



COUNTY COMMISSIONERS

District 1 - Mike Nelson

District 2 - George B. Gainer

District 3 - William T. Dozier, Vice Chairman

District 4 - Jerry L. Girvin, Chairman

District 5 - Mike Thomas

FEBRUARY 17, 2009

REGULAR MEETING

9:00 A.M. – COMMISSION MEETING ROOM, PANAMA CITY HALL

PANAMA CITY, FLORIDA

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. INVOCATION**

**D. PLEDGE OF ALLEGIANCE**

**E. ADDITION OF EMERGENCY ITEMS/DELETIONS**

**F. APPROVAL OF MINUTES**

- January 27, 2009 Workshop Meeting
- February 3, 2009 Regular Meeting

**G. PRESENTATIONS**

1. [Employee Retirements](#)

2. [Appreciation from State Fire Marshall to Fire Services](#)

3. [FACT 20<sup>th</sup> Anniversary](#)

**H. PUBLIC PARTICIPATION**

(Limited to items on BCC agenda, remarks limited to three (3) minutes)

**I. CONSENT AGENDA**

Budget Office

**4. Budget Amendment**

**Recommendation:** Board adopt a resolution amending the Fiscal Year 2008-2009 Budget.

**5. Budget Preparation Schedule**

**Recommendation:** Board adopt the schedule for the FY-2010 Budget Preparation Process.

County Attorney

**6. Amendment to Right of Entry License**

**Recommendation:** Board ratify execution of Agreement to Amend Right of Entry License.

Public Works

**7. Set Initial PH – 34<sup>th</sup> Place PPP**

**Recommendation:** Board schedule and advertise a public hearing for the 34<sup>th</sup> Place Participating Paving Project on April 7, 2009 at 9:00 AM.

**8. MOA for Video Wall System**

**Recommendation:** Board: 1) Approve the Memorandum of Agreement and Local Funding Agreement with the Florida Department of Transportation (FDOT) to utilize the existing FDOT contract with World Fiber Technologies, Inc. to construct a video wall system at the new 11<sup>th</sup> Street Administration Complex; and, 2) Authorize the Chairman to sign the agreements.

**9. Pitts & Fowhand Roads NOV Task Order**

**Recommendation:** Board authorize staff to issue a task order for the Pitts Road and Fowhand Road open grade hot mix stabilization to Triangle Construction Road Building, Inc. in the amount of \$210,000.00.

**10. CR 2302 & SR 77 Intersection Improvement**

**Recommendation:** Board: 1) Award the Base and Additive proposal to Anderson Columbia Co., Inc. with David H. Melvin, Inc. in the amount of \$698,000 for Design and Construction of the CR 2302 & SR 77 Intersection Improvement Project; and, 2) Authorize testing funds in the amount of \$20,000 and contingency funds in the amount of \$35,000 (5%).

Utility Services

**11. Hydrogeologic, Inc. Contract Extension**

**Recommendation:** Board approve and authorize the Chairman to 1.) Execute Amendment No. 1 to Groundwater Modeling Agreement with Hydrogeologic, Inc, and 2.) Authorize additional costs as it relates to additional work required by Northwest Florida Water Management District Grant Agreement.

**12. Rowe Drilling Contract Extension**

**Recommendation:** Board approve and authorize the Chairman to 1.) Execute Amendment No. 1 to Bay County Wellfield Development Test/Production & Monitor Well Agreement with Rowe Drilling Company, Inc. and 2.) Authorize additional costs as it relates to additional work required by Northwest Florida Water Management District Grant Agreement.

Clerk of Circuit Court – Finance

**13. Revenues & Expenditures/Tax Certificate Refunds**

**Recommendation:** Board acknowledge receipt of reports.

**J. REGULAR AGENDA**

County Attorney

**14. Bankruptcy Counsel**

**Recommendation:** Board authorize the County Attorney to contract with the law firm of Archer & Greiner to provide legal services to Bay County in the bankruptcy case filed by Smurfit-Stone.

Code Enforcement

**15. 8735 Tower Road**

**Recommendation:** Board direct staff to have the household trash and garbage removed from the property, and impose a lien on the property for the costs of cleaning property. (Property owner is **Jerry K. Brown**)

County Manager

**16. Board Appointment – Mexico Beach CDC**

**Recommendation:** Board review the name and materials submitted for Mexico Beach CDC Appointment and approve the individual for the available business seat.

Utility Services

**17. Award Contract – Williams Bayou Pump Station Upgrade Project**

**Recommendation:** Board: 1) Award and authorize the attached contract with Royal American Construction Company for the Williams Bayou Pump Station Upgrade Project in the amount of \$2,244,690.89; and, 2) Authorize contingency funds of \$224,469.08 (10%).

**18. Dorr-Oliver Clarifier Drive**

**Recommendation:** Board approve and authorize a sole-source purchase order in the amount of \$ 112,390.00 for the rebuilding of an existing water treatment plant Dorr-Oliver 80S1 Clarifier Drive to EIMCO Water Technologies.

**19. NFWFMD \$2.1M Grant Agreement**

**Recommendation:** Board approve and authorize the Chairman to execute a grant agreement with the Northwest Florida Water Management District for a \$2,100,000 grant towards the Bay County alternate water supply project.

Purchasing

**20. RFQ Presentations for Engineering Design – Development of Alternative Well Design**

**Recommendation:** Board receive presentations, select firm and direct staff to begin negotiations with the selected firm to provide professional services to design, permit and provide construction inspection to develop a groundwater wellfield as an alternate potable water supply for Bay County.

**K. PUBLIC HEARINGS** (Remarks limited to five (5) minutes)

County Attorney

**21. Temporary Tattoo Ordinance**

**Recommendation:** Board conduct public hearing and amend the Bay County Code to require a person selling and applying temporary tattoos post a certain notice.

Development Services

**22. SSA E Side of Hwy 77 – N Side of Skunk Valley Road**

**Recommendation:** Board to conduct a public hearing to consider a proposal of a Small-Scale Amendment to the Bay County Comprehensive Plan, Future Land Use Map, Application No. PZ 08-224. Located on the east side of Highway 77 just north of Skunk Valley Road.

**23. ZC E Side of Hwy 77 – N Side of Skunk Valley Road**

**Recommendation:** Board to conduct a quasi-judicial public hearing pursuant to Section 307 of the Land Development Regulations and take action on a proposed zone change from “AG-1” General Agriculture to “C-3” General Commercial, Application No. PZ 08-228. Located on the east side of Highway 77 just north of Skunk Valley Road.

TDC

**24. TDC Tax Rate**

**Recommendation:** Board approve an increase in the tourist development tax rate and subsequent amendment to the Bay County Tourist Development Plan for FY 2009 and 2010.

- L. PUBLIC PARTICIPATION** (Open to any issue, remarks limited to three (3) minutes)
- M. CHAIRMAN'S REPORT AND COMMISSIONERS COMMENTS**
- N. COUNTY ATTORNEY'S REPORT**
- O. ADJOURN**

**BAY COUNTY BOARD OF COUNTY COMMISSIONERS**

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Commission Meeting Schedules and Agenda Items  
Available on our Home Page: [www.co.bay.fl.us](http://www.co.bay.fl.us)

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