

BOARD OF COUNTY COMMISSIONERS
Washington County, Florida
Board Meeting
1331 South Blvd., Chipley, FL 32428

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

The following persons were present:

Chairman Tray Hawkins

Vice-Chairman Todd Abbott

Commissioner Charles Kent

Commissioner Alan T. Bush

Commissioner Steve Joyner

Also present were County Administrator Jeff Massey, County Attorney Fuqua, Fuqua & Milton, P.A., Clerk of Court, Lora C. Bell, and Deputy Clerk Risha Brantley.

I. PROCLAMATION

- Call to Order – Chairman Hawkins
- Invocation – Johnny Evans
- Pledge

II. PUBLIC HEARING

- Request for Type VIII Special Exception for a 1.21-acre parcel of property to allow for the expansion of an existing cemetery - Dawn McDonald, Senior Planner presented an application for a cemetery expansion for the New Bethany Assembly of God Church. A subdivision is also included, but there will be additional work regarding the design. All cemeteries are required to undergo the subdivision plat process. The property is approximately 9-acres, and the request is for 1-acre of that. The corner of that property is going to be

a separate parcel for the cemetery. The existing cemetery is immediate to the north. The land use is low-density residential. The public noticing requirements were met. The planning commission and staff recommended approval. The applicant will be working with the planning commission for a more acceptable layout instead of the concept plan submitted. The cemetery use is not expected to result in any adverse effects. It is consistent with the general intent of the comprehensive plan and land development code.

The special exception for the sub-division will be presented to the board once it is revised.

- Adoption of the Comprehensive Plan and Land Development Code, Second Hearing - Angela Bradley, Emerald Coast Regional Council addressed the board regarding Item 21-0, which is the title given by DEO. The next step will be for the plan to be sent back to DEO with a planned adoption within 30-days. It has been identified as update 2035.

There were a couple of comments on the land development code and the comp plan on policies that require central water and sewer; what happens if it is not available. It is proposed to include in the plan and the code, if central water is not available, an alternative may be proposed through the development review process if it complies with state permitting.

County Administrator Massey confirmed that if it is available, it must be used.

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

IV. **ADOPT PREVIOUS MINUTES**

- Public Community Meeting for November 8, 2021
- Board Meeting for November 23, 2021

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

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.” Everyone shall have three (3) minutes to speak on the proposition before the Board. Before the time a meeting has been called to order, should an individual or group wish to address an item which is on the agenda for consideration, the individual or group may obtain, from the Commission Secretary or Clerk, a public comment form and may write on the form their name and the agenda matter which they wish to address. The completed form(s) shall be returned to the Commission Secretary/Clerk who shall provide the form(s) to the Chairperson. Should a particular group wish to address an item, they shall nominate a spokesperson to voice their ideas, comments, and concerns. In the event, an individual wish to speak on an item and has not signed up in advance, those who have signed shall be given priority and those who have not signed up may be allowed to speak at the sole discretion of the Board Chair.

- James Brooks addressed the board regarding the ballot initiative contributors, which included over 2/3 of out-of-county contributors. The third-largest contributor was the local not-for-profit hospital. It is requested that the board change the election to an in-person election.
- Rich Smelser, Jodi Bush, Thomas Porter, Caleb Duncan, Tim Brigham, and Travis Hall addressed the board separately requesting that an in-

person ballot be done.

- Ted Spangenberg addressed the board regarding economic development factors regarding the liquor referendum petition process. The petition drive has been listed as an economic development point of view by the pack president. According to the rules implementing F.S. 2.12.098 economic development is the attraction of jobs and businesses engaged in manufacturing, warehousing, research and development, and other types that bring good-paying jobs and money through sales of products outside the county into the county. Restaurants, truck stops, gambling establishments, and liquor stores are not on the list, which may be commercial development.

VI. **AGENDA ITEMS**

- Request for Type VIII Special Exception for a 1.21-acre parcel of property to allow for the expansion of an existing cemetery - Dawn McDonald, Senior Planner – **Commissioner Bush offered a motion, seconded by Commissioner Kent, and carried to approve the above requested special exception.**
- Adoption of the Comprehensive Plan and Land Development Code, Second Hearing - Angela Bradley, Emerald Coast Regional Council – **Commissioner Abbott offered a motion, seconded by Commissioner Joyner, and carried to adopt the comprehensive plan and land development code.**
- Request for Change Order No. 1 for the Buckhorn Blvd. Paving Project - Karen Shaw, Grants/Special Projects Coordinator requested approval of the change order No. 1 that would add 60-days to the contract due to the existing utilities not being relocated. – **Commissioner Abbott offered a motion, seconded by Commissioner Joyner, and carried to approve the change order for Buckhorn Blvd., which was referenced above.**
- State Funding Initiatives - Tray Hawkins, Chairman – This item was moved

under the county engineer section.

- Corrected Date for Referendum Election – Carol Rudd, Supervisor of Elections requested the board's approval to change the mail-in-ballot election date to January 21, 2022/7:00 p.m. The ballots are ready to be mailed. The signatures will be verified and if there are any questions the ballot will be passed to the canvassing board for determination. The canvassing board consists of herself, Chairman Hawkins, and Judge Peel.

Commissioner Bush offered a motion, seconded by Commissioner Kent, and carried to amend the prior board action to set the official election date January 21, 2022.

Ted Spangenberg requested the board change the vote to an in-person election.

As a member of the chamber, it is requested that no funds are being contributed to the liquor pack by either chamber's regular arm or EDC arm. What is not located in the liquor pack's filings is the consideration for the staff support, time operating the postage machine, time spent sending e-mails promoting the petition drive, time writing articles for the local paper, or time and mileage driving the petitions to the Supervisor of Elections office. If the Washington County Commission has made a collective contribution to support the staff work of the Chambers (quarterly amount of \$11,000.00), and if a significant portion of the chambers staff wages and salary are provided through the public portion of EDC funds, while it may have been inadvertent and/or unintentional on the board's part, the board has inherently supported the liquor pack and its efforts with the contribution. This could constitute a collective conflict of interest by the commission.

It is requested of the board to vote to change the election to an in-person election.

Attorney Fuqua informed Chairman Hawkins that the issue before the board today is to change the election date, not to change the type.

Joshua Lopez, Robert Wells, and Ronnie Wright spoke separately requesting that the board change the election to an in-person vote.

Ted Spangenberg asked if there is a legal reason that the type of election can't be changed now.

Carol Rudd, Supervisor of Elections expressed concern regarding advertising deadlines that must be met; everything would be changed at this point. There is a timeline that must be followed from the time that AWC brought the document before the board.

Attorney Fuqua commented that the day the petitions were brought in, a clock started. Ads would have to be rerun; it can't be done.

Ted Spangenberg suggested that the information could be posted in 10 places around the county.

Carol Rudd, Supervisor of Elections advised that everything is complete. There would be a cost for all of that to have to be redone. The ballots that have been printed aren't something that can be taken to the polls.

The motion on the floor carried unanimously.

- Holmes Valley Road - Tray Hawkins, Chairman informed the board that this is a clarification deed when the road was paved years via the easement. This is to correct the road to put it into the base where the road is lined. The deed has been prepared by the title company. – **Commissioner Joyner offered a motion, seconded by Commissioner Bush, and carried to approve the corrective deed on Holmes Valley Road.**
- Emergency Contract Provision - Tray Hawkins, Chairman informed the board that this request is to prevent calling a special meeting. Since Saturday, there have been multiple conference calls with DEM, DEP, Water Management, and DOT. This is just in case there is a funding mechanism open that they see the current process that they are going through with the state pumps will not be liable. The contract will only be initiated if there is state funding made available for that.

Kevan Parker informed the board that the two bids received are in the \$432,000.00 range for 30-days. The low bid plans to pump three 10" pumps in the lake, manifold those three 10" hard pipes, and pump it about 7,000'.

If this plan doesn't work, a special meeting will have to be called to award a contract. Water Management should be funding the project.

Chairman Hawkins advised that the request today is to prevent calling a special meeting with the funding assurance from Water Management District. Washington County must let the contract.

Commissioner Joyner offered a motion, seconded by Commissioner Kent to enact an emergency contract if needed if the efforts aren't viable that

are being made with Water Management District with the funding mechanism from the state and their approval.

Commissioner Abbott questioned the cost and the company's work history.

Kevan Parker informed the board that the low bidder is from Quincy.

Commissioner Joyner commented that it is a large dewatering company.

The motion on the floor carried unanimously.

VII. **FEMA COORDINATOR** – Kevan Parker addressed the board.

- FEMA Projects Update
 - Legacy Funds – The county has been paid around \$1.4 million. The final \$72,800.00 is in the validation step.
 - Sally Project – There is a little over \$1 million that has been approved, around \$928,000.00 has been received, and \$78,000.00 is in the validation step.
 - Hurricane Michael - \$33,700,000.00 has been approved, \$32,400,000.00 has been received, and \$1,300,000.00 is in the validation step.
 - Buy-Out Program - DEM would like to front the money for the buy-out program, which is around \$2.5 million. The goal is to close on all the houses on the current list in the next 90-days.
 - Buy-Out Programs – Two other buy-out programs applied for have been denied. A call with DEM suggested that the county use COVID Mitigation money and overachieve that and put that in that program to buy out the next group of houses.
 - Road Projects – The bids that were rejected last week will be bid out in January.

- Hurricane Sally Appeals – The appeals have been in FEMA for 27-days.

VIII. **MSBU ADVISORY COMMITTEE CHAIRMAN** – Gary Hartman updated the board.

- Quarterly Meeting – Scheduled for January 19, 2022.

IX. **PUBLIC WORKS SUPERVISOR**

- Beaver Update – The weekly total is 7, and the contractor is still in the area.
- Dump Truck Purchase Discussion – The board previously approved to purchase 4, of which 3 have been purchased. It is uncertain when the next will be available.

Kenworth has a 2023 Kenworth (900) for \$219,000.00, instead of \$170,000.00.

Commissioner Bush offered a motion, seconded by Commissioner Kent, and carried to purchase the 2023 Kenworth for \$219,000.00. Being under the LSE due to flooding should allow the county to override the procurement policy.

- Elkcam – It has been repaired and milled asphalt is on it.
- Joiner Road – The road is being finished today.

X. **COUNTY ENGINEER** – Cliff Knauer updated the board.

- CIGP – Chairman Hawkins commented that this should be Strickland Road in Ebro.
- State Funding - A spreadsheet will be prepared for the board for the next meeting.
- H & H Study – The study on Williams Road will be complete next week for submittal to FEMA.
- Alford Road – The paving is complete and the final walk-thru is scheduled for next Monday. The time has not been confirmed.

- Sunny Hills – C. W. Roberts will finish the cap after the beginning of the year.
- Culpepper Landing – Hall Contracting is driving piles and building retaining walls.
- Guard Rail Bids – **Commissioner Bush offered a motion, seconded by Commissioner Kent, and carried to let a contract for guard rails installation/repair/needs throughout the county.**
- Brickyard Road – Request to approve the supplemental agreement for additional funding. The base bid is \$1,384,761.20. The school board has elected to award alternate 1, \$56,176.00, and alternate 2, \$60,351.50. This will include a left turn lane at each of the main exits at the two schools.

Commissioner Bush offered a motion, seconded by Commissioner Joyner, and carried to award the project as presented by County Engineer Knauer.

Commissioner Abbott offered a motion, seconded by Commissioner Joyner, and carried to approve the supplemental agreement for Brickyard Road.

- Usery Road – Commissioner Kent informed County Engineer Knauer that he would like to do Nearing Hills and the turn-in to Nearing Hills on the school side, from KFC to the stop sign.
- South Boulevard – It is currently under review from DOT. The distance is from Brickyard Road to Highway 277. The turn lane extension for the school is set up for an alternate item.

XI. **COUNTY ADMINISTRATOR** – Jeff Massey addressed the board.

- Sale of County Owned Property – Oakwood Court, Vernon/Approximately 3.12

acres/Assessed Value \$6,240.00/Offer \$6,240.00/No opposition to the sale. Chairman Hawkins abstained from voting. **Commissioner Abbott offered a motion, seconded by Commissioner Bush, and carried 4 – 0, with Chairman Hawkins abstaining to approve the county property sale as presented by County Administrator Massey.**

- Holmes Valley Road Property Survey – This is for informational purposes to let the board know that the survey will be approved, which is under the administrator signing authority. This is for the property that the sheriff's tower will be placed on.
- Funding Request for Industrial Park Certification – Funding is requested for the second phase of the archeological study. It finishes up the endangered species study totaling \$25,745.30. This will come from the economic development money. – **Commissioner Joyner offered a motion, seconded by Commissioner Kent, and carried to proceed with the endangered species study for \$25,745.30.**

XII. **CLERK**

- November Vouchers Totaling \$4,339,325.40 – This is for informational purposes only.

XIII. **COUNTY ATTORNEY**

- Opioid Settlement – This is for two continuing portions of the opioid litigation settlement. One document is for the National Janssen Settlement and the other is for the National Distributor Settlement. There will be a portion distributed to Washington County, which must be used for opioid addiction recovery. - **Commissioner Abbott offered a motion, seconded by Commissioner Kent, and carried to approve the opioid settlement agreements presented by County Attorney Fuqua.**

XIV. **ADJOURN**