

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT
2775 GARRISON AVENUE, October 18, 2022, at Noon.**

The following were present: Mayor Buzzett, Commissioners Ashbrook, Hoffman, Langston, and Lowry. City Manager Jim Anderson, City Clerk Charlotte Pierce, and City Attorney Clinton McCahill were also present.

CONSENT AGENDA

Minutes

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to approve the Minutes of the Regular Meeting of October 4, 2022. All in favor; Motion carried 5-0.

City Engineer – Josh Baxley

Long Avenue Water / Sewer / Paving –

Lateral Sewer lining is underway. Dewberry is working with the contractor for a schedule on 1st Street. L&K is coordinating with Pigott and Dewberry does not foresee any interruptions to the paving of 1st Street.

The Long Avenue Paving is out for bid.

Avenues C, D, and Dr. Joe Parking Lot Paving –

This project is out for bid.

First Street Paving –

Currently under construction.

Beacon Hill Sewer Design -

The Master Lift Station was submitted for FDEP permitting on October 12, 2022.

Sewer Plant Improvements –

Dewberry is working with City Staff to determine possible short-term solutions.

Madison Street SCOP Grant Task Order

A Motion was made by Commissioner Ashbrook, second by Commissioner Lowry, to approve the Task Order for Professional Services for Design with Dewberry in the amount of \$44,606.66. All in favor; Motion carried 5-0.

City Attorney –

ESAD Sewer, Memorandum of Understanding Update

To date, the MOU has not been received from the Gulf County Board of County Commissioners.

Mr. McCahill shared that a conference call was held with Mr. Seifert and his attorney. A revised Business Purchase Agreement was provided to the Commissioners by Mr. McCahill.

A Motion was made by Commissioner Hoffman, second by Commissioner Ashbrook, in Section 3 - Time for Acceptance, Effective Date, Computation of Time - to insert the date of 31 October 2022. In Section 6 – Closing Date – the date was extended to July 1, 2023. All in favor; Motion carried 5-0.

Old Business

City Projects

Mr. Anderson shared that the Lighthouse painting has been completed, ditch work is being done, and sewer lines are being installed at the cape.

Hurricane Ian – Mayor Buzzett

Mayor Buzzett reminded everyone of the opportunity to make a monetary contribution to victims of Hurricane Ian. Contributions may be dropped of at City Hall, the Gulf County Sheriff's Department, or the City of Mexico Beach.

New Business –

Vactor Truck – State Contract Purchase

A Motion was made by Commissioner Lowry, second by Commissioner Langston, to purchase the Vactor Truck as a State Contract purchase from Sansom Equipment in the amount of \$488,946. All in favor; Motion carried 5-0.

Reid Avenue Sidewalks

Public Works has been looking at the sidewalks on Reid Avenue to establish a short and long term repair plan. Mr. Anderson encouraged the Commissioners to walk the area, makes notes, and share their findings with him.

Public Works –

In the absence of John Grantland, Mr. Anderson shared that construction crews are working on the cape and taps are being made.

Surface Water Plant –

Excavator Rake – Sole Source Purchase

A Motion was made by Commissioner Lowry, second by Commissioner Hoffman, to purchase an Excavator Rake as a Sole Source Purchase from Maximized Water Management llc in the amount of \$34,910. All in favor; Motion carried 5-0.

Wastewater Plant – Kevin Pettis

Microbial Solutions Contract

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to enter into a Goods and services Agreement with In Situ Microbial Solutions, LLC for Microbial Treatment of

the Wastewater Treatment Plant Pond for a monthly cost of \$8,000 as a Sole Source Vendor. All in favor; Motion carried 5-0. This will help with the Algae issue and can be discontinued if it is not working.

Operating Plant Permit Renewal Task Order

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to approve the Wastewater Treatment Operating Plant Operating Permit Renewal Task Order with Dewberry in the amount of \$23,000. All in favor, motion carried 5-0.

Mr. Pettis is working with Duke Energy on the Sprayfield encroachment of Duke's property, is waiting on a meeting with Deseret, and noted the welding done on the filters turned out well. He is working with Philip Jones for a modification of permits to increase the TSS limits, and the plant will begin pushing water in November.

Finance Director – Mike Lacour

FEMA Update

The Clifford Sims Park Project remains in Step 6 of 8 and Mr. Lacour noted the contractor will honor the bid price for this project.

Code Enforcement –

Mr. Anderson shared that 2 houses have been set for demolition if we can get help from the county. He also noted that we are getting to the end of the grass cutting season and are in the process of getting things cleaned up around town.

Police Department – Chief Richards

Chief Richards did not have any updates for the Commission.

City Clerk – Charlotte Pierce

Clerk Pierce shared that staff continues to work with our grant writers as well as being busy with compliance reports.

Citizens to be Heard –

Candy Nesemeier, Charles Gathers, and Akosua G. Duti shared their concerns about the Nopetro Project and the community being aware of meetings.

Mr. Anderson shared that this project would be a Level 2 Major Development, the company would have to complete an application for a Development Order which would be given to the Planning, Development and Review Board. The PDRB would make a recommendation to the City Commission and the City Commission would have a Public Meeting where input would be received from individuals. He noted that until a Development Order Request is received, the City cannot do anything.

Commissioner Ashbrook suggested that since the North Port St. Joe PAC had hosted a meeting with representatives against the project that they might consider setting up a meeting about the project and invite the Nopetro representatives to it.

Commissioner Langston stated that he would be totally against anything that would hurt Port St. Joe.

Discussion Items by Commissioners

Commissioner Hoffman shared the first thing he knew about the project was from an email from the cape, then a letter from the North Port St. Joe PAC which he found to be offensive. He noted the City has never been involved with the Nopetro Project, any accusations should be made to the County as they are the ones that have been working with the project, and no Letter of Support has been discussed by the City. Commissioner Hoffman also stated that anything with a detrimental effect on the City would receive a firm "No" from him.

Commissioner Hoffman also asked about the land swap with the St. Joe Company. Mr. Anderson responded that an appraisal of the property has been received, and our attorney is working with the title insurance Company.

Commissioner Lowry stated that he hopes to know more about the project in the next week or so.

Commissioner Ashbrook noted that he will not do anything to put citizens' in danger.

Commissioner Langston asked about a Crosswalk near McDonalds and the entry to the Piggly Wiggly Complex from Highway 98 as a number of people try to cross the highway from the Avenue A area.

He also shared that the School Signs are not working on Long Avenue.

Mayor Buzzett noted that a button to the Crosswalk on 3rd Street needs to be checked and expressed his appreciation to the Garden Club for their work in improving the downtown area. He shared that he has received a Landscape Project for the Patton Bayou Bridge area and asked that Commissioners review the project as he would like to see more improvements to the areas of the City Limit signs.

Mayor Buzzett stated that he was in City Manager Jim Anderson's office on October 6, 2022, when the following email was received from an individual accusing the City and County of meeting out of the Sunshine Law on the Nopetro Project. The letter was also hand delivered to Mr. Anderson approximately 1 hour later by Akosua G. Duati. Mayor Buzzett requested that the correspondence be read into the record at which time he read the following:



To: City of Port St. Joe, Board of City Commissioners, Gulf County Board of Commissioners

Date: October 4, 2022

Dear Sir/Madam:

We the community residents, religious leaders, civic and non-profit organizations, businesses and property owners listed below are submitting this letter as our official notification that we oppose

constructing a Liquid Natural Gas Storage Export Facility in Port St. Joe, adjacent to the community of North Port St. Joe.

The community residents were not given notice of the meeting where you discussed the Liquid Natural Gas project, and therefore were not in attendance. However, any decisions made in such a meeting may be voidable under the Florida Sunshine Statute.

As you are aware, local governments involve citizen and interest groups in the policy making process in several ways, such as public comment periods during regular meetings and special neighborhood meetings on issues impacting them, such as the proposed Liquid Natural Gas project. As elected public officials, you have the responsibility to notify residents of any such discussion. You chose not to. Please note that a public meeting in Florida is any gathering of two or more members of a public body, i.e., County or City Commissioners, to discuss or take action regarding official business or policy. This applies to information gathering and fact-finding sessions called by the public body, particularly in the case of this Liquid Natural Gas project.

You are hereby notified that the proposed location for the Nopetro Liquid Natural Gas Export Facility on the former 60- acre St. Joe Paper mill site is unacceptable to the residents of North Port St Joe, especially without environmental assessment, transparency, or community involvement. Furthermore, we believe the project requires City, County, and State approval which, to our knowledge, has yet to occur.

Please know we are determined and prepared to use any legal avenues and remedies available to ensure that the concerns of the residents of North Port St Joe are addressed.

Below are our immediate requests:

1. That a public meeting be held to inform the residents of your knowledge of, and involvement in the Liquid Natural Gas Export Facility.
2. That there be a comprehensive environmental review and assessment of the site to determine the potential health and safety impacts on the community's residents and property owners' values.
3. That an independent Economic Development Assessment and Cost Benefit Analysis of the Nopetro Liquid Natural Gas Export Facility project is carried out.
4. That, following the Environmental Review, a meeting be held in North Port St. Joe to inform the community of the findings and seek comments from the affected residents.

Finally, we expect that our requests be honored prior to any letters-of-support or vote, pertaining to the Liquid Natural Gas Export Facility, being entered into by the City Commissioners or the County Commissioners.

Sincerely,

Pastor Chester Davis, Pastor, Philadelphia Primitive Baptist Church &
President, North Port St. Joe Project Area Coalition
Superintendent David Woods Jr., Pastor Port St. Joe Church of God In Christ &
President, North Port St. Joe Ministerial Alliance
Bishop Charles Gathers, Pastor True Holiness Church
Elder Willie Ash Jr., Pastor Victory Temple Holiness Church
Pastor Robert Lowery, Pastor Amazing Grace Apostolic Church
Pastor Marvin Davis, Thompson Temple First Born Holiness Church
Elder Ray Bolden Sr., Property Owner
Mrs. Cheryl Steindorf, President, Pioneer Bay Community Development Corporation
Mr. Eddie Fields, President, Washington Improvement Group

Dr. George Davis, Property Owner
Mr. John Miller, Concerned Citizen
Mrs. Letha Mathews, Property Owner
Mr. Landy Luther, Concerned Citizen
Mr. John Ehrman, Port St. Joe, Concerned Citizen
Mr. Johnny Bryant, Property Owner
Mrs. Karen Thomas, Property Owner
Mrs. Lynn Lewis, Property Owner
Mrs. Beverly Ash, Business Owner & Property Owner
Mr. Dannie Bolden, Property Owner
Mr. George Foxworth, Property Owner

Mayor Buzzett requested that City Manager Jim Anderson respond to the email. Below is the correspondence.

On Thu, Oct 6, 2022 at 2:27 PM, Jim Anderson
<janderson@psj.fl.gov> wrote:

Good afternoon Mr. Bolden,

The City of Port St. Joe has not held any public meetings in violation of the Florida Sunshine Statue or received a request for a Development Order for a Nopetro Liquid Natural Gas Plant as of 10/6/22.

Thanks,

Jim

The following is the response received from Mr. Bolden:

Jim,

Today, you replied via email to me in response to a letter delivered and emailed to you and the City and County Commissioners. A letter that was clearly written on North Port St. Joe Project Area Coalition letterhead. Responding directly to me clearly indicates, you have decided to single me out as the only author of the letter. If this is some tactic you are using to intimate me, I want you to understand clearly it won't work. In fact, such tactics will only motivate me and others to advocate stronger on behalf of the residents of North Port St Joe. That's a fact you can count on.

The North Port St. Joe Project Area Coalitions objectives are clear, and we are committed to achieving them, in the best interests of the residents of North Port St. Joe. No longer will the residents of North Port St Joe remain silent when the health and safety of our families are at risk. For far too long the "Jim Crow" systems of governing the City and County used to disregard and disenfranchise North Port St. Joe has gone unchallenged. This good old boy, racist system has been the underpinnings and source for the Community's decline. Resulting in its current blighted and underdeveloped conditions.

The City has an opportunity to do the right thing by opposing the construction of the Nopetro Liquefied Natural Gas Storage Facility adjacent to North Port St Joe. A community that is still dealing with decades of Environmental injustices.

The County Commissioners are supporting this project under the disguise that it will create many jobs, which isn't true. There is no doubt one of the reasons this facility has been planned in secret is that it is another "Good Old Boys" backroom deal that will line the pockets of wealthy investors and local carpetbaggers and profiteers.

Any future responses to this matter should be sent to the North Port St Joe Project Area Coalition, President Pastor Chester Davis, and addressed to the Coalition's Board of Directors.

Thanks,
Dannie Bolden

Mayor Buzzett stated that at any time the Commissioners, City Staff, or employees are accused, he will stand up and defend them. This email is setting things way back, cooperation not confrontation is needed and he is bothered by the letter which was uncalled for and it is not going to help. The mayor wants to work, and has worked together. This correspondence will not help.

Motion to Adjourn –

There was no other business to come before the Commission and Mayor Buzzett adjourned the meeting at 1:35 P.M.


Approved this 1st day of November 2022.



Rex Buzzett, Mayor

11/1/22

Date



Charlotte M. Pierce, City Clerk

11/1/22

Date