

**WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS  
August 24, 2017, BCC Regular Meeting – Commission Board Room  
1331 South Blvd., Chipley, FL 32428**

DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
Alan Bush	Charles Kent Chairman	Tray Hawkins	Todd Abbott Vice-Chairman	Steve Joyner

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I. PROCLAMATION

- A. Call to Order – Chairman Kent
- B. Invocation/Pledge – Bobby Pletcher/Chairman Kent

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

Also attending the meeting are as follows:

Jeff Goodman, County Attorney  
Jeff Massey, County Administrator  
Lora C. Bell, Clerk of Court  
Risha Brantley, Deputy Clerk

II. PUBLIC HEARING

- A. Small Scale FLUM Amendment Ordinance – Brandi Lowery read the following:

**AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, FLORIDA, AMENDING THROUGH THE SMALL SCALE AMEDMENT PROCESS THE ADOPTED COMPREHENSIVE PLAN FOR WASHINGTON COUNTY, FLORIDA DATED APRIL 4, 1991, AS AMENDED, WHICH CONTROLS FUTURE LAND USE, GUIDES PUBLIC FACILITIES, AND PROTECTS NATURAL RESOURCES PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATIONS ACT (CHAPTER 163, FLORIDA STATUTES); PROVIDING FOR A COPY ON FILE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The small scale amendment, amends the property from agriculture/silviculture to general commercial.

B. Floodplain Ordinance – Brandi Lowery read the following:

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, FLORIDA AMENDING WASHINGTON COUNTY, FLORIDA'S CODE OF ORDINANCES TO REPEAL WASHINGTON COUNTY LAND DEVELOPMENT CODE, ARTICLE V DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS, APPENDIX A AND ORDINANCE NO. 2011-3, AS AMENDED, THE WASHINGTON COUNTY FLOODPLAIN MANAGEMENT ORDINANCE; TO AMEND WASHINGTON COUNTY CODE OF ORDINANCES, CHAPTER 14 BUILDINGS AND BUILDING REGULATIONS, TO ADOPT A NEW FLOODPLAIN MANAGEMENT ORDINANCE, TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Commissioner Abbott clarified that the floodplain ordinance is a mandate from the federal government.

Brandi Lowery advised the amendment is a requirement for qualifying for CRS. This amendment also has to update with the upcoming Florida Building Code.

Commissioner Bush advised the ordinance designates the county engineer as the flood plain administrator, which will incur cost.

C. Gulf Power Franchise Fee Ordinance – County Attorney Goodman read the following:

AN ORDINANCE GRANTING TO GULF POWER COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO MAINTAIN AND OPERATE AN ELECTRIC PLANT AND AN ELECTRIC TRANSMISSION AND DISTRIBUTING SYSTEM IN THE UNINCORPORATED AREAS OF WASHINGTON COUNTY, FLORIDA AND TO CONSTRUCT, MAINTAIN, OPERATE AND EXTEND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES IN THE STREETS AND PUBLIC PLACES OF SAID COUNTY; AND PROVIDING THE TERMS AND CONDITIONS OF SUCH GRANT; PROVIDING FOR GRANT OF FRANCHISE PRIVILEGE, PROVIDING FOR RIGHT TO OPERATE; PROVIDING FOR TERM OF FRANCHISE; PROVIDING FOR FRANCHISE CONSIDERATION; PROVIDING FOR TRANSFERABILITY; PROVIDING FOR FORFEITURE OF FRANCHISE; PROVIDING FOR TERMINATION OF GRANT BY INSOLVENCY OR BANKRUPTCY; PROVIDING FOR SEVERABILITY; PROVIDING HOLD HARMLESS AGREEMENT; PROVIDING FOR RATES, RULES AND REGULATIONS; PROVIDING FOR REVIEW AND REVISION OF FRANCHISE PROVISIONS; PROVIDING FOR OTHER FRANCHISES; PROVIDING FOR SUCCESSORS AND ASSIGNS; PROVIDING FOR PROPER OPERATION; PROVIDING FOR INTERRUPTION OF SERVICE; PROVIDING FOR METERING OF SERVICE; PROVIDING FOR EXCAVATION, MAINTENANCE AND RESTORATION; PROVIDING FOR SURRENDER OF RIGHTS; PROVIDING FOR WRITTEN ACCEPTANCE BY GRANTEE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

County Attorney Goodman advised that the ordinance means the implementation of a 5% franchise fee for the right and use of a non-exclusive franchise agreement to operate in Washington County to use the county right-of-ways to maintain their lines in the right-of-ways, etc.

There were no comments.

D. WFECA Franchise Fee Ordinance – County Attorney Goodman read the following:

AN ORDINANCE GRANTING TO WEST FLORIDA ELECTRIC COOPERATIVE ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO MAINTAIN AND OPERATE AN ELECTRIC PLANT AND AN ELECTRIC TRANSMISSION AND DISTRIBUTING SYSTEM IN THE UNINCORPORATED AREAS OF WASHINGTON COUNTY, FLORIDA AND TO CONSTRUCT, MAINTAIN, OPERATE AND EXTEND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES IN THE STREETS AND PUBLIC PLACES OF SAID COUNTY; AND PROVIDING THE TERMS AND CONDITIONS OF SUCH GRANT; PROVIDING FOR GRANT OF FRANCHISE PRIVILEGE, PROVIDING FOR RIGHT TO OPERATE; PROVIDING FOR TERM OF FRANCHISE; PROVIDING FOR FRANCHISE CONSIDERATION; PROVIDING FOR TRANSFERABILITY; PROVIDING FOR FORFEITURE OF FRANCHISE; PROVIDING FOR TERMINATION OF GRANT BY INSOLVENCY OR BANKRUPTCY; PROVIDING FOR SEVERABILITY; PROVIDING HOLD HARMLESS AGREEMENT; PROVIDING FOR RATES, RULES AND REGULATIONS; PROVIDING FOR REVIEW AND REVISION OF FRANCHISE PROVISIONS; PROVIDING FOR OTHER FRANCHISES; PROVIDING FOR SUCCESSORS AND ASSIGNS; PROVIDING FOR PROPER OPERATION; PROVIDING FOR INTERRUPTION OF SERVICE; PROVIDING FOR METERING OF SERVICE; PROVIDING FOR EXCAVATION, MAINTENANCE AND RESTORATION; PROVIDING FOR SURRENDER OF RIGHTS; PROVIDING FOR WRITTEN ACCEPTANCE BY GRANTEE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

There were no comments.

E. Alcohol Ordinance – Attorney Goodman read the following:

**AN ORDINANCE PERTAINING TO THE REGULATION, SALE, CONSUMING, OR SERVING OF BEER, WINE, OR OTHER ALCOHOLIC OR INTOXICATING BEVERAGES IN WASHINGTON COUNTY, FLORIDA; REGULATING THE HOURS THAT ALCOHOLIC BEVERAGES MAY BE SOLD, CONSUMED, SERVED, OR PERMITTED TO BE SERVED OR CONSUMED; REGULATING THE MINIMUM DISTANCE FROM A CHURCH THAT ALCOHOLIC BEVERAGES MAY BE SOLD FOR CONSUMPTION ON THE PREMISES; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH, INCLUDING ORDINANCE(S) DATED APRIL 9, 1973, ORDINANCE 83-1, ORDINANCE 93-4, AND ORDINANCE 96-1; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Florida Statute 125.01(1)(o) empowers a County governing body to “[e]stablish and enforce regulations for the sale of alcoholic beverages in the unincorporated areas of the County pursuant to general law”;

WHEREAS, Florida Statute 562.45(2)(a) allows a County of the State to enact ordinances regulating the hours of business for persons and entities holding a state beverage license within the unincorporated areas of the County; and

WHEREAS, Florida Statute 562.14 states in relevant part, “[e]xcept as otherwise provided by county or municipal ordinance, no alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license...between the hours of midnight and 7 a.m. of the following day”; and

WHEREAS, Florida Statute 562.45(2)(a) provides certain restrictions with respect to allowing a location for on-premises consumption of alcoholic beverages within 500 feet of real property that comprises a public or private school; and

WHEREAS, the Board of County Commissioners for Washington County recognizes that the ongoing recession and the condition of the economy challenges local businesses to seek new and better ways to serve the needs of their patrons; and

WHEREAS, the Board of County Commissioners for Washington County understands that the continued success of businesses focused on food services and sales is an important component for the success in the County’s goal to continue to provide venues for socializing and entertainment; and

WHEREAS, the Board of County Commissioners for Washington County is attempting to balance the goals of growth with job creation with the

historical deference provided to churches, private residences, and other individuals and community based needs, by implementing the following rules and regulations; and

WHEREAS, under state laws regulating the sale of beer, wine, or other alcoholic or intoxicating beverages, the Board of County Commissioners for Washington County is authorized to establish the location and hours or operate for alcohol sales in the unincorporated areas of the County; and

WHEREAS, the Board of County Commissioners of Washington County wishes to provide less restrictive locational and/or time criteria for businesses operating primarily as food sales/service establishments as fully set forth herein.

Richard Williams, Executive Director of Opportunity of Florida suggested that the ordinance helps from the retail side. Revenue needs to stay in the community, as well as the citizens.

Commissioner Bush referenced the time that is included in the ordinance should be 12:00 midnight to 4:00 a.m. instead of 7:00 a.m.

County Attorney Goodman addressed Commissioner Bush. The current language includes 12:00 a.m. to 7:00 a.m.

He asked Commissioner Bush if he would like the sale to be allowed at 4:00 a.m. but no on-site consumption sale at 4:00 a.m.

Commissioner Bush advised that is what was discussed.

County Attorney Goodman advised that the ordinance will be amended to no on site consumption sale at 4:00 a.m. but off site sale consumption will be permitted at 4:00 a.m.

Richard Burke, President of the Hell Fighters Ministry expressed his disapproval of the ordinance. He suggested that other intoxicating beverages be removed from the ordinance.

County Attorney Goodman addressed the Board. Currently in Washington County by a prior ordinance the sale of beer is allowed. Other intoxicating beverages is a term that has been used since the 70's in Washington County and has been used in the draft ordinance for consistency purposes.

A special referendum would be required for whiskey or hard liquor to be sold.

There is an ordinance in place that restricts consumption within a certain amount of feet from the purchasing establishment.

In the ordinance, in addition of 50% of the sales have to be for food, a full working kitchen is required at all hours of operation, along with other items that target restaurants.

Jim Town, 4116 Heather Court, Sunny Hills provided an economic development and tax based view.

County Attorney Goodman advised that the ordinance does not affect the planning and zoning and land use aspect.

III. ADOPT THE AGENDA – **Commissioner Bush offered a motion, seconded by Commissioner Hawkins and carried to adopt the agenda.**

IV. ADOPT PREVIOUS MINUTES

July 19, 2017 – Workshop

July 27, 2017 – Board Meeting

August 3, 2017 Special Meeting

**Commissioner Abbott offered a motion, seconded by Commissioner Bush and carried to adopt the above minutes.**

V. 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.

VI. CONSENT AGENDA

A. Request approval for the Clerk of Court to pay vouchers for July 2017 totaling \$2,294,765.04

**Commissioner Abbott offered a motion, seconded by Commissioner Joyner and carried to approve the consent agenda.**

VII. AGENDA ITEMS

- Opportunity Florida – Ted Everett, Director of Economic Development addressed the Board in reference project 79 engineering.

Ted Everett suggested that Cliff Knauer be designated as the engineer to design the water and sewer lines work from Bonifay to Douglas Ferry Road.

Commissioner Bush clarified there is no issue with designating Cliff Knauer as the engineer for the project.



County Attorney Goodman advised that he is not aware of any requirements in the appropriation from the legislature that would cause anything different to be done. In the event there are any conflicts with Cliff Knauer being the engineer for Holmes and Washington County he would make that known.

Commissioner Abbott advised that Dewberry needs to be designated, not Cliff Knauer.

Ted Everett addressed the Board in reference to Board authorization of an expenditure of \$5,000.00 for legal. Holmes County authorized the same approval.

Nabors and Giblin was the only firm that responded, who they would like to move forward with using the \$10,000.00.

County Attorney Goodman suggested that both counties submit their \$5,000.00 to Nabors and Giblin, which would work as a retainer, having them draw down on the funds.

Ted Everett addressed the Board in reference to the annual motorcycle race. Hard Labor and Clayton Roads are never officially closed for the race. There will be two deputies on either side of where the motorcycles have to cross Clayton Road and they are directed through at that point.

In reference to Hard Labor, he advised that he informs all the way down Pioneer Road informing the residents of the race date and the hours. He requested that the Board not advertise to close the road but to allow him to handle it as he has in previous years.

County Attorney Goodman advised there is no reason for public notice to close the road since the road is only being paused for a period in order to allow the motorcycles to cross.

He suggested to include in the minutes approval of the event.

Ted Everett advised the event date is September 10.

**Commissioner Bush offered a motion, seconded by Commissioner Abbott and carried to proceed with approving Dewberry along with the consent of Holmes County and the City of Bonifay to do the design work for the sewer and water south of I-10 on SR-79.**

**Commissioner Bush offered a motion, seconded by Commissioner Abbott to enter into negotiations with Nabors and Giblin with Washington County as well as Holmes County providing them \$5,000.00 as a retainer for legal service for the SR-79 corridor project.**

**Commissioner Abbott offered a motion, seconded by Commissioner Bush and carried to allow Ted Everett and his operation to push the pause button on Clayton and Hard Labor Creek Road on September 10.**

- Small Scale FLUM Amendment - Brandi Lowery, Planning Secretary – **Commissioner Bush offered a motion, seconded by Commissioner Hawkins and carried to amend the small scale FLUM. (Ordinance 17-04)**
- Floodplain Management Ordinance – Brandi Lowery, Planning Secretary

**Commissioner Hawkins offered a motion, seconded by Commissioner Joyner and carried 4 to 1, to approve the floodplain management ordinance. Commissioner Abbott opposed the approval. (Ordinance 17-05)**

- Gulf Power Franchise Fee Ordinance – Chairman Kent – **Commissioner Abbott offered a motion, seconded by Commissioner Hawkins and carried to approve the Gulf Power Franchise Fee Ordinance 17-06.**
- WFECA Franchise Fee Ordinance – Chairman Kent – **Commissioner Hawkins offered a motion, seconded by Commissioner Bush to approve the WFECA Franchise Fee Ordinance 17-07.**
- Alcohol Ordinance – Chairman Kent – **Commissioner Hawkins offered a motion, seconded by Commissioner Bush and carried to approve the alcohol Ordinance 17-08.**
- IT Administrator – Commissioner Abbott suggested that the budget, along with funding assistance from the Clerk would allow the Board to hire an IT administrator.

He advised that he would like to reach out to the Supervisor of Elections, Tax Collector, and Tax Assessor Department.

Clerk Bell addressed the Board. The cost that is paid from her office for IT services from non-court funds is \$11,000.00.

The Board agreed that the position would not be limited to IT services.

Commissioner Joyner suggested that the position would include purchasing.

Commissioner Abbott added cell phones.

Marla Hayes advised the Board that she is currently working on the job description.

Commissioner Bush requested that Marla Hayes coordinate with Clerk Bell in reference to the duties.

Commissioner Bush thanked the sheriff's department for their assistance with IT services.

Commissioner Hawkins asked Marla Hayes if the job description would be available September 5.

Marla Hayes advised, yes.

**Commissioner Bush offered a motion, seconded for discussion by Commissioner Hawkins to add to the existing organizational chart an IT position.**

Commissioner Hawkins asked who the IT position would fall under.

The Board agreed County Administrator Massey.

The motion carried unanimously.

- Kent Road – Karen Shaw, Grants Coordinator requested approval of a resolution that authorizes the chairman and the clerk to sign the agreement from the Department of Transportation.

**Commissioner Abbott offered a motion, seconded by Commissioner Bush and carried to authorize the chairman and clerk to sign the resolution and the agreement. (Resolution 17-17)**

VIII. FEMA COORDINATOR – Kevin Mooneyham provided the Board a funding report in reference to FEMA.

Speaking on the FEMA report were Commissioners Joyner, Abbott, Hawkins, and Bush along with County Administrator Massey.

IX. PUBLIC WORKS SUPERVISOR – None

X. COUNTY ENGINEER – County Engineer Knauer addressed the Board.

- Kirkland Road – On 8/23 the pre-construction conference was held and the notice to proceed was issued.
- Culpepper – Per Karen Shaw, Washington County is in the funding for Culpepper boat ramp.

County Engineer Knauer advised that a survey was done on the boat ramp last year. Washington County is in the money ranking at this point.

- Kent Road – Southeastern Surveyors are ready to proceed and can do so with the action today.
- Culpepper - County Engineer Knauer updated the Board on the scope of the project, which includes to install a wider and longer boat ramp with loading docks on both sides in order to provide assistance in and out of the water. The parking lot will be paved and reorganized for safety and function. Landscape islands will be installed to organize the boat and trailer parking. There will be boat, trailer, and regular car parking. A storm water pond will be installed to collect the run-off. The traffic circulation pattern will be changed.

FBIP does not support non-motorized vessels. None of the money can be used to support canoe or kayak launch facilities.

Ted Everett advised the Board that Cotton Landing re-opened on 8/23.

Speaking on Cotton Landing were Commissioners Bush and Abbott.

- Obie Street – County Engineer Knauer advised the Board the survey is complete and the design is at 75% .

- Bonnet Pond Road – The survey is progressing and should be complete within the next couple of weeks.

Commissioner Hawkins asked if the construction start time on Obie Street would be the end of October or early November.  
County Engineer Knauer agreed with the projected date.

County Engineer Knauer addressed the Board. Bonnet Pond Road will be widened and resurfaced.

Commissioner Abbott asked County Engineer Knauer how long he expects the project to take. Also, if there had been communication with the school board in regards to the bus that uses the route.

County Engineer Knauer advised Commissioner Abbott that at the pre-construction discussion was held in reference to impacts that may occur with Joe Taylor and his staff.

The biggest issue is the culvert crossing.

XI. COUNTY ADMINISTRATOR – County Administrator Massey introduced Steve Cramer, Planner.

Steve Cramer expressed his enthusiasm and thanks.

- Surplus Equipment - County Administrator Massey advised the Board that they have identified surplus equipment. There is an upcoming sale at Gerald Mason's where they would like to include some of the surplus items.

There was no opposition from the Board.

- Horse Arena – County Administrator Massey advised the Board he had intent to start disassembling the horse arena on 8/25 but he has received interest from a local saddle club through 4-H requesting use of the arena. They will clean the area as a public service project in order to be able to use it.

He advised that he will have more detailed information after their meeting 9/1.

Commissioner Hawkins advised that he does not mind them using the area but would like more information on it.

Commissioner Abbott expressed his support.

Commissioner Joyner suggested to remove the bucket shoots and panels due to deterioration and the unknown safety of them. They could use the property and what remains on it.

Communication Tower – County Administrator Massey advised the Board that a RFP has been composed on the communication tower, but are still looking at some items. Once completed, it will be sent out.

Budget – The Board agreed to set a budget meeting 8/30 at 9:00 a.m.

Commissioner Bush requested the items that will be discussed at the meeting prior to the meeting.

## XII. CLERK –

- Audit Engagement Letter – Clerk Bell addressed the Board in reference to a proposed engagement letter to continue with Carr, Riggs, and Ingram as the county auditing firm. The last agreement was signed October 2014.

Clerk Bell recommended approval.

Discussion was held by Commissioners Abbott, Hawkins, and County Attorney Goodman.

Clerk Bell advised the Board there is no increase. Their contract was approved in October 2014 for three years.

**Commissioner Hawkins offered a motion, seconded by Commissioner Abbott and carried to continue with the audit services through Carr, Riggs, and Ingram through this year with a RFP being put out in May 2018 for next year's auditing services.**

- Excess Loan Fund – Clerk Bell advised the Board there is approximately \$146,000.00 in an excess loan account. She suggested to close the fund out, using the funds to pay toward the balance with the current loan with SunTrust.

**Commissioner Abbott offered a motion, seconded by Commissioner**

**Hawkins and carried to apply the balance in the excess loan account to the debt with SunTrust bank.**

XIII. COUNTY ATTORNEY –

- Road Resolution – County Attorney Goodman advised the Board the resolution gives County Administrator Massey flexibility with respect to assisting the City of Chipley with the expansion of their utility projects.

**Commissioner Hawkins offered a motion, seconded by Commissioner Abbott and carried to approve the road resolution (17-18).**

County Attorney Goodman expressed his appreciation serving as the county attorney for the last seven years.

The investiture is Friday, September 8, at 3:00 p.m.

XIV. ADJOURN – **Commissioner Abbott offered a motion, seconded by Commissioner Hawkins and carried to adjourn.**

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Deputy Clerk Brantley

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Date Board Approved