

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS
September 5, 2017, 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 Chairman	Tray Hawkins	Todd Abbott Vice-Chairman	Steve Joyner

I. PROCLAMATION

- A. Call to Order – Chairman Kent
- B. Invocation/Pledge – County Administrator Massey

The Washington County Board of County Commissioners met on the above referenced date with the following members present: Chairman Kent, Commissioners Bush (present at 9:20 a.m.), Hawkins, Abbott, and Joyner.

Also attending the meeting are as follows:

Jeff Massey, County Administrator
Lora C. Bell, Clerk of Court
Risha Brantley, Deputy Clerk
Johnnie Pettis, Finance Director

II. PUBLIC HEARING

A. Moratorium for Medical Marijuana

Steve Cramer, Planner read the following: This is an ordinance extending an existing moratorium on growing, cultivation, processing, manufacturing, dispensing, distribution, and wholesale and retail sale of medical cannabis, low-thc cannabis, and derivative products, or any related activities, as set forth in ordinance 17-1; providing for severance of invalid provisions; providing for inclusion in the code; providing for an effective date.

This ordinance would extend the moratorium to December 31, 2017.

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

IV. 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.

V. AGENDA ITEMS

- Legal Service Interviews – Chairman Kent

Mike Burke, Burke Blue introduced Devin Zimmerman and Natalie McSwain. The firm has been in existence close to 45 years, there are 14 attorney’s in the law firm, and their practice areas have primarily been in government law representing counties, real estate law, business law, state planning, civil litigation, mediation, and dispute resolution.

Mr. Burke provided the Board a history of company’s their firm has represented and currently represents as well as the type of representation their firm has provided.

Commissioner Hawkins asked Mike Burke if they will have a local office.

Mike Burke advised if that is a requirement they would seek to do that.

Commissioner Hawkins asked Mike Burke of a particular attorney would be assigned to Washington County.

Mike Burke advised that it would be his assignment.

Commissioner Hawkins clarified with Mike Burke that the Board would be charged based on the rate chart they provided based on which attorney is present.

Mike Burke advised that they would receive the retainer of \$5,000.00 at the beginning of the month and bill against that. If that amount is exceeded, the Board will be invoiced. If not, the amount will be credited.

Commissioner Abbott asked Mike Burke how many hours are included in the \$5,000.00 retainer.

Mike Burke advised that it depends on the staff that is used at the firm. Travel will not be billed for.

Fuqua & Milton, P.A. – Matt Fuqua introduced Jeff Carter and Mr. Milton. Jeff Carter advised the Board he recently joined the firm.

As of Friday, the firm will be Fuqua, Milton, & Carter. The firm has over 30 years combined experience representing municipalities and governmental entities.

Their practice has purchased Attorney Goodman's building that is located in town and keeping the same number.

Matt Fuqua is in Marianna and he is located in Panama City.

Matt Fuqua addressed the Board. The \$5,000.00 retainer their firm quoted is equal to 33 hours of billable time per month.

He provided the Board history of past and current clients they represent.

He advised the Board if their counsel is selected he would find counsel for Washington County Code Enforcement because they are the current counsel for code enforcement.

He provided the Board experience, which include but is not limited to going before the EPA, DOE, DEO, DCA, DEP, and PSE. He has reviewed the county's operation policy manual, and the employee handbook.

He is a member of the county attorney's association.

In the contract they would request permission to represent county employees in matters that do not deal with the county.

They have provided ethics presentations for local government entities for the past three years.

Per statute any board member cannot be represented on an individual basis if selected as the county attorney.

Clay Milton addressed the Board. He and Matt joined together in 2015.

He advised the Board that he does much of the real property items, estate trust work, and transactional type items. They share the role with municipal and government clients and will both share the role in attending the meetings.

He updated the Board on his background, which includes being admitted to the Florida Bar, graduating from the University of Florida Law School in 2004, starting a practice in Dothan with an individual doing transaction work for him, moving to Marianna and opening up a firm with the same individual which lasted 3 – 4 years.

The firm has five full time staff members in Marianna and will share duties until additional staff is hired for the Chipley location.

The firm would address the Board as advisors. Ultimately decisions are the Boards.

Initially all three members of the firm will attend meetings until everyone is comfortable. Billable time will only be for one attorney attending.

Commissioner Hawkins asked if one attorney will be assigned.

Clay Milton advised that is the Boards decision. The Board would be hiring the firm who will all be available.

John Young, Roberts, Roberts, and Roberts addressed the Board. The firm was founded in 2001. They have represented cities as well as REA, Farm Credit, and several banks. They have been together for 17 years. There are three partners in the firm, father and two sons.

Commissioner Hawkins asked if there will be an office in the Chipley area.

John Young advised they have made arrangements with Florida Land and Title.

Commissioner Hawkins asked if one attorney will be assigned.

John Young advised that it would be a team effort.

Commissioner Abbott addressed John Young in reference to the retainer fee. He clarified that it's specified 35 hours per month to the county.

He asked if the Board selects their firm if it is in their plans to occupy space in Chipley.

John Young agreed.

John Roberts, Sr. addressed the Board providing the history of his varied practice.

Greg Wilson Law, LLC addressed the Board. He has an office in Chipley. The firm handles all types of litigation, including criminal, civil, and corporate. His associate has 13 years of experience in civil litigation.

Commissioner Hawkins asked if a specific partner will be assigned to Washington County.

Greg Wilson advised that he will specifically be assigned, with Ms. Smallwood assisting.

Commissioner Abbott asked Greg Wilson if he has plans to open an office in Chipley, considering the change with Jeff Goodman taking place.

Greg Wilson advised yes. They currently have a deal worked out with GAC and Kennedy Engineering to utilize that building until they acquire another building.

He advised that he currently has an office in Bonifay, Marianna, Panama,

and Blountstown.

Commissioner Abbott asked Greg Wilson how many hours are included in his monthly retainer fee.

Greg Wilson advised 35 hours but that does not include any of the meetings.

Commissioner Kent addressed Greg Wilson in regards to reasonable expense. How much do you think that may cost.

Greg Wilson advised the Board that his firm's goal is to serve the citizens of Washington County.

Chairman Kent called a recess at 10:35 a.m.

Chairman Kent called the meeting back to order at 10:44 a.m.

County Administrator Massey advised that the firm the Board has selected per ranking sheets is Fuqua and Milton, PA.

Commissioner Hawkins offered a motion, seconded by Commissioner Bush and carried to enter into the contract with Fuqua, Milton, and Carter.

- Moratorium for Medical Marijuana – Chairman Kent

Commissioner Hawkins offered a motion, seconded by

Commissioner Bush and carried to continue the medical

Supporting documents for this meeting regarding the Legal Services Interviews are located at the Washington County Annex, Human Resource Office

moratorium for marijuana.

- Insurance Consortium – Commissioner Hawkins advised the Board that he would like to look into putting a consortium together with the new attorney’s if that is the consensus of the Board. If there is a money savings it is a viable product.

Commissioner Abbott expressed support if there is a savings.

Discussion was held by Commissioners Kent, Bush, and Hawkins.

- 2017 – 2018 Budget – Chairman Kent

Johnnie Pettis, Finance Director advised the Board the current contingency is \$59,936.00.

Chairman Kent confirmed that the updates the Board made at the budget workshop are included in the current projection.

Commissioner Abbott addressed the Board. There would need to be an additional \$27,000.00 along with the contingency.

Clerk Bell advised that the clerk’s office 3%, \$23,000.00 would have to be considered.

Discussion was held by Commissioner Abbott, Hawkins, and Sheriff Crews in reference to 3%.

Commissioner Hawkins addressed Johnny Evans in reference to giving employees 3% and a 30 minute lunch.

Johnny Evans addressed Commissioner Hawkins. In years past, the additional lunch time was given in lieu of a raise.

Commissioner Hawkins advised that the intent is to justify it to taxpayers as well as the employees. The 3% is not there.

The Board held discussion, along with Sheriff Crews.

Commissioner Hawkins asked the Board if the direction is for the clerk's office to carry on with the budget as it is set forth currently; without the raises.

Commissioner Abbott advised the Board that he does not feel the budget is done, referencing the IT position that he requested and the Board previously approved, which would have multiple responsibilities. There is \$43,000.00 included in the budget toward the position.

Discussion was held by Commissioners Hawkins, Kent, Joyner and Abbott on the Supervisor of Elections budget, which included mandates, IT support, and equipment.

Commissioner Kent suggested they move the amount needed from contingency to the IT support department.

Johnnie Pettis, Finance Director advised Commissioner Hawkins the

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total budget for Supervisor of Election is \$477,106.00, which does not include 3%.

Commissioner Hawkins addressed the Board. The number is \$477,106.00. \$16,677.00 is for IT services.

Discussion was held by Commissioners Kent, Hawkins, and Abbott.

Commissioner Kent suggested to advertise for IT services in the range of \$43,000.00 - \$53,000.00.

Discussion was held on the Supervisor of Elections budget with Commissioner Hawkins suggesting the total budget be \$460,429.00, which removes \$16,677.00 for IT services and the Boards IT position will be available to her at her discretion.

County Administrator Massey advised the Board a job description for IT support has been prepared for the Boards review.

County Administrator Massey addressed the Board in reference to approval of the accufund purchase. The full suite for the accufund accounting software and professional service totals \$34,512.00 for the first year and an annual cost of \$2,820.00 beginning the second year for maintenance and enhancements.

Commissioner Bush offered a motion, seconded by Commissioner Hawkins and carried to purchase the accufund accounting software.

Deputy Clerk Brantley asked for the funding source to be identified.

Marla Hayes, Human Resource and Chairman Kent advised by the insurance refund.

County Administrator Massey advised that the tower rfp will be transferred to the new county attorney's to handle.

- VI. **ADJOURN – Commissioner Bush offered a motion, seconded by Commissioner Hawkins and carried to adjourn.**

Deputy Clerk Brantley

Date Board Approved