

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS
September 24, 2015 Regular BCC Meeting - Commission Board Room
1331 South Blvd., Chipley, FL 32428

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

- 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
- Lora C. Bell, Clerk of Court
- David Corbin, County Coordinator
- Johnnie Odom, Deputy Clerk

II. PUBLIC HEARING

- A. Harmony Road – Vacation of Public Roadway Right-of-Way – Michael J. DeRuntz, Senior Planner advised the Board the portion of right-of-way is located between Moss Hill and Roche Road.

The Planning Commission recommends approval, based on meeting the minimum standards in the land development code.

Mr. DeRuntz requested Board approval as well as passing a resolution of the same.

The Board held discussion; Commissioner Abbott, Brock, and Bush.

Chairman Bush closed the public hearing portion of the meeting.

III. ADOPT THE AGENDA -

Additions - Commissioner Gothard added the discussion of the contract with Country Oaks, Ebro, and Caryville Fire Department to the agenda.

Chairman Bush added a right-of-way agreement with The Department of Transportation that has been approved previously by the Board and has since been altered by The Department of Transportation.

Commissioner Abbott offered a motion, seconded by Commissioner Kent and carried to adopt the agenda with the previously referenced additions.

IV. ADOPT PREVIOUS MINUTES

August 12, 2012 Workshop

August 20, 2015 Board Meeting

August 20, 2015 Budget Workshop

August 25, 2015 Budget Meeting

September 3, 2015 Special Meeting

September 3, 2015 Tentative Budget Meeting

September 15, 2015 Final Budget Hearing

September 16, 2015 Special Meeting

September 16, 2015 Workshop

Commissioner Abbott offered a motion, seconded by Commissioner Kent and carried to approve 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.

County Attorney Goodman read the Board approved non-agenda audience statement.

- Melissa Collins, Volunteer Fire Fighter spoke on the work and dedication that is put in by the volunteer fire fighters, expressing concern about what the County's plan is.

Chairman Bush expressed his appreciation for the services the volunteer fire fighters provide.

VI. CONSENT AGENDA

- A. Request approval for the Clerk of Court to pay vouchers for August 2015 totaling \$2,022,267.79
- B. Florida Department of Health Annual Contract
- C. Amendment of Radio Communication Resolution 15-2
- D. Emergency Medical Service Grant – Grants permission to allow EMS to apply for grants provided by Chapter 401, Part II, Florida Statutes, and Emergency Medical Service Grants
- E. FDACS Application Resolution
- F. Roche Road Supplemental Agreement Resolution
- G. Choctawhatchee River Blueway MOU
- H. NFWFMD FY 2015-2016 Water Project Submittals
- I. 2014-2015 Small Quantity Generator Report and Contract
- J. Animal Services Standard Operating Guide
- K. Harmony Road – Vacation of Public Roadway Right-of-Way
- L. Community Planning Month
- M. Animal Control Agreement

- N. Dump Truck #1852 Repair
- O. Employee Policy Revision – Replaces Section 6.05, Donation of annual leave and 7.08, donation of sick leave to an eligible employee for their own serious health condition or the serious health condition of an immediate family member, as qualified by the Family and Medical Leave Act. The receiving employee must have exhausted all leave balances to be eligible for donations. Donations of leave must be approved by the County Administrator/Coordinator and must be made prior to notice of separation from service with the Board.
- P. Wilderness Road Change Order – The road is currently 80% complete; change order needed for \$265,000.00
- Q. HMGP Gainer Road Agreement

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

VII. AGENDA ITEMS

- Clerk's Office Floor Plan Change for the Courthouse – Jim Roberson, JRA Architects, provided the Board a positive update on the courthouse.

Mr. Roberson advised the Board he met with Clerk Bell in order to review the drawings. She has requested some alterations. The changes affect 11 drawings and there is additional design cost to make the changes, which is \$2,750.00. GAC cannot estimate it until those changes are made.

Clerk Bell addressed the Board, the 20 cubicles for the Clerk's Office were overestimated, which held a cost of \$4,000.00 individually. 5 of these would be eliminated, which would mean a \$20,000.00 savings.

Chairman Bush clarified Clerk Bell would like to omit the 5 cubicles and

include walls.

Clerk Bell advised it would be for an additional office. There were 2 finance offices included in the plans.

She advised that she needs at least 4. The offices are not large enough to put them in offices together.

Commissioner Brock expressed concern about the finance changes when changing plans. He would have thought what was wanted would have been in the original plans and expressed concern about the length of time it took to get to this point.

Clerk Bell addressed Commissioner Brock, finance offices were not included in the plan in the beginning. Included were cubicles, a public counter, and Clerk, and Clerk's Assistant Offices.

She suggested the finance staff does not need to be in the open work area where the cubicles are located but should have their own office. This is a thought for current and future growth.

It has taken time in order to see what was needed as well as the validity of it.

Chairman Bush suggested to have the discussion at the courthouse committee meeting.

Jim Roberson addressed the Board there are a lot of items to consider that may need changing in reference to the request for offices.

GAC advised there is currently an air condition contractor in place.

JD White, GAC provided the Board an update on the Courthouse. Water Management Consultants have been hired as a third party inspector.

- SAFER Standard Operating Procedures – Gene Brandow, Fire Coordinator

Commissioner Kent asked Gene Brandow if he had discussed with the 4 fire departments about being able to use equipment.

Gene Brandow advised their concern is if something was to break down while they were manning the station, how that would be compensated back to the department.

That is something that is going to have to be worked out.

It is the department's individual equipment that the County has allowed a certain amount of funds for each department to take care of the equipment they have on hand.

He suggested they would use their budget for minor items.

Commissioner Kent suggested it is a continued work in progress.

Karen Shaw advised Commissioner Kent the SOP is mandated by FEMA. There is time to work out issues.

Commissioner Abbott asked Gene Brandow if the fire departments that are looking at manning the station are 100% supportive. What stations are you looking at?

Gene Brandow advised Orange Hill, Hinson Crossroads, Vernon, and Sunny Hills. 3 of the departments are county buildings.

Commissioner Abbott clarified that Vernon is a municipality.

Commissioner Abbott asked Gene Brandow if there is a plan for contracts for the municipalities.

Gene Brandow advised yes, after the rural fire departments.

Commissioner Abbott asked Gene Brandow how were the areas.

Gene Brandow advised Commissioner Abbott he used a wall map, which displays Washington County and used it as a guide to provide the best coverage.

Chairman Bush agreed with Gene Brandow on the locations selected.

Commissioner Gothard asked Gene Brandow if they would cover some vehicle maintenance since they would be using them.

Gene Brandow advised yes.

Commissioner Kent questioned where the funding would come from.

Commissioner Gothard advised there are funds in contingency, \$50,000.00.

Also, Gene's full salary has been approved in the budget but would now be paid by the SAFER grant. This could mean a start.

Commissioner Abbott suggested obvious items be addressed before asking the Board to approve the plan of action.

Commissioner Gothard asked if the details were required to be in the SOP, a general document to guide operations.

Commissioner Brock offered a motion, seconded for discussion by Commissioner Gothard to accept the Standard Operating Procedures with regards to the SAFER grant funds.

Commissioner Abbott asked Gene Brandow if he has visited the fire departments and found out their concerns.

Commissioner Gothard suggested the Board agree upon a plan before Mr. Brandow visits fire departments seeking their needs.

The issue at hand is the Board should approve a general plan of how the grant funds will be used. Issues such as how the utility bill should not be included in the general plan.

Chairman Bush advised there is a motion on the table.

Chairman Bush suggested the Board accept the standard operating procedure as a draft and doing so it gives Mr. Brandow the authority to work with the departments.

Chairman Bush asked Commissioner Brock if he would be willing to change his motion to, adopt the standard operating procedures as a draft and give Gene the authority to go forth and work with the fire departments in order to come up with a finalized product.

Chairman Bush suggested giving Gene Brandow something where he'd feel comfortable moving forward.

Commissioner Brock advised Chairman Bush he is satisfied with the motion he made.

Roll Call –

Commissioner Gothard -	Yes
Commissioner Abbott -	No
Chairman Bush -	No
Commissioner Kent -	No
Commissioner Brock -	Yes

The motion to approve the SAFER Standard Operating Procedures failed 3 to 2.

Chairman Bush advised the Board he would like Gene Brandow to know he has the Board's support to take the standard operating procedure and continue working on it with the input of the fire departments and municipalities.

Commissioner Abbott advised Gene Brandow that he has the consensus of the Board.

He expressed concern about working with the fire departments and having a relationship with them.

Commissioner Kent advised that he has worked with Gene Brandow on the SOP.

- Fire Contracts – Gene Brandow, Fire Coordinator addressed

Chairman Bush advised the Board he feels the Chief's Association is a good representation of the municipalities and should have input.

County Attorney Goodman addressed the Board the language is their funding formula and the Board's funding formula. The way the language reads is you cannot unilaterally change that funding formula.

Commissioner Gothard advised the Board she does not agree. At some point, if the Board decides to implement a fire tax, which might then become the funding formula; there should not have to be the approval of the WCFA. That is the responsibility of the Board.

Their opinion is welcome.

Commissioner Gothard suggested to stay with the old contracts at this point.

Commissioner Gothard addressed the Board in reference to G. of the proposed contract. The fire departments have expressed concern about being an independent contractor and would like to be protected from the Board of County Commissioners.

If they would like to be independent, they need to meet the standards and be able to take care of themselves or either they are not an individual contractor and the Board should go back to the original contract.

g. Department shall be required to obtain all needed worker's compensation insurance, general commercial liability insurance, automobile liability insurance, professional liability insurance, license(s) and registrations as may be needed to fulfill the terms herein.

The suggested replacement text includes the Department shall work in good faith to diligently secure and obtain all needed workers

compensation, general commercial liability insurance, automobile liability insurance, professional liability insurance, and related license(s) and registrations as may be needed to fulfill the terms herein. (This is the first portion of the suggested replacement text.)

Commissioner Abbott advised Gene Brandow he had previously verbalized in a meeting that David and his staff see if it would be cost effective to allow the fire departments to provide their own insurance.

This section has been included in the proposed contract without the county staff checking the feasibility of it as previously asked.

Commissioner Kent addressed Chairman Bush, his concern with the draft agreement is it omits wording that would protect the County. He does not want a situation such as the one with Country Oaks, leaving the County not owning anything at the end of it.

Commissioner Brock suggested the County stay away from it and let them run it.

Commissioner Abbott addressed the Board in reference to the funding the fire departments receive and the way they make it stretch. He does not want to force anything on the fire departments.

Chairman Bush advised the Board the draft contract is to assist the fire department as well as make them more accountable to the County.

He advised the Board they have come too far to leave the draft alone.

Commissioner Gothard addressed Chairman Bush, she does not have a

problem with the draft contract. She would like the words they want to put in g. taken out. She feels if they want to be independent contractors, they have to get their own items. If they cannot then they should come back to the Board with it. This is based on them getting a quarterly draw.

Chairman Bush suggested anytime the Board has to contribute besides the quarterly monies to a vehicle, it should be titled in the County's name.

Commissioner Kent addressed the Board that he meant from this point forward and he was not looking to go backwards.

Marla Hayes, Human Resource informed the Board they are looking at the insurance. The question that has been is if they are a formal association. She advised the Board, it looks that for the departments to have their own individual insurance it would be at a higher rate.

Marla Hayes advised she needs direction on general liability insurance.

Commissioner Gothard offered a motion to accept the draft fire contract, without the replacement language of g. Commissioner Brock seconded the motion.

County Attorney Goodman addressed Chairman Bush, if the motion passes and the independent departments decide they are not going to execute it as is, they will be with the current agreement. All parties do have the ability to continue to negotiate.

Roll Call

Commissioner Gothard -	Yes
Commissioner Abbott -	No
Chairman Bush -	No
Commissioner Kent -	No
Commissioner Brock -	Yes

The motion failed to carry 3 to 2.

There was continued discussion from the Board in reference to fire services.

Chairman Bush advised the Board if there is no further discussion, they would allow it to revert.

- RFP for CEI Services – Karen Shaw, Grants Coordinator provided the Board an approved calendar by DOT, for the LAP project, which was created by her.

Commissioner Kent offered a motion, seconded by Commissioner Gothard and carried to do the request for proposals for construction engineering, and inspection services for the County Road 273 LAP project.

Chairman Bush called a 10-minute recess.

The meeting was called back to order by Chairman Bush.

- October Board Meeting Dates – Commissioner Gothard requested the Board move the October workshop to Thursday October, 15 and the Board meeting to Wednesday, October 21 due to conflict.

Commissioner Abbott offered a motion, seconded by Commissioner Kent and carried to approve the above listed board meeting dates for October.

- Country Oaks, Caryville, and Ebro Fire Departments – **Commissioner Gothard offered a motion not to approve the renewal contracts for Caryville, Ebro, or Country Oaks. The money is not to be spent but left in the fire services fund. If the departments present a plan to get in minimal compliance the Board will work with them.**

Chairman Bush advised the Board if they vote to not fund the departments the Board needs to ensure the areas are covered. The Board also needs to determine what level of compliance is required.

The Board and Gene Brandow held discussion.

Commissioner Kent seconded Commissioner Gothard’s motion.

Commissioner Abbott - No
Commissioner Brock - No
Commissioner Kent - Yes
Commissioner Gothard - Yes
Chairman Bush - Yes
The above motion carried 3 to 2.

- Right-of-Way Agreement on Hwy. 77 – Chairman Bush advised the Board the right-of-way has been previously approved twice by the Board but changes have since been made by The Department of Transportation.
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Commissioner Abbott offered a motion, seconded by Commissioner Kent and carried to approve the right-of-way.

VIII. PUBLIC WORKS SUPERVISORS –

Dallas Carter advised the he was working on obtaining a quote to move the generator to Wausau. Currently there has not been a written quote received.

IX. COUNTY ENGINEER – County Engineer Knauer addressed the Board in reference to the following:

Lucas Lake and Roche Road – A pre-construction conference has been held. Both projects are progressing. The completion date is 4/16. The contract with The Department of Transportation ends 3/31.

Johnson Road – The Board previously requested County Engineer Knauer to pursue right-of-way in reference to a complaint from Mr. Oleck on the width of the road.

He asked the Board if they would like him to continue pursuing right-of-way on the South side, which will be an extended time.

Chairman Bush advised to proceed with Water Management District on the south side right-of-way because it would be needed eventually if improvements are made.

Commissioner Abbott suggested County Engineer Knauer contact the land owner on the opposite side for right-of-way.

Wilderness Road – A change order has been prepared; item was listed on the consent agenda.

Rock Bid – A pre-bid conference has been scheduled. A bid for granite and lime rock will be included.

Williford Springs – Mr. Cleckly and his boss' are interested in trying to pave Strickland Road from the entrance of Williford Springs, half of a mile to the top of the hill. He indicated they would be interested in paying for the asphalt if the County would do the prep, earth, and grassing work. The asphalt cost to Water Management district is estimated at \$65,000.00. The cost for the earth work will have to be figured.

Chairman Bush advised he has the support of the Board.

The Board directed County Engineer Knauer to ask Water Management if they would be willing to pave beyond the half of mile; 1.7 miles with Bay County assisting in the prep work.

Hightower Springs - October 5 the walls will be worked on

Chairman Bush recessed the regular board meeting and went into executive session.

The meeting was called back to order at 12:15 p.m.

- X. COUNTY COORDINATOR –
- XI. CLERK – Clerk Bell advised the Board per their request she researched the option to carry over material budget funds and confirmed it is an option.

Commissioner Kent offered a motion, seconded by Commissioner Gothard and carried to allow the district transportation monies to roll

forward.

XII. DEPUTY CLERK – None

XIII. COUNTY ATTORNEY – County Attorney Goodman addressed the Board/Public, there was an executive session in reference to Pettis vs. Washington County Board of County Commissioners, 514-CV-00317-RS-GRJ and Gainey vs. Washington County Board of County Commissioners, 14-CA-43.

In respect to the Pettis case the Board was provided with a proposed settlement agreement. County Attorney Goodman recommended, as well as co-counsel on the case to approve the settlement agreement in general release.

Commissioner Abbott offered a motion, seconded by Commissioner Kent and unanimously carried to approve the settlement of \$6,000.00 in the Pettis vs. Washington County case.

County Attorney Goodman advised there is no action to be taken in the Gainey matter.

XIV. Commissioner Abbott offered a motion, seconded by Commissioner Kent and carried to adjourn.

Deputy Clerk Brantley

Date Board Approved