; thence extend the last line described East to the Northwest corner of the East  $\frac{1}{2}$  of Section 35, T5S, R11W; thence South along the West line of said East  $\frac{1}{2}$  of Section 35, to the point of intersection with the North line of Section 2, T6S, R11W; thence east along said North line of Section 2, to the Northwest corner of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 2, T6S, R11W; thence South, parallel to the East line of said Section 2, to the point of intersection with the center line of Road 50; thence Southeasterly along the center line of said Road 50 to the point of intersection with the center line of F.B. 51 Road; thence Southwesterly and Southerly along the center line of said F.B. 51 Road to the point of intersection with the South line of Section 11, T6S, R11W; thence East along the South line of Sections 11 and 12, T6S, R11W, and Sections 7, 8, 9, 10, and 11, T6S, R10W, to the Southeast corner of Section 11, T6S, R10W; thence run North along the East boundary line of Sections 11, and 2 of T6S, R10W and Sections 35, 26, 23, 14, 11, and 2 of T5S, R10W to a point of intersection with the center line of County Road No. 386; thence run Easterly along the center line of said County Road No. 386 to the point of intersection with the center line of State Road No. 71; thence run North following the center line of said State Road No. 71 to the POINT OF BEGINNING.

**COUNTY COMMISSIONER DISTRICT NO. 3:**

Beginning at a point on the Gulf-Bay County line, said point being the Northwest corner of Section 18, T6S, R11W for the Point of Beginning; thence run North following the Gulf-Bay County line to the point of intersection with the center line of Pleasant Rest Road; thence Southeasterly and Easterly along the center line of said Pleasant Rest Road to the point of intersection with the center line of County Road No. 386; thence extend the last line described East to the Northwest corner of the East ½ of Section 35, T5S, R11W; thence South along the West line of said East ½ of Section 35, to the point of intersection with the North line of Section 2, T6S, R11W; thence east along said North line of Section 2, to the Northwest corner of the Northeast ¼ of the Northeast ¼ of Section 2, T6S, R11W; thence South, parallel to the East line of said Section 2, to the point of intersection with the center line of Road 50; thence Southeasterly along the center line of said Road 50 to the point of intersection with the center line of F.B. 51 Road; thence Southwesterly and Southerly along the center line of said F.B. 51 Road to the point of intersection with the South line of Section 11, T6S, R11W; thence East along the South line of Sections 11 and 12, T6S, R11W, and Sections 7, 8, 9, 10, and 11, T6S, R10W, to the Southeast corner of Section 11, T6S, R10W; thence run South along the East boundary line of Sections 14, 23, 26, and 35 of T6S, R10W and Sections 2, 11, 14, and 23 of T7S, R10W to the Southeast corner of Section 23, T7S, R10W; thence run West along the South boundary line of Sections 23, 22, 21, 20, and 19 of T7S, R10W and Section 24, T7S, R11W to a point where the center line of the Gulf County Canal intersects the South line of Section 24, T7S, R11W; thence run Southwesterly following the center line of said Gulf County Canal to the point of intersection with the Easterly shore line of St. Joseph Bay; thence run Northerly following the Easterly shore line of St. Joseph Bay and the Gulf of Mexico to a point of intersection with the Gulf-Bay County line; thence run North along the Gulf-Bay County line to the Northwest corner of Section 18, T8S, R11W, the POINT OF BEGINNING.

**COUNTY COMMISSIONER DISTRICT NO. 4:**

Beginning at the point where the center line of the Gulf County Canal intersects with the Easterly shore line of St. Joseph Bay for the Point of Beginning; thence run Southerly following the Easterly shore line of said St. Joseph Bay to a point of intersection with the South boundary line of the City of Port St. Joe; thence run Easterly and Northerly following the South boundary line of the City of Port St. Joe to the point of intersection with the center line of Long Avenue in the City of Port St. Joe; thence run Northerly along the center line of said Long Avenue to the point of intersection with the center line of Allen Memorial Way in the City of Port St. Joe; thence run Westerly along the center line of said Allen Memorial Way to the point of intersection with the center line of Monument Avenue in the City of Port St Joe; thence run Northerly along the center line of said Monument Avenue to the point of intersection with the center line of Tenth Street in the City of Port St. Joe; thence run Easterly along the center line of said Tenth Street

to the West boundary line of Section 6, T8S, R10W; thence run South along the West boundary line of Section 6, T8S, R10W to the Southwest corner of Section 6, T8S, R10W; thence run East along the South boundary line of Sections 6, 5, 4, 3, 2, and 1 of T8S, R10W and Section 6, T8S, R9W to a point of intersection with the Westerly shore line of Lake Wimico; thence run Southerly following the Southerly and Westerly shore line of Lake Wimico to a point on the Gulf-Franklin County line; thence run Easterly and Northerly following the Gulf-Franklin County line (which is the center line of the Jackson River and the center line of the Apalachicola River) to the point of intersection with the North boundary line of Section 23, T7S, R8W; thence run West along the North boundary line of Sections 23, 22, 21, 20, and 19 of T7S, R8W and Sections 24, 23, 22, 21, 20, and 19 of T7S, R9W and Section 24, T7S, R10W to the Northwest corner of Section 24, T7S, R10W; thence run South along the West Boundary line of Section 24, T7S, R10W to the Southwest corner of Section 24, T7S, R10W; thence run West along the North boundary line of Sections 26, 27, 28, 29, and 30, T7S, R10W and Section 25, T7S, R11W to the point of intersection with the center line of the Gulf County Canal; thence run Southwest following the center line of the said Gulf County Canal to the POINT OF BEGINNING.

**COUNTY COMMISSIONER DISTRICT NO. 5:**

Beginning at the point of intersection of the center line of Tenth Street in the City of Port St. Joe and the center line of Monument Avenue in the City of Port St. Joe for the Point of Beginning; thence run Southerly along the center line of Monument Avenue to the point of intersection with the center line of Allen Memorial Way in the City of Port St. Joe; thence run Easterly along the center line of said Allen Memorial Way to the center line of Long Avenue in the City of Port St. Joe; thence run Southerly along the center line of said Long Avenue to a point of intersection with the South boundary line of the City of Port St. Joe; thence run Westerly and Southerly following the boundary line for the City of Port St. Joe to the intersection of the South Boundary Line of the City of Port St. Joe and the Easterly shore line of the St. Joseph Bay. Thence run Southerly, Westerly and Northerly following the meanders of the shore line of St. Joseph Bay to a point on the Northerly most point of the St. Joseph Peninsula (including all land masses within the St. Joseph Bay); thence run in a Southerly direction following the shore line of the Gulf of Mexico and the St. Joseph Peninsula to the extreme Southerly most point of Cape San Blas; thence run Northerly and Easterly following the shore line of the Gulf of Mexico to the point of intersection with the Gulf-Franklin County line; thence Northeasterly along the Gulf-Franklin County line to the point of intersection with the Southerly and Westerly shore line of Lake Wimico; thence run Westerly and Northwesterly following the Southerly and Westerly shore line of Lake Wimico to the point of intersection with the North boundary line of Section 7, T7S, R9W; thence run West along the North boundary line of Section 7, T7S, R9W and Sections 12, 11, 10, 9,

8, and 7, T8S, R10W to the Northwest corner of Section 7, T8S, R10W; thence run North along the East boundary line of Section 1, T8S, R11W to the point of intersection of the center line of Tenth Street in the City of Port St. Joe; thence run Westerly along the center line of said Tenth Street to the POINT OF BEGINNING.

### **VOTING PRECINCTS**

Chairman Yeager discussed that there needs to be some clarification on the voting precincts now that the re-districting maps have been adopted. Commissioner McLemore stated the Board previously approved for the voting precincts to stay the way they are. Chairman Yeager and Commissioner Williams discussed cost factors with so many precincts. Commissioner Williams suggested discussing this with Supervisor of Elections Linda Griffin and requested Chairman Yeager send a letter requesting her input and recommendation. County Attorney Novak reported the descriptions and map located in the back of the Agenda are the ones that will be submitted to the Supervisor of Elections and thanked everyone for their assistance in this matter. Commissioner McDaniel reported that Districts 2 & 3 is now in State compliance, and Districts 1, 4, & 5 are not in compliance. Upon inquiry by Chairman Yeager, County Attorney Novak reported with District 4 you have to be within a 3% variation, stating it has been discussed in all public meetings that District 4 is not within the 3% variable and the State mandate is to get everyone within that variable. He reported with District 4 numbers locked in, it affects the other four districts; stating there is a Federal Consent Decree that guides this Board concerning District 4. Upon inquiry by Chairman Yeager, County Attorney Novak confirmed that the State reviews this. Commissioner Williams agreed with Commissioner McDaniel as not being in compliance, but noted this County is under a Federal Consent Decree and the State will need to take action on this versus the County, at the State's expense, according to the legal review of this process.

### **SOUTH GULF FIRE DEPARTMENT-SUPPORT VEHICLE-STATE CONTRACT**

Clerk Norris reported the Board previously approved on August 23<sup>rd</sup> for South Gulf County Fire Department to purchase a support vehicle under State Contract, in the amount of \$31,100.00, stating they added an item (signage) to this purchase which increased it by \$695.00 and they are asking for approval of the increase under State Contract. Commissioner Williams motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

### **POLICY - SECTION 504 COMPLIANCE PLAN**

Deputy Administrator Lanier recommended approval of the County revised Section 504 Compliance Plan Policy (Americans with Disabilities Act). Ms. Lanier noted there were only a few minor changes and advised the Board the new Telecommunication Devices for Deaf Persons (T.D.D.) contact will be through the Building Department.

Commissioner McLemore motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

### **2012 CHAIRMAN AND VICE CHAIRMAN**

Deputy Administrator Lanier reported she received a request from the Florida Association of Counties (F.A.C.), stating in order to complete their 2012 Directory they need the new Chairman and Vice Chairman for next year. Commissioner McDaniel motioned for Commissioner Williams to serve as Chairman for 2012 and Commissioner Smiley as Vice Chairman. Commissioner Williams seconded the motion, and it passed unanimously.

### **2<sup>nd</sup> MEETING DECEMBER**

Deputy Administrator Lanier noted the Board normally cancels the 2<sup>nd</sup> meeting in December due to the holidays, and asked the wishes of the Board for this year. Commissioner McDaniel motioned to cancel the 2<sup>nd</sup> meeting in December. Commissioner McLemore seconded the motion, and it passed unanimously.

### **FLORIDA ASSOCIATION OF COUNTIES**

Deputy Administrator Lanier asked if any Commissioner would like new pictures or biographies for the 2012 F.A.C. Directory to please let her know and she will notify them.

### **POLICIES - C.D.B.G. GRANT PROCUREMENT**

Grant Writer Kopinsky distributed a packet to the Board and reported she recently had a site visit on a housing grant she had applied for, stating the new Department of Economic Opportunities is now in charge of the C.D.B.G. grant program, and the State Project Manager recommended updates to some of the C.D.B.G. policies (Housing Assistance Plan, Affirmative Action Plan, Anti-Displacement and Relocation Policy, Citizen Participation Plan, Citizens' Complaint Policy, and C.D.B.G. Procurement Policy). Grant Writer Kopinsky requested approval of the procurement policies after revisions and County Attorney review. Ms. Kopinsky stated the procurement policy is so old she would like to update it to be in line with the county bid policy. Commissioner Williams motioned to approve this request. Commissioner McLemore seconded the motion, and it passed unanimously.

### **U.S. MARINE CORP – SEMPER FI**

Public Works Director Danford reported November 10<sup>th</sup> is the 236<sup>th</sup> anniversary of the U.S. Marine Corp Semper Fi.

### **PUBLIC WORKS EQUIPMENT-DOZER REPAIR**

Public Works Director Danford reported they have a problem with the new dozer, and he has three quotes from Thompson Caterpillar, stating sooner or later it will have to be fixed. He reported the first quote is to replace it as is with a system one, and the second quote is to replace it with a heavy duty sealed and lubricated system which would give a master link in it. Public Works Director Danford reported the first quote is in the amount of \$22,250.70 and the second quote is in the amount of \$21,460.44, and recommended approval of the second quote, noting Caterpillar is the only one who can do this work and is a sole source provider. Upon inquiry by Commissioner Williams, County Attorney Novak confirmed this as a sole source under county policy. Commissioner Williams motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

### **WHITE CITY FIRE DEPARTMENT – WATSON PROPERTY**

County Attorney Novak advised the Board they previously approved to accept the contract and funding on the Watson property in White City for the White City Fire Department, stating it was appraised at \$69,000.00, and requested approval and ratification for the White City Fire Department to purchase the property in the amount of \$70,000.00. Commissioner Williams motioned to approve this recommendation. Commissioner McDaniel seconded the motion, and it passed unanimously.

### **PROPOSED ORDINANCE - \$30.00 TRAFFIC SURCHARGE**

County Attorney Novak read the following proposed ordinance by title for the Board's consideration.

**AN ORDINANCE OF GULF COUNTY IMPOSING A SURCHARGE OF \$30.00 ON EACH NON-CRIMINAL OR CRIMINAL TRAFFIC VIOLATION, PROVIDING FOR THE USE OF SAID SURCHARGE, PROVIDING AUTHORITY, PROVIDING REPEAL AND SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

County Attorney noted the ordinance as proposed is a \$30.00 surcharge on criminal traffic cases and non-criminal traffic cases; stating the fee would be assessed and collected by the Clerk's Office with regards to Courthouse Security and Administrative Costs. Following discussion, Commissioner Williams motioned to proceed with advertising the proposed ordinance. Commissioner McDaniel seconded the motion, and it passed unanimously.

### **FISHING FOR FREEDOM**

County Attorney Novak reported Commissioner McLemore introduced at the last meeting the Fishing for Freedom group that had lobbied Governor Scott; stating he has

reached out to two South Florida Attorney's concerning adopting a joint resolution in regards to this issue, advising the Board that once the proposed resolution has been drafted he will report back with the proper language.

### **NORTH FLORIDA CHILD DEVELOPMENT**

County Attorney Novak reported he spoke with Chief Administrator Butler and they met with the Executive Director of North Florida Child Development concerning the lease on the Wewahitchka Courthouse, stating they are working with their C.F.O. on what they might entertain in terms of a new structured lease. He stated they have been provided the market rate for the occupied square footage, the utilities, and the Kone elevator expense (for lightning damage and to bring into A.D.A. compliance). Mr. Novak will report back at the next meeting.

### **TOURIST DEVELOPMENT COUNCIL**

County Attorney Novak gave an update on the last T.D.C. meeting, stating the T.D.C. Board approved to change their regular meetings from the first Thursday to the first Tuesday of every month; enabling them to submit their recommendations to the Clerk's Office to be placed in the Consent Agenda. He reported he discussed with them the approval of expenditures, based on policy recommendations from the last meeting, that until further notice all expenditures are to be submitted to this Board for approval (\$1.00, \$5,000.00 on up). County Attorney Novak reported the T.D.C. Director will submit a letter to the Clerk's Office for the Consent Agenda which will include their meeting date, what they discussed, and their recommendations for approval. T.D.C. Director Kerigan thanked County Attorney Novak and Clerk Norris and staff; stating they have been exceptional through this process. Mr. Kerigan presented the Board with a letter requesting approval of their invoices. Upon inquiry by Commissioner Williams concerning these invoices for approval tonight, T.D.C. Director Kerigan reported all these invoices were incurred prior to the decision made by the Commission at the last meeting. Commissioner McLemore motioned to approve the T.D.C. invoices presented. Commissioner Smiley seconded the motion for discussion. Upon inquiry by Commissioner McDaniel, T.D.C. Director Kerigan reported some of these will be paid from a combination of the B.P. funds and T.D.C. funds. Commissioner Williams discussed page three of the document, noting he needs to abstain from page 3 because he has a social relationship (girlfriend) with this vendor. Commissioner Williams requested to amend the motion and second to include Chief Administrator Butler's review all invoices until we get on line, correct this, and move forward. The motion then passed 4-0, with Commissioner Williams abstaining due to a social relationship (girlfriend) with a vendor.

T.D.C. Director Kerigan gave an update on the T.D.C., stating they increased the bed tax dollars by over \$100,000; noting they have a 4% bed tax. He stated if you multiply that by 25, you get \$2.5 million. He reported he and E.D.C./Chamber Director Sellers have discussed how this relates to economic development and how it totally impacts our economy; some estimates say 7% but if you use 3 - 3 ½ % you are looking at \$7.5 million. He applauded the T.D.C. Board and this Commission for giving them this opportunity. He stated the T.D.C. understands where they have to go and what they have to do to be in compliance with the County.

Upon inquiry by Commissioner McDaniel concerning the \$25,000.00 for the sponsor of the NASCAR truck, T.D.C. Director Kerigan reported T.D.C. only paid for the advertisement visitgulf.com on the truck. Mr. Kerigan reported on the unbelievable response this advertisement has generated.

County Attorney Novak confirmed that Commissioner Williams abstained from voting on page 3 of the T.D.C. invoices and will have Form 8B completed and submitted to the Clerk for the record. Commissioner Williams reported the reason he wants Chief Administrator Butler to review these is because some are big ticket times; mentioning the Songwriter's Festival that will be deferred to the auditors due to it having been funded in advance, and the beach raking.

### **SIGN COMMITTEE**

County Attorney Novak reported the sign committee will meet November 16<sup>th</sup> or 17<sup>th</sup> on the sign ordinance.

### **LIMITED MAINTENANCE AGREEMENT – COUNTY ROAD 5**

For the Board's consideration, Chief Administrator Butler presented a limited maintenance agreement on County Road 5 to assist with school bus traffic. Commissioner Smiley motioned to approve the limited maintenance agreement on County Road 5 (CR 5). Commissioner Williams seconded the motion, and it passed unanimously.

### **PROBATION SERVICES/ADVERTISE FOR REQUEST FOR PROPOSALS/QUALIFICATIONS**

Chief Administrator Butler recommended advertising for R.F.P.'s or R.F.Q.'s for Probation Services, stating the current contract has expired. Commissioner Smiley motioned to approve this recommendation. Commissioner McDaniel seconded the motion, and it passed unanimously. Mr. Butler stated the Attorney may need to work with the current contractor on this service until a new one can be obtained. The Board had no objection.

### **PROBATION SERVICES/LEASE AGREEMENT/SHERIFF'S SUB-STATION**

Chief Administrator Butler reported the lease on the current Probation Services building expired and County Attorney Novak is working on getting a valid issue.

### **LANDFILL OPERATIONS – BID #1011-22**

Chief Administrator Butler reported the Board previously advertised to receive sealed bids for the landfill operation, stating the committee ranked the bids with Waste Management being number one in the ranking, and they have been negotiating with Waste Management. He reported they received a letter from Waste Management stating they could save the County \$75,000.00 by increasing the tipping fees, and after review by Public Works Director Danford it would not save the County any money, it would cost at least another \$60,000.00. Chairman Yeager stated Public Works Director Danford is doing an excellent job running the landfill, and suggested for the County to continue running the landfill. Following discussion, Chief Administrator Butler suggested for Public Works Director Danford to allow the next ranked firm 30 days to respond. Public Works Director Danford requested to continue with the current process instead of rebidding. Upon inquiry by Commissioner McDaniel, Public Works Director Danford reported they take in approximately 7,500 to 8,000 tons per year at the landfill. Assistant Administrator Hammond noted next to the Sheriff and the Jail budgets, this is the largest expense for the County. He stated, whether you privatize or continue to run it, the fact is we charge too little and the volume is not large enough and if you continue to shrink, you cannot continue at a loss of \$600,000 to \$800,000 a year. Chairman Yeager expressed his ongoing concern of placing the cost burden of the landfill on the Ad Valorem Taxpayers. Public Works Director Danford agreed with Hammond, stating the budget committee presented the Board with recommendations, one of which was a M.S.B.U. (Municipal Services Benefit Unit). After further discussion, Commissioner Williams motioned to terminate negotiations with Waste Management and move to the second (2<sup>nd</sup>) ranked firm as far as timing and expectations. Commissioner McLemore seconded the motion, and it passed unanimously. Chief Administrator Butler reported there is approximately 36 tons per day going into the landfill, charging \$35/per ton.

### **PROBATION SERVICES**

Sheriff Nugent suggested continuing the probation services as it currently is, stating they (Judicial Corrections Services) are doing a great job and they work well with the Sheriff's department.

### **BYRD PARKER DRIVE PERMIT**

Upon inquiry by Commissioner McLemore concerning Byrd Parker Drive, Chief Administrator Butler reported Dan Garlick with Garlick Environmental is still working on this project, stating he is waiting on U.S. Fish & Wildlife.

### **APPOINTMENT – WORKFORCE FLORIDA – COMISSIONER WILLIAMS**

Commissioner Williams reported Governor Rick Scott appointed him to the State-wide Workforce Florida Board, stating the State will be paying for all his travel. Commissioner Williams requested for the County to pay his travel expenses and once the State reimburses him, he will sign the check over to the Clerk. Commissioner Williams requested permission to travel to Miami on November 9<sup>th</sup> to attend the Workforce Florida Board meeting. Commissioner McDaniel seconded the motion for discussion. Chairman Yeager congratulated Commissioner Williams for this appointment and recommended to amend the motion as standard policy to approve when he has to travel for the Workforce Florida Board. Commissioner Williams amended the motion, and Commissioner McDaniel amended his second, and the motion passed unanimously.

### **FLORIDA ASSOCIATION OF COUNTIES**

Commissioner Williams reported the Florida Association of Counties (F.A.C.) will be holding a meeting to update their policies, and requested if any Board member has any legislative priorities, please give them to Chief Administrator Butler or E.D.C./Chamber Director Sellers.

### **CITY OF PORT ST. JOE – SURCHARGE**

Based on the lack of response from the City of Port St. Joe, Commissioner Williams directed Chief Administrator Butler to check with City Manager Weston on the status of the \$5.00 surcharge on the utility structure, and the franchise fee charged to residents outside the City limits.

### **LEASE AGREEMENT – DEPOT CREEK**

Chairman Yeager reported the lease agreement (St. Joe Company) for Depot Creek has been secured and the boat ramp has been concreted and will be open tomorrow.

### **VETERANS' DAY**

T.D.C. Director Kerigan reported on the Veterans' Day events for the County, stating they have several events in place to honor the Veterans'.

### **NORTH FLORIDA CHILD DEVELOPMENT**

T.D.C. Director Kerigan reported North Florida Child Development broke ground yesterday on the first school in forty (40) years in Gulf County.

### **GENE RAFFIELD FOOTBALL LEAGUE**

T.D.C. Director Kerigan reported the 7-8, 9-10 and 11-12 year old Gene Raffield Football League made it to the Super Bowl this year, stating it will be held in Port St. Joe on Saturday starting at 10:00 a.m., E.T. and invited everyone to attend.

### **WHITE CITY FIRE DEPARTMENT – WATSON PROPERTY**

Commissioner Williams motioned to advertise to receive sealed bids for the sale of the older home (to be moved) located on the Watson property in White City. Commissioner McDaniel seconded the motion, and it passed unanimously.

### **LIBRARY BENEFIT – FISH FRY**

Sheriff Nugent reported there will be a benefit fish fry for the Library on Thursday, November 17<sup>th</sup> at Frank Pate Park. Commissioners McLemore and Smiley will be cooking; and the Sheriff will be serving.

### **E.D.C./CHAMBER DIRECTOR**

Chairman Yeager reported he and E.D.C./Chamber Director Sellers have been working on getting all the agencies together to meet on the first Tuesday of each month.

### **TOURIST DEVELOPMENT COUNCIL – JASON BOGAN**

Chris Petrie appeared before the Board and reported he serves as a volunteer on the T.D.C. Board and requested for Jason Bogan to be allowed to stay on the T.D.C. Board for another term, stating he has been a tremendous asset to this County. Commissioner Williams discussed there are internal issues with T.D.C. and he has already been allowed one extension. Jason Bogan reported he has only served one term on the Board. Chairman Yeager reported County Attorney Novak is working on procedures on how members are appointed to the T.D.C. Board.

There being no further business, and upon motion by Commissioner Williams, the meeting did then adjourn at 7:07 p.m., E.T.

**WARREN J. YEAGER, JR.**  
**CHAIRMAN**

**ATTEST:**  
**REBECCA L. NORRIS**  
**CLERK**