

PORT ST. JOE, FLORIDA

MAY 25, 2010

REGULAR MEETING

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

Others present were: County Attorney Timothy McFarland, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Assistant Administrator Michael Hammond, Deputy Administrator Lynn Lanier, E9-1-1 Coordinator Ben Guthrie, Grant Writer Towan Kopinsky, Planner David Richardson, 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 McLemore led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

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

1. Minutes – May 3, 2010 – Special Meeting
 - May 10, 2010 – Special Meeting
 - May 11, 2010 – Public Hearing
 - May 11, 2010 – Special Meeting
 - May 11, 2010 – Regular Meeting
 - May 17, 2010 – Special Meeting
2. Appointment – Opportunity Florida Board (Towan Kopinsky)
3. Budget Amendment #8 – General Fund (Clerk to Board and Tax Collector for Insurance Stipends \$400.00 * Fine & Forfeiture Fund Sheriff for Insurance Stipends \$28,000.00) as follows:

Budget Amendment #8
General Fund

	Original Budget	Increase	Decrease	Amended Budget
Clerk to Board				
21212-23000 Health Ins	68,398.00	-	400.00	67,998.00
21212-91000 Transfer	393,356.69	400.00	-	393,756.69
Tax Collector				
22213-23000 Health Ins	45,202.00	-	7,200.00	38,002.00
22213-91000 Transfer	392,039.70	7,200.00	-	399,239.70

Fine & Forfeiture Fund

	Original Budget	Increase	Decrease	Amended Budget
Sheriff:				
F3121-23000 Health Ins	302,268.00	-	28,000.00	274,268.00
F3121-91000 Transfer	2,131,930.35	28,000.00	-	2,159,930.35

(End)

Budget Amendment #9 – General Fund (Parks & Recreation Decrease District 2 & Increase District 4 * \$220.00)

**Budget Amendment #9
General Fund**

	Original Budget	Increase	Decrease	Amended Budget
Parks & Recreation				
21072-83002 Other Grants & Aid	1,920.00	-	220.00	1,700.00
21072-83004 Other Grants & Aid	214.00	220.00	-	434.00

(End)

Budget Amendment #10 – General Fund (County Courthouse for Correct Classifications of Expenditures * Increase Other Contractual by \$10,000.00 and Decrease Equipment by \$10,000.00 * Transfers \$61,200.00)

**Budget Amendment #10
General Fund**

	Original Budget	Increase	Decrease	Amended Budget
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County Courthouse:

26216-34000 Other Contractual	2,500.00	10,000.00	-	12,500.00
26219-64001 Equipment >\$5,000	20,000.00	-	10,000.00	10,000.00

Transfers:

00181-00000 Inter-fund Transfers	933,131.00	61,200.00	-	994,331.00
00189-10000 Operating Transfer	61,200.00	-	61,200.00	-

(End)

Budget Amendment #11 – Oak Grove Water System

**Budget Amendment #11
Oak Grove Water System**

	Original Budget	Increase	Decrease	Amended Budget
Expenditures:				
W7136-46200 R&M:Equip	48,555.00	-	29,591.00	18,964.00
Transfers:				
401581-91000 Inter-fund Transfers	-	29,591.00	-	29,591.00

(End)

Budget Amendment #12 – Volunteer Fire Departments (Add back 3% Cash Carry Forward previously Deducted)

**Budget Amendment #12
St. Joe Fire Control District Fund #106**

	Original Budget	Increase	Decrease	Amended Budget
Reserves:				
N9984-96000 Cash to CF	213,762.46	-	41,955.00	171,807.46
Beaches Fire Department:				
32122-64001 Equip>\$5,000	73,276.20	2,250.00	-	75,526.20
Highland View Fire Department:				
32222-64001 Equip>\$5,000	44,851.82	12,225.00	-	57,076.82
White City Fire Department:				
32322-64001 Equip>\$5,000	343,209.82	9,450.00	-	352,659.82

South Gulf Fire Department:

32922-52000 Operating Supplies	6,736.20	18,030.00	-	24,766.20
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Tupelo Fire District Fund #107

	Original Budget	Increase	Decrease	Amended Budget
Reserves:				
T9984-96000 Cash to CF	19,174.58	-	585.00	18,589.58
Stone Mill Creek Fire Department:				
31722-64000 Equip	4,306.52	45.00	-	4,351.52
Dalkeith Fire Department:				
31922-64000 Equip	29,867.49	540.00	-	30,407.49

Overstreet Fire District Fund #108

	Original Budget	Increase	Decrease	Amended Budget
Reserves:				
V9984-96000 Cash to CF	1,048.68	-	290.52	758.16
Overstreet Fire Department:				
32622-46100 Maint. Bldgs	1,420.00	290.52	-	1,710.52

(End)

4. Contract Change Order #1 – Widening & Resurfacing of .5 Miles of C.R. 30-A
(Extend Contract Period)
5. Grant Agreement – F.D.L.E. (2010 Edward Byrne Memorial Justice Assistance
Grant * \$57,037.00)
Grant Agreement – Solid Waste
6. Invoices – Harrison & Rivard (Lobbying Services * Invoice #11920 * \$18,423.00 *
to be paid from Account #21111-31300)
 - Piggly Wiggly (Board Meetings * 473.13 * to be paid from Account
#21111-49000)
 - Rumberger, Kirk & Caldwell – General Employment Matters
(File #G214-107990 * Invoice #749451 * \$240.72 * to be
paid from Account #21111-31200)

7. Resolution #2010-08 – (Unanticipated Revenue in the Fine & Forfeiture Fund for FY 2009-2010) as follows:

RESOLUTION #2010-08

WHEREAS, the Gulf County Board of County Commissioners of Gulf County, Florida, has unanticipated revenue in the Fine and Forfeiture Fund for fiscal year 2009-2010; and

WHEREAS, said revenue is needed to help pay certain expenditures incurred in fiscal year 2009-2010,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Increase the Sheriff Budget by unanticipated increase in revenue from City of Wewahitchka for Sheriff Services.

	Fine & Forfeiture Fund			
	Original Budget	Increase	Decrease	Amended Budget
Sheriff:				
F3121-91000 Transfer	2,159,930.35	1,200.00	-	2,161,130.35
Revenue:				
00242-10000 Police Services	30,000.00	1,200.00	-	31,200.00

THIS RESOLUTION ADOPTED by the Gulf County Board of County Commissioners this the 25th day of May, 2010.

(End)

Resolution #2010-09 – (Unanticipated Revenue in the General Fund and Howard Creek Fire Department Fund for FY 2009-2010) as follows:

RESOLUTION #2010-09

WHEREAS, the Gulf County Board of County Commissioners of Gulf County, Florida, has unanticipated revenue in the General Fund and Howard Creek Fire Department Fund for fiscal year 2009-2010; and

WHEREAS, said revenue is needed to help pay certain expenditures incurred in fiscal year 2009-2010,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The 2009-2010 fiscal year budget be amended as follows:

General Fund

	Original Budget	Increase	Decrease	Amended Budget
Hwy Safety:				
310549-52000 Operating Exp	0.00	4,800.00	-	4,800.00
310549-64000 Equipment	0.00	4,700.00	-	4,700.00
Federal Grants:				
00131-49000 Other Transp Grant	0.00	9,500.00	-	9,500.00

Howard Creek Volunteer Fire Department Fund

	Original Budget	Increase	Decrease	Amended Budget
Expenditures:				
32722-52000 Operating Exp	5,711.79	6,128.00	-	11,839.79
Revenue:				
10931-20000 Public Safety Grant	0.00	2,928.00	-	2,928.00
10960-00000 Misc Rev-Donations	0.00	3,200.00	-	3,200.00

THIS RESOLUTION ADOPTED by the Gulf County Board of County Commissioners this the 25th day of May, 2010.

(End)

8. Travel – Farm Share Program (Nathan Peters, Jr./Elaine Howell)

(End)

PUBLIC HEARING – P.D.R.B. RECOMMENDATIONS

The Board then considered the following recommendations from the May 17, 2010 meeting of the Planning & Development Review Board:

VARIANCE – SMITH

Pursuant to advertisement to hold a public hearing to consider a setback variance for James R. Smith (Parcel ID #03975-000R), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Williams motioned to approve this variance. Commissioner Traylor seconded the motion, and it passed unanimously.

VARIANCE – GRIMES

Pursuant to advertisement to hold a public hearing to consider a setback variance for James and Deborah Grimes (Parcel ID #03806-065R), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Williams motioned to approve this variance. Commissioner Yeager seconded the motion, and it passed unanimously.

VARIANCE – MCGILL/CANNON

Pursuant to advertisement to hold a public hearing to consider a setback variance for McGill/Cannon (Parcel ID #06268-304R), County Attorney McFarland read the public hearing notice and called for public comment. There being no public comment, Commissioner Yeager motioned to approve this variance. Commissioner Traylor seconded the motion, and it passed unanimously.

(End)

HIGHLAND VIEW FIRE DEPARTMENT

Planner Richardson discussed an issue with the new Highland View Fire Department building, stating that because a portion of the building lies in a flood zone area; it will have to be permitted in a A. E. A. flood zone. He stated that a L.O.M.A. had been applied for but if it is denied, it will be subject to flood insurance. Planner Richardson requested the Boards guidance. Commissioner Williams reported that he met with the Engineers on this process, as this could have an impact of the elevation survey and ongoing flood insurance. He suggested moving forward with the L.O.M.A. and he will report back at the next meeting.

BID AWARD #0910-15 – (4) HUSTLER TRIMSTAR HYDRO MOWERS

Public Works Director Danford recommended that bid #0910-15 ((4) Hustler Trimstar Hydro Mowers) be awarded to St. Joe Rent-All, Inc., in the amount of \$14,900.00.

Commissioner Peters motioned to approve this recommendation. Commissioner Yeager seconded the motion, and it passed unanimously.

DEEPWATER HORIZON OIL SPILL

Eric Sereun, British Petroleum (B.P.) Local Support Coordinator appeared before the Board and gave an update on the oil spill, stating that the staging area is located at Raffield Fisheries and that all the Tier 1 boom has been installed. He reported that there is approximately 4,500 local unskilled workers available, stating that they will be working with the County to clean the parks and beaches. Mr. Sereun reported that a claims office was opened last week at 106 Trade Circle on the Industrial Road. He reported that there have been significant changes in the Vessels of Opportunity along the entire Gulf Coast. He stated that they have de-activated all vessels and are starting back to square one with everyone, because they are rotating through people. He reported that there is a training class on Thursday, May 27, 2010 in Apalachicola to get their yellow card certification. He also reported that the spill worker training will be handled through the State of Florida and the Unemployment Organizations in the community. Upon inquiry by Chairman McLemore concerning the training to be held in Franklin County on Thursday, Mr. Sereun reported that they will be contacted and given an identification (M.O.B.) number for their contract and will be asked to attend specific safety hazardous training. Upon inquiry by Commissioner Yeager, Mr. Sereun stated that it is his understanding that B.P. will compensate those who attend the training on Thursday. The Board thanked Mr. Sereun for his professionalism and responsiveness.

RESOLUTION #2010-10 – FLORIDA RURAL BROADBAND ALLIANCE

Chief Administrator Butler recommended the Board adopt a resolution for the Broadband Alliance for Gulf County, stating that this resolution appoints Grant Writer Towan Kopinsky to serve as the Administrator for Gulf County. Commissioner Yeager motioned to adopt the proposed resolution. Commissioner Peters seconded the motion, and it passed unanimously.

RESOLUTION #2010-10

A RESOLUTION OF GULF COUNTY, FLORIDA APPROVING PARTICIPATION IN THE FLORIDA RURAL BROADBAND ALLIANCE, LLC; DESIGNATING A REPRESENTATIVE TO SERVE ON THE BOARD OF GOVERNORS OF THE FLORIDA RURAL BROADBAND ALLIANCE, LLC; AUTHORIZING PREPARATION OF A LIST OF PROPOSED IN KIND ASSETS FOR AVAILABILITY TO THE FLORIDA RURAL BROADBAND ALLIANCE, LLC; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GULF COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY FOR THE RESOLUTION. This Resolution is adopted pursuant to the provisions of Section 125.01, Florida Statutes.

SECTION 2. FINDINGS. Gulf County, Florida (the "County"), does hereby find and determine that:

(A) The expansion of broadband connectivity throughout Florida's rural communities will bring great benefits to the citizens of the County, including increased educational opportunities, expanded access to health care, improved public safety communications and responses and additional opportunities for economic development.

(B) The Florida Rural Broadband Alliance, LLC ("FRBA") has been created through the cooperation of local governments, community activists and the REDI agencies for the Northwest and South Central Florida RACECs in order to finance, operate, construct, and manage broadband infrastructure facilities within the Northwest Florida RACEC and South Central Florida RACEC regions, which area includes the County.

(C) On March 26, 2010, FRBA submitted an application for federal broadband stimulus funding pursuant to the Broadband Technology Opportunities Program in the amount of \$23,693,665 to fund the construction of broadband middle mile infrastructure networks to serve the Northwest and South Central Florida RACECs at a projected total cost of over \$30,000,000.

(D) Pursuant to Section 4.3 of the Operating Agreement of FRBA, each of the counties located within the FRBA service territory shall be entitled to appoint a representative to serve on the FRBA Board of Governors.

(E) FRBA was notified on May 7, 2010 that its application has been approved for review in the second phase of the funding process, the due diligence phase.

(F) In order to assist FRBA with meeting its requirement to provide 30% matching funds for the proposed grant during the due diligence phase, each benefiting county is being asked to identify certain assets owned by the County which could be contributed as in kind assets.

(G) The County's approval of this Resolution shall designate its Board representative direct preparation of a list of proposed in-kind assets and evidence its support and approval of the application of FRBA for federal broadband stimulus funding pursuant to the American Recovery and Reinvestment Act of 2009.

SECTION 3. DESIGNATION OF FRBA BOARD OF GOVERNORS REPRESENTATIVES. The County Commission hereby appoints Towan Kopinsky, Grant Writer/Administrator, as its Representative to act on the County's behalf on the FRBA Board of Governors. The County Commission hereby appoints Donald Butler, Chief Administrator, as an Alternative to act on the County's behalf on the FRBA Board in the absence or unavailability of the designated Representative. If the Commission determines that it is no longer in the County's best interest to have a designated Representative seated on the FRBA Board, the County may elect to remove its Representative from the Board. Further, pursuant to the FRBA Operating Agreement, the County's failure to remain current in payment of REDI membership support fees may result in removal of its Representative from the Board.

SECTION 4. PREPARATION OF LIST OF IN KIND ASSETS. The County Commission hereby directs County Staff to work with FRBA representatives to prepare a list of potential in kind assets owned by the County which may be employed in the deployment of the FRBA network within the region. Such assets would be encumbered through rights of use and access for FRBA to be approved by the County Commission for execution at a later date.

SECTION 5. GENERAL AUTHORITY. The members of the County Commission and the officers, attorneys, and other agents or employees of the County are hereby authorized to do all acts and things required of them by this Resolution, or desirable or consistent with the requirements hereof for the full, punctual and complete performance of all the terms, covenants and agreements contained herein, and each employee, attorney and officer of the County is hereby authorized and directed to execute and deliver any and all papers and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated hereunder.

SECTION 6. SEVERABILITY AND INVALID PROVISIONS. If any one or more of the covenants, agreements, or provisions contained herein shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall

be deemed separable from the remaining covenants, agreements, or provisions and shall in no way affect the validity of any of the other provisions hereof.

SECTION 7. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

Duly adopted this 25th day of May, 2010.

(End)

SUPERVISOR OF ELECTIONS – HOUSE BILL 131

On behalf of Supervisor of Elections Linda Griffin, Chief Administrator Butler recommended the Chairman send a letter to the Governor in support of H.B. 131, which would postpone the requirement to place equipment (at a approximate cost of \$75,000.00) until the year 2016. Commissioner Yeager motioned to approve this recommendation. Commissioner Peters seconded the motion, and it passed unanimously.

EQUAL EMPLOYMENT OPPORTUNITY PLAN

Grant Writer Kopinsky stated that she and Human Resource Director Manuel have been working together on the E.E.O. Plan and requested approval, contingent upon page six of the plan being updated to include the number of layoffs. Commissioner Williams motioned to approve this recommendation. Commissioner Yeager seconded the motion, and it passed unanimously.

ENERGY GRANT – AGREEMENT

Grant Writer Kopinsky reported that the County has been awarded an energy grant for street light solar panels, (approximately \$260,000.00) and requested the Board to sign and execute the agreement, contingent upon Chief Administrator Butler and County Attorney McFarland's approval. Commissioner Traylor motioned to approve this recommendation. Commissioner Williams seconded the motion, and it passed unanimously.

ENERGY GRANT – RESOLUTION

Commissioner Traylor motioned to adopt the proposed resolution for the Energy Grant (to be ratified later). Commissioner Williams seconded the motion, and it passed unanimously.

WASTE MANAGEMENT - RATE INCREASE

Deputy Administrator Lanier discussed the rate changes for Waste Management effective June 1, 2010, stating that this is per the original agreement.

FLORIDA DEPARTMENT OF TRANSPORTATION – AGREEMENT – LIGHTING

Deputy Administrator Lanier recommended approval of the annual agreement with F.D.O.T. for State highway lighting maintenance, contingent upon approval by County Attorney McFarland. Commissioner Traylor motioned to approve this recommendation. Commissioner Williams seconded the motion, and it passed unanimously.

HIGHLAND VIEW FIRE DEPARTMENT - DIRECT PURCHASE REQUEST – BIG B STEEL BUILDINGS

Deputy Administrator Lanier requested approval of a direct purchase request from Cathey Construction for the Highland View Fire Department metal building from Big B Steel Buildings, in the amount of \$34,610.00 (saving \$2,126.60 in sales tax). Commissioner Williams motioned to approve this request. Commissioner Peters seconded the motion, and it passed unanimously.

A.F.G. 50/50 FIRE GRANT - STONE MILL CREEK FIRE DEPARTMENT

Upon inquiry by Commissioner Traylor, Grant Writer Kopinsky reported that she received three quotes (on a slide in skid unit), and based on the bid policy, the Chairman and Chief Administrator Butler can sign the agreement to purchase.

COURTHOUSE – SMOKING POLICY

Chairman McLemore reported that he has received complaints concerning people smoking at the front entrance of the Courthouse. After further discussion by members of the Board, Chairman McLemore directed Chief Administrator Butler to have the ash trays removed, and no smoking signs be placed at the front entrance of the Courthouse.

BID – TIMBER SALES – HONEYVILLE PARK

Upon inquiry by Chairman McLemore, Deputy Administrator Lanier reported that the bids will be received through Friday, May 28, 2010. Deputy Clerk Summers reported that there have not been any bids received at this time.

WAIVE LANDFILL TIPPING FEES / BURNED HOMES

Commissioner Peters motioned to waive the landfill tipping fees for the City of Port St. Joe for the removal of a burned home at 233 Avenue E, and 107 Bay Street. Commissioner Yeager seconded the motion, and it passed unanimously.

DEEPWATER HORIZON OIL SPILL – LOCAL BUSINESSES – SCALLOP SEASON

Commissioner Yeager discussed the issues with the Deepwater Horizon oil spill, stating that it has impacted the local businesses. Commissioner Yeager motioned to send a letter to the proper authorities requesting that scallop season be opened early this year due to the oil spill impact on the local businesses. Commissioner Williams seconded the motion for discussion. T.D.C. Director Kerigan appeared before the Board and discussed expanding the season. He reported that he met with Representative Patronis and Governor Crist concerning the \$25 million dollar funding, stating that they will match everything spent from this time forward on advertising and marketing due to the Deepwater Horizon oil spill. After further discussion by members of the Board, the motion passed unanimously.

GULF COUNTY HEALTH DEPARTMENT – ACTING ADMINISTRATOR

Upon request by Commissioner Williams, Kim Barnhill, Gulf County Health Department Acting Administrator appeared before the Board and discussed that she is the Health Officer in Madison and Jefferson Counties at this time, and encouraged the Board to contact her for any questions or assistance.

FOREST FIRE – COMPLAINTS

Commissioner Williams reported that he has received numerous complaints concerning the woods fire in the Highland View area, stating that there has been a lot of emergency room visits due to the smoke. Sheriff Nugent reported that he has been in contact with St. Joe Company, stating that they are working daily on this issue.

DEEPWATER HORIZON OIL SPILL / RESOLUTION #2010-11

Commissioner Williams reported that there has been a lot of confusion concerning the Deepwater Horizon oil spill, stating that he has been appointed to work with the Florida Association of Counties on this issue, and discussed a proposed Area Contingency Plan resolution. County Attorney McFarland read the Resolution by title and called for public comment. There was no public comment. Commissioner Williams motioned to adopt the proposed resolution. Commissioner Yeager seconded the motion for discussion. After further discussion by members of the Board, the motion passed unanimously.

RESOLUTION #2010-11

RESOLUTION OF THE GULF COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE FUTURE ACTIVATION OF THE GULF COUNTY DISASTER RELIEF CONTRACT WITH ASHBRIIT, INC., AND THE IMPLEMENTATION THEREOF.

On this date, the GULF COUNTY BOARD OF COUNTY COMMISSIONERS did meet to discuss that Activation of the Gulf County Disaster Relief Contract with ASHBTRITT, INC. Based upon such discussion, the following findings were made:

WHEREAS, on May 3, 2010, the Gulf County Board of County Commissioners issued a State of Emergency Proclamation in response to the Deepwater Horizon Oil Spill and has continued to declare a state of emergency continuously since that date; and

WHEREAS, the Deepwater Horizon Oil Spill continues to this date and the United States Coast Guard ("USCG") has estimated that 200,000 gallons of oil per day continue to flow into the Gulf of Mexico, and that all efforts to stop the discharge have failed to date and may not succeed for an extended period of time; and

WHEREAS, the resulting oil slick has spread throughout the Gulf of Mexico and due to winds, waves, tide and other natural factors could approach the shores of Gulf County; and

WHEREAS, the State of Emergency Proclamation authorizes this Board and its representatives to take any and all action under the Gulf County Emergency Management Plan necessary for the preservation of the health, welfare and safety of the people and property of Gulf County; and

WHEREAS, the Deepwater Horizon Oil Spill continues to grow daily while the company or companies responsible for this disaster have failed to control the discharge of oil or contain the slick from threatening Gulf County; and

WHEREAS, Gulf County has previously determined that it is in the best interest of its people and property to have emergency disaster relief contractors under contract to immediately respond to hurricanes, natural disasters and other emergency situations such as the Deepwater Horizon Oil Spill; and

WHEREAS, Gulf County entered into a contract with ASHBTRITT, Inc. as its disaster relief contractor; and

WHEREAS, Gulf County has determined that it must protect the people and property of Gulf County from this disaster and place on a standby basis for future activation at the direction of and pursuant to the Florida Department of Environmental Protection Contract and Finance Committee its emergency disaster relief contractor ASHBTRITT, INC., so as to insure the maximum relief effort is undertaken to assess,

supervise, control and clean up the Deepwater Horizon Oil Spill as it approaches and effects Gulf County.

NOW THEREFORE, let it be known that the following resolutions were duly adopted by the GULF COUNTY BOARD OF COUNTY COMMISSIONERS BOARD OF DIRECTORS and that such resolutions have not been modified or rescinded as of the date hereof:

RESOLVED, that the Gulf County Disaster Relief Contractor ASHBRIIT, INC., is on standby and prepared to supervise, control and clean-up the Deepwater Horizon Oil Spill in Gulf County; and

RESOLVED, that ASHBRIIT, INC. shall be prepared to proceed with work in accordance with such contract at the future direction of Gulf County Board of County Commissioners and the State of Florida D.E.P. Contract and Finance Committee.

RESOLVED, that all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

RESOLVED, that this Resolution shall be in force and take effect immediately upon passage and adoption.

The undersigned further certifies and attests that the above resolutions were made with the consent of the full Board of County Commissioners, each of who were in attendance on this date.

Done this 25th day of May, 2010 at 6:30 p.m., E.T.

(End)

BRITISH PETROLEUM LITIGATION

Commissioner Williams discussed the Board's decision at a previous meeting (May 17) to hire the Law firm of Appleman, Shepard & Trucks, and its partners, stating that he felt this firm "jumped the gun". Commissioner Williams stated that this Board voted to give them an engagement; they did not have a signed contract and the Board never got to review any litigation that would be filed on the Board's behalf. Commissioner Williams stated that, after discussion with people at the State level, there will be a litigation period, but this was inappropriate on their part. Commissioner Williams motioned to terminate the legal services engagement with Appleman, Shepard & Trucks, and rescind or withdraw the lawsuit that was filed inappropriately on behalf of the County. Commissioner Yeager seconded the motion for discussion. Commissioner Williams stated that they have failed to go through our County Attorney and have put the County

at a disadvantage. Commissioner Yeager discussed that although he and Commissioner Williams voted against retaining a law firm, the Board supported it and he is okay with that, however he has a problem with them filing a lawsuit without action by this Board, or consultation with the County Attorney. County Attorney McFarland recommended that Chairman McLemore, Commissioner Traylor and Commissioner Peters consider an abstention from the vote. Commissioner Peters reported that he is abstaining due to his son working for S.W.S. Chairman McLemore reported that he is abstaining due to a business relationship with S.W.S. Commissioner Traylor reported that he is abstaining due to a business relationship with C.C.I. Upon Chairman McLemore calling for the vote, the motion passed unanimously (2-0), with Chairman McLemore, Commissioner Traylor and Commissioner Peters abstaining. County Attorney McFarland stated that he would notify Appleman, Shepard & Trucks of the Board's decision.

Raymond Wood appeared before the Board and inquired about the legality of the previous motion where only two members voted, stating it takes 3 to 2 votes to carry. County Attorney McFarland reported that it does not when there's an abstention, stating that the other three are disqualified from the vote. Upon inquiry by Mr. Wood concerning abstaining because of a family member, County Attorney McFarland referenced Chapter 112.3143 Florida Statutes, stating that it specifically says the public officer should abstain, or that which the officer knows would inure to the special private gain or loss of a relative or business associate. Mr. Wood thanked County Attorney McFarland for clarifying this matter. Upon inquiry by Mr. Wood concerning employment of the County Commissioners other than their elected position, Commissioner Yeager stated that he works for Preble-Rish, Inc., Commissioner Williams stated that he owned a therapy company (physical, occupational, speech therapy, and assisted living services), Chairman McLemore reported that he works for S.W.S., Commissioner Traylor reported that he works for C.C.I., and Commissioner Peters stated that the only job he has is that of County Commissioner. Mr. Wood thanked the Board.

There being no further business, and upon motion by Commissioner Traylor, the meeting did then adjourn at 6:46 p.m., E.T.

**CARMEN L. MCLEMORE
CHAIRMAN**

ATTEST:

REBECCA L. NORRIS
CLERK