

**WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS**  
**May 3, 2016 Special Meeting - Commission Board Room**  
**1331 South Blvd., Chipley, FL 32428**

DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
Alan Bush	Charles Kent	Charles Brock	Todd Abbott	Lynn Gothard
Chairman	Vice-Chair			

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- I. PROCLAMATION – Deputy Woolover
  - A. Call to Order – Chairman Bush
  - B. Invocation/Pledge – County Coordinator Corbin/Chairman Bush

The Washington County Board of County Commissioners met on the above referenced date with the following members present: Chairman Bush, Commissioners Kent, Abbott, and Gothard.

Commissioner Brock was present via polycom.

Also attending the meeting are as follows:

Jeff Goodman, County Attorney

Shawna Faison, Executive Assistant to Lora C. Bell, Clerk of Court

David Corbin, County Coordinator

Risha Brantley, Deputy Clerk

- II. ADOPT THE AGENDA
  - Agenda Alterations - Chairman Bush added Roadway Striping

**Commissioner Kent offered a motion, seconded by Commissioner Abbott and carried to adopt the agenda.**

- III. NON AGENDA AUDIENCE – Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.” Each individual shall have three (3) minutes to speak on the proposition before the board.

- Debra McGhee, 1510 Shackelford Road addressed the Board in reference to the roads in the St. Joseph area. Washouts are an issue where Old Mill Road connects with Shackelford. Draining flowing in her yard is an issue as well. The same issue is occurring with Jessie Way.

She advised the Board she has made several complaints.

Commissioner Abbott, Gothard, Bush, and County Coordinator Corbin held discussion on the area.

Commissioner Gothard suggested herself, and the Road Supervisor meet with Debra McGhee.

#### IV. AGENDA ITEMS

- County Administrator – County Attorney Goodman updated the Board on the County Administrator position. The highest ranking candidate was Jeff Massey who was contacted with the offer being discussed.

The following Monday Mr. Massey expressed interest in the job to himself and Human Resource but felt like he needed certain assurances to leave his current job. The salary was not an issue but the request for a multi-year contract with pay out language included.

At that point, all the Board was notified of the request and the staff's understanding at that time was to move to the second candidate.

A week ago from today, contact was made with the second candidate, Mr. Hamilton who received explanation of what had occurred with the first candidate. The terms and conditions, and salary were given to

Mr. Hamilton.

He was advised that the staff understood that the Board had not given the discretion to offer any contractual arrangements.

Mr. Hamilton expressed excitement to receive the job.

After the conversation with Mr. Hamilton, himself and Marla Hayes, Human Resource received an employment agreement, from Mr. Hamilton, which did not have the length, or terms of Mr. Massey's. It did however, contain the severance and other items that were outside the normal of what is typically offered.

At that point, Chairman Bush was contacted in reference to some of the items that Mr. Hamilton requested.

The decision was made to come back before the Board in order to provide an update.

After speaking with Chairman Bush, the offer by Mr. Hamilton was withdrawn. Currently there are no outstanding offers.

Mr. Massey is still interested in the job but desires a multi-year contract with a buyout provision.

Mr. Hamilton is interested in the job and has agreed orally to accept the job without any additional terms or consideration in respect to any sort of contractual obligations to the County or any severance.

It is the responsibility of the Board to direct staff as to how to

proceed.

Commissioner Kent expressed thanks to County Attorney Goodman, Marla Hayes, and Ruth Brooks for the excellent job they have done and went on to apologize for not giving clear direction and putting them in any type of situation that they may not have felt comfortable with.

**Commissioner Kent offered a motion, seconded by Commissioner Abbott to return to the first candidate and enter into negotiations with Mr. Massey.**

Commissioner Brock suggested an offer should have been made to the third candidate.

Chairman Bush advised the direction from the Board in the minutes were if the first candidate did not accept the job, the Board would move to the second. There was not any clarity in reviewing the minutes for staff to move from the second candidate to the third.

Commissioner Brock reiterated that the third candidate should be given an offer.

Commissioner Brock suggested that County Attorney Goodman was in charge.

County Attorney Goodman advised Commissioner Brock that he was not in charge. He was not given the authority in any of the records to move to the third candidate.

Chairman Bush advised that he could not have negotiated a contract without Board approval. The Board was caught off guard with the (3) year contract that was presented.

Chairman Bush advised the Board needs to decide how to proceed from this point.

Commissioner Kent addressed the Board. The Board voted unanimously for Mr. Massey. Due to proper direction not being given to staff, Mr. Massey was not given an opportunity to negotiate. The problem was presented when the second candidate wanted to negotiate.

He suggested the Board go back to the beginning.

Commissioner Brock advised the Board that they did exactly what Marla and Ruth were tasked to do. There were not any changes in there. The changes were made after the fact about the contracts, etc. It was suggested that the information was unknown but it was in the advertisement; they knew.

Commissioner Kent advised Commissioner Brock that they have been working on this since January. Looking at other surrounding counties the majority of those individuals make more. The issue is not about money. Most of them have contracts. It is a common practice in this industry that you do. There is an upcoming election, and does not know how he would feel if an individual did not request a contact.

Commissioner Brock expressed concern about the Board making a cautious decision, especially due to a previous decision that was

made by Commissioners resulting in the tax payers paying  $\frac{1}{4}$  of a million dollars on the account of a lawsuit.

Commissioner Gothard advised Commissioner Kent that she disagrees with his summary in reference to proper direction not being given. The Board held discussion on whether or not they would negotiate (with that specific word being used). It was asked if the Board wanted to give staff the authority to negotiate and the Board stated, no.

The direction was to go to the first candidate and they take the job as-is, serving at the pleasure of the Board.

If the first candidate did not want it, then proceed to the second candidate.

Commissioner Gothard addressed the Board there is a potential that a new Board could be seated in about (6) months, with (3) being up for re-election and she would not vote for a contract that would tie the hands of a new Board.

Commissioner Gothard went over her understanding of what happened with each offer to both candidates.

Commissioner Kent addressed Commissioner Gothard that the Board did not say a word but had a discussion at a workshop. A motion was never entertained and nothing was voted on.

Commissioner Gothard and Brock disagreed.

Commissioner Brock addressed Commissioner Kent that it was said 2-3 months prior that a certain person would be the individual that

would be the administrator, right Mr. Kent.

Commissioner Kent advised Commissioner Brock that is what he said and a rumor that he spread.

Commissioner Abbott advised County Coordinator Corbin, what Charles Brock is saying is that the interview committee was rigged.

Chairman Bush redirected the meeting.

County Attorney Goodman advised that Human Resource did an excellent job.

Chairman Bush advised that he does not have an issue with the process. It was derailed when contracts were presented.

If that is what the Board wanted, they would have composed a contract, rather than the (2) candidates presenting contracts. Both contracts that have been presented are different.

The Board does not know that either of the (3); they know that they are very good candidates. Neither of the (3) candidates have been a County Manager before, which would be his reluctance to enter into a multi-year contract with somebody that has not proven themselves to be able to do the job.

**Commissioner Kent rescinded his previous motion.**

**Commissioner Kent offered a motion to appoint Marla Hayes Interim County Coordinator upon David's retirement.**

Chairman Bush asked Commissioner Kent if he meant an Interim

while the Board proceeds to fill the position.

Commissioner Abbott commented, yes.

Commissioner Kent advised, upon David's retirement, until such time that they can come to a conclusion as to what they are going to do.

Commissioner Gothard spoke on the process.

Commissioner Kent advised it was his understanding the candidate would stand before the Board and there would be negotiations.

Commissioner Gothard and Brock disagreed.

Commissioner Abbott advised that he made a motion for Chairman Bush to negotiate along with Jeff to hire the number (1) pick, but the Chairman stated that he did not feel comfortable with negotiating without the whole Board.

Commissioner Gothard advised that the first candidate would not back down from the contract. The second candidate initially brought forth a contract, but withdrew it.

County Attorney Goodman advised the Board that they did not know what direction to take once the contracts were presented.

After the offer was withdrawn from the second candidate, he indicated that he would take the job without it.

County Attorney Goodman advised hiring the County Manager is the



Boards decision.

Chairman Bush brought the Board back to the motion on the table.

There was no second.

**Commissioner Gothard offered a motion to hire Mr. Hamilton. He has indicated that he would accept the job with no contract and he was the second choice. If he is not willing to come under those terms, the Board moves to the third candidate.**

**Commissioner Brock seconded the motion.**

Commissioner Abbott apologized for the confusion/politics.

Commissioner Abbott asked if the Board would agree to go back to the candidates and allow them to present to the Board what terms they would be willing to take the job on. This process would be done with the first candidate and if there aren't any agreements, the process would be repeated for the next (2) candidates.

If the Board does not go back to the first candidate, it would be doing the citizens a disservice.

Commissioner Brock, Kent, and Gothard held discussion on whether it was said to negotiate with Commissioner Gothard advising that her motion was not to negotiate.

Commissioner Kent suggested that when he offered it and it was pulled, and it was given back that was negotiation.

Commissioner Brock advised that this (1) item has been hard on Human Resource.

Chairman Bush clarified the motion as to give the second candidate the opportunity to accept it without a contract and if he does not, move to the third candidate.

Commissioner Abbott asked if anyone had went back to the first candidate.

County Attorney Goodman advised the Board the second candidate was called last Tuesday/Wednesday and he was told a special meeting would be called and his contract would not be accepted. The offer was withdrawn by the County staff.

After this, the second candidate indicated that he would be willing to accept the job without the contract.

County staff also reached out to the first candidate to advise him of the special meeting scheduled. At this time he indicated that he was still interested in the job as well as indicating that he wanted some assurances in the form of a contract.

Chairman Bush expressed concern about changing rules in the middle of this.

Chairman Bush called for a roll call vote on the motion on the table by Commissioner Gothard.

- **Commissioner Gothard - Yes**
- **Commissioner Abbott- No**
- **Commissioner Kent - No**

- **Commissioner Brock - Yes**
- **Commissioner Bush - Yes**

**The motion carried 3 to 2.**

- Roadway Striping – Chairman Bush advised he would like to stripe CR 280 (From SR 277 to CR 284) and Pate Pond Road (From SR 79 to CR 280) per a job quote provided from Guettler & Guettler. A contract will be entered into for the work to be done.  
The road in Commissioner Brock’s area that he has requested to be striped is Happy Hill Road, which is included in Guettler & Guettler’s quote.

The quote that was provided included the following cost:

CR 280 -	\$42,099.30
Pate Pond Road -	\$16,133.70
Happy Hill Road -	\$1,883.55

**Commissioner Gothard offered a motion, seconded by Commissioner Kent and carried to enter into a contract with Guettler & Guettler for striping on CR 280, Pate Pond Road, and Happy Hill Road.**

- V. **ADJOURN – Commissioner Kent offered a motion, seconded by Commissioner Abbott and carried to adjourn.**