

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

August 18, 2022, 9:00 a.m., Commission Board Room

1331 South Blvd., Chipley, FL 32428

DISTRICT 1 Alan T Bush	DISTRICT 2 Charles Kent	DISTRICT 3 Tray Hawkins Chairman	DISTRICT 4 Todd Abbott Vice-Chairman	DISTRICT 5
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I. PROCLAMATION

- A. Call to Order – Chairman Hawkins
- B. Invocation – Jeff Massey
- C. Pledge

The following persons were present: Chairman Tray Hawkins, Vice-Chairman Todd Abbott, Commissioners Alan T. Bush, and Charles Kent. Also present were County Administrator Jeff Massey, County Attorney Matt Fuqua, Fuqua & Milton, P.A., Clerk of Court, Lora C. Bell, and Deputy Clerk, Risha Brantley.

II. PUBLIC HEARING

- Request for approval for a revision to an existing development for property located at 1789 Cane Mill Road, Chipley, FL – Dawn McDonald, Senior Planner presented the above-referenced application. The request is for an upgrade to an existing cell tower site. The addition will be within the leased area. The new improvements are set back a bit from the property boundaries. The planning commission as well as the staff recommended approval.
- Adopt the transmittal hearing for Large Scale Future Land Use Map Amendments to correct errors in County’s Future Land Use Map – Dawn McDonald, Senior Planner presented the amendment to the board. This case is from May and the board approved transmitting the amendment to the state for review. The state had no comments or concerns. Changes were made when the map was upgraded, and the software was changed. The existing land use is being restored in the Skywatch area as well as Lakeshore Drive. The Five-Points area was assigned semi-

public, and it should have been only for the park.

The planning commission and staff recommended adoption. There was no opposition to the amendments.

The language was not included in the upgrade in December. It is restoring the language that was inadvertently left out. The Skywatch future land use map category was never created. After research, it was found that the language was approved by the state through a stipulated settlement agreement, which was shared with them during the review.

Commissioner Hawkins addressed the board. The Skywatch was put in around the 2005 -2008 era. Most of the concerns were from the school district if the development came through and it was to develop at one time the amount of burden it would put on the school district as far as the students and so forth.

Dawn McDonald advised that the countdown does not start until they submit their plans for the development.

Dawn McDonald addressed the board regarding item #9 questioned by Commissioner Abbott. It is one of the standards for the mixed-use plan development Skywatch future land use category. It mentions a 100 ft. vegetative buffer shall be installed and maintained along all property lines.

Commissioner Hawkins explained that the property is adjacent to Holmes Creek. There are a lot of resisting buffers, low-lying areas, and creeks and streams that feed the Florida Esteemed Waterway.

Dawn McDonald commented that they wanted to protect the agricultural area in the vicinity, which is a minimum 50 ft. buffer.

Commissioner questioned item #10, commenting that he is not in favor of the three items. No main structure should be constructed within 200 ft. of a property line adjacent to an agricultural/silviculture land use.

Dawn McDonald responded that was part of protecting the agricultural areas around there. There have been more developments since then. The initial action began in 2006 and was revisited in 2009.

The correction is because there was never a formal land use for the development. A land use for Skywatch is to be created. They never did that. The text was inadvertently removed from the plan for lack of information and research. That was not intended to be removed so it was included back in the plan. Nothing changed with this. The same development entitlements that were approved by the state and the county remain in place. The commercial and residential development will be developed around the standard.

County Attorney Fuqua commented that is only in this land use category. It is not throughout the county.

Commissioner Hawkins addressed the board. The developer agreed to all the restrictions, and it is for Skywatch specifically.

Dawn McDonald addressed the board. There are other plan unit development map assignments on the map, but they are just placeholders. They are a blanket. With this, the state decided to make it a separate land use. It has always been there, but it was never set aside or formally made a land use. It should have had a different color and been specified. The conditions are specific to Skywatch and the five parcels. This has already been included in the code.

Commissioner Abbott confirmed that it is the same owner. He commented that it was a misunderstanding on his part.

James Brooks (Vernon) requested that the commissioner turn up the microphones. When there is discussion between the commissioners the audience cannot hear.

- Request to change the County Future Land Use Map (FLUM) for 6.59-acres from agricultural/silviculture to Residential Low for property located on Donnell Road, Chipley, FL – Dawn McDonald, Senior Planner presented the land use case before the board. The change is to allow for additional dwelling units. The property owner plans to sell the property and wanted to ensure there were options for potential buyers.

The City of Chipley and the Industrial Park are located to the north. It is in context with the area. The agriculture areas there are also residential.

The FEMA maps that are referred to on the Northwest Florida Management website show the property is 100% in an x-flood zone, which is a minimal flood hazard.

The staff and the planning commission recommended approval.

Agenda Addition – Confirm a funding mechanism to secure the other \$24,000.00 for Culpepper Landing to complete the boat ramp project (Item 17)

Contract language update for 2022-06 – American Sand, 2022-07 - C.W. Roberts, and 2022-12 – Anderson Columbia (Item 18) – Update the

language in the contract to 60-days from the notice of commencement instead of 60-days from the award of the bid. (Item 18)

III. ADOPT THE AGENDA – **Commissioner Abbott offered a motion, seconded by Commissioner Bush, and carried to approve the agenda as amended.**

IV. ADOPT PREVIOUS MINUTES

- Board Meeting for July 21, 2022

Commissioner Bush offered a motion, seconded by Commissioner Kent, and carried to approve the above referenced 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.” 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 that 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, that 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. – None

The commissioners recognized Savannah Lollie for the many roles that she has served during her years with the county. She has resigned from her current position.

VI. CONSENT AGENDA

- Approval for Infrastructure Grant for Industrial Park
- Approval for ITB 2022-07 and 2022-08 (Change order #4 and #5)

- Approval for the FRDAP Grant Resolution

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

VII. AGENDA ITEMS

1. Request for approval for a revision to an existing development for property located at 1789 Cane Mill Road, Chipley, FL –

Commissioner Abbott offered a motion, seconded by Commissioner Bush, and carried to approve the land use change listed above.

2. Adoption transmittal hearing for Large Scale Future Land Use Map Amendments to correct errors on County's Future Land Use Map –

Commissioner Bush offered a motion, seconded by Commissioner Kent, and carried to approve the above-referenced transmittal hearing.

3. Request to change the County Future Land Use Map (FLUM) for 6.59-acres from Agriculture/Silviculture to Residential Low for property located on Donnell Road, Chipley, FL –

Commissioner Abbott offered a motion, seconded by Commissioner Kent, and carried to approve the above-referenced FLUM change.

4. Discussion Regarding Conditions on Singer Road – Commissioner Hawkins commented that a plan has been created to improve Singer Road.

5. Discussion Regarding Sexual Offender Ordinance and Bus Stop – Patty Klein, Citizen suggested that the ordinance approved by Washington County gives people a false sense of security. In many aspects, the Washington County ordinance has been found unconstitutional. The ordinance does not address the following:

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- Relocation of an offender in case of an emergency
 - Attendance of a religious event at a park
 - The offender has custody of the children
 - Attendance of school meetings/pick-ups

Ordinances such as Washington Counties have been ruled vague and without merit

- The element of a designated bus stop has been eliminated from many of the issues
- Per Florida Statute schools should not put a bus stop near an offender and if they do, they cannot violate them
- The term bus stop has been considered vague

Children should be made to feel secure. There needs to be more emphasis on prevention.

Commissioner Hawkins suggested that everyone on the board has the common goal of preventing children from being harmed. Whatever the board can enforce to lower the likelihood of it happening, that is what will be done.

Commissioner Abbott commented that he would only be for making the county policy more strenuous.

Patty Klein suggested that the county ordinance would not stand up in appeals court.

County Attorney Fuqua commented that there are ordinances like Washington Counties throughout the state.

6. Recognition of Code Enforcement Officer, Janet Riedel – Tray Hawkins, Chairman addressed the board. Janet Riedel is transferring from the animal control department to code enforcement.

Chairman Hawkins recessed the meeting from 9:42 a.m. – 9:57 a.m.

7. Request for Approval of RFP for the TDC Division of Historical Resources Story Map Grant – Heather Lopez, Director of Tourism addressed the board. The grant is a state grant that TDC applied for last year. The grant cycle began in July and the agreement has been signed. The grant requires at least 15 points but adding more will be discussed with the contractor. This is part of the Spanish Trail Historic Highway 90 Project created in 2015. The request is for approval of the RFP because the contract price is just over \$15,000.00 for the build-out. It will be hosted on the TDC website.

Commissioner Hawkins commented that the bicentennial is in 2025 and he would like for her to lead it and get a committee together.

Heather Lopez informed the board there is a celebration for when Highway 90 first opened for motorized vehicles, which follows the bicentennial. The plan is to tie everything together. The Historical Society has been involved in the discussion regarding the event. This project is Phase II. Phase I included interpreted panels that have been put at the historical sites. This is the digital story map. A printed guide will be created next year.

Commissioner Abbott asked if she was working with the Vernon Historical Society.

Heather Lopez commented that they would involve them.

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

8. Douglas Ferry Road FDOT Agreement – Karen Shaw, Grants Coordinator informed the board Florida Department of Transportation has approved \$706,000.00 for the design of Douglas Ferry Road. Approval to accept the agreement and resolution is requested from the board.

Commissioner Abbott offered a motion, seconded by Commissioner Kent,

and carried to approve the resolution and agreement for Douglas Ferry Road.

9. Request for Special Exception HHRP – Karen Shaw, Grants Coordinator requested approval for the special exception up to \$155,000.00.

Commissioner Abbott offered a motion, seconded by Commissioner Bush, and carried to approve the HHRP Special Exception.

10. Request for approval for Funding Agreement for Small County Consolidated Waste Management – Karen Shaw, Grants Coordinator addressed the board. The agreement is the annual recycling agreement for \$93,000.00, which is used to offset salaries. Reports are submitted to the state.

Commissioner Abbott offered a motion, seconded by Commissioner Bush, and carried to approve of executing the Small County Consolidated Waste Management Grant.

11. Procurement Policy Additions for CDBG Requirements – Sarah Hand, Grants/Procurement Specialist requested approval to add the additions to the procurement for the CDBG updates that DEO recommended. There were 29 possible changes, and only 8 needed to be updated.

Commissioner Abbott offered a motion, seconded by Commissioner Kent, and carried to approve the procurement policy updates.

12. Request for Permission to Apply for Competitive Grant to Fund Local Community Emergency Response Team (CERT) Program – Lynne Abel, Public Safety Director addressed the board. The (CERT) Program trains volunteers to provide critical support before, during, and after a disaster. The first training was held in June and last Tuesday a (CERT) organizational meeting was held at PAEC. Each year FEMA provides a competitive grant to support local (CERT) Programs with a local match of

100% cash or in-kind. Permission is requested to apply \$5,000.00 for the grant to develop the program as outlined in the grant scope of work. If awarded the local match will be met with the Emergency Management State Grant.

Commissioner Bush offered a motion, seconded by Commissioner Abbott, and carried to approve to apply for the grant as requested by Lynne Abel.

13. Request for Pay Plan Approval for 2022 – 2023 Fiscal Year – Tray Hawkins commented that he hopes to use the updated plan to recruit and retain public works employees.

Commissioner Abbott offered a motion, seconded by Commissioner Kent, and carried to approve the updated pay plan for the 2022 – 2023 Fiscal Year.

14. Request for Chairman to sign the First Amendment to the Interlocal Agreement Governing the Choctawhatchee Bay Estuary Coalition – Commissioner Bush informed the board that it is time to renew the initial agreement. The parts of the establishment of the coalition and starting the coalition have been removed. There is some other simple language related to secondary members, if the primary member cannot attend then the secondary member should attend, and other things such as that.

Commissioner Kent offered a motion, seconded by Commissioner Abbott, and carried to approve the execution of the amended Choctawhatchee Bay Estuary Coalition Agreement.

15. Approval of Planning Commissioner for District 4 to Fill Recently Vacated Seat – Todd Abbott, Vice-Chairman informed the board that he received a resignation from Mark Odom. The recommendation to fill the open seat is for Cindy Birge.

Commissioner Bush offered a motion, seconded by Commissioner Kent,
Summary Minutes Prepared by Risha Brantley

and carried to accept Mark Odom's resignation and approve the appointment of Cindy Birge to fill the open seat on the planning commission board.

Chairman Hawkins added the FRDAP Resolution as agenda item #19. – **Commissioner Bush offered a motion, seconded by Commissioner Kent, and carried to approve the resolution.**

16. Discussion Regarding Advertisement of Park Ordinance – The board discussed multiple options and decided to advertise the ordinance as it is written. The discussion below includes some of the items mentioned.

During the discussion, James Brooks addressed the board. The congestion is more on the weekends and the holidays. Could there be something set aside during the week for commercial businesses to use it? A person could be hired to work 3 days per week and enforce the ordinance.

Commissioner Hawkins commented that Water Management is receptive to making Cotton Landing better.

Commissioner Kent confirmed that emergencies are addressed in the ordinance.

Commissioner Bush addressed Dawn McDonald, Senior Planner with the following scenario. An individual purchases a lot on the creek and permits the egress and ingress facility (dock or landing) and an office was set up there. Money is taken in, instructions paddling a kayak and life jackets are provided. That is an actual business. Would it have to be commercial?

Dawn McDonald, Senior Planner commented that is a fine line. Yes. It would have to be reviewed as a development review.

Commissioner Bush offered a motion, seconded by Commissioner Hawkins, and carried to advertise the park ordinance as drafted.

17. Notice to Proceed for ITB 2022-06, 07, and 12

Commissioner Abbott offered a motion, seconded by Commissioner Kent, and carried to approve the Chairman signing the contract with the updated language for ITB 2022-06 American Sand, 07 C.W. Roberts, and 12 Anderson Columbia.

Chairman Hawkins called a recess.

18. Culpepper Funding – **Commissioner Bush offered a motion, seconded by Commissioner Abbott, and carried to move \$89,003.85 from the Boat Ramp Fund and \$24,623.00 from cash carried forward to the Culpepper Landing Project.**

VIII. FEMA COORDINATOR - Mason Garrett, Wheeler Emergency addressed the board.

- Demo Projects – The next three projects scheduled for the asbestos survey are scheduled for September 7.

Approval has been granted for the Taing house demo.

- Williams Road Bridge – The bid opening has been moved to August 24.
- Hurricane Sally – FEMA has not decided to make the declaration.
- ITB 2022 -15 and 16 – Last month the board awarded these projects to RBM Contracting contingent on FDOT qualifying them. FEMA’s stance is that they should have been prequalified before they bid. FEMA has recommended rejecting all bids and rebidding.

Commissioner Abbott offered a motion, seconded by Commissioner Kent, and carried to reject all bids and rebid ITB 2022-15 and 16 this month.

- ITB 2022 – 17 – Rogers Road, Sylvania Road, and Owens Community Road (Road Zone 3.1) – The bid was opened Tuesday and the low bidder was Anderson Columbia at \$3,424,648.00. The committee recommended awarding to the low bidder.

Commissioner Abbott offered a motion, seconded by Commissioner Bush, and carried to accept Anderson Columbia's bid for \$3,424,648.00 for ITB 2022 – 17.

- FEMA – \$44.5 million has been reimbursed. Over \$1 million is in validation.
- Roads – Pavement is on seven roads and four are complete.

IX. MSBU ADVISOR COMMITTEE CHAIRMAN – None

X. PUBLIC WORKS SUPERVISOR - Johnny Evans addressed the board.

- Purchase of Grasshopper Lawnmower for Inmate Crews - \$12,318.85 from Lanes off the state bid.

Commissioner Abbott offered a motion, seconded by Commissioner Kent, and carried to approve the lawn mower purchase.

Commissioner Kent offered a motion, seconded by Commissioner Abbott, and carried to accept Gary Hartman's resignation letter from the MSBU Board and authorize Commissioner Abbott to seek a replacement.

XI. ENGINEERING PROJECTS UPDATE -

- Travis Howell updated the board on the Brickyard Road Project. Roberts and Roberts must coordinate a milling machine to come and do the change order work at the end of the DOT project. 2-weeks is the projection for receiving the milling machine.

Commissioner Kent advised the board that he would like to have a bump fixed on the road by Mitchell Sight and Sound when the milling machine is in the area. It is located at Kirkland right at Highway 90 at the gate when you exit Mitchell Sight and Sound on the side.

Jake Mathis, Melvin Engineering updated the board on Buckhorn

Boulevard. Next month the close-out documents should be presented before the board. A ride-through will be scheduled next week to ensure everyone's satisfaction. Commissioner Abbott commented that he would like to be included in the ride-through.

XII. COUNTY ENGINEER – Cliff Knauer addressed the board.

- Crystal Lake Drive – Legislative Funded Project – Nine poles must be moved, which are all in the platted right-of-way. Gulf Coast Electric intends to move those at no cost to the county.

The plans are complete. Once the geotechnical report is complete both can be submitted to Water Management District to begin the permit process.

- Greenhead Road – Almost the entire line on Greenhead Road will have to be rebuilt. Due to the 35-mph speed limit on Greenhead Road, the poles must be 17 ft. off the edge of the pavement to meet Green Book standards. The poles would have to be moved even if the speed limit was 45 mph. Almost the entire line will have to be rebuilt on Greenhead Road. Due to the county acquiring right-of-way on the road Gulf Coast Electric is going to charge the county for rebuilding the line. Once they complete the engineering design for the new line an estimate will be brought before the board for approval.

Commissioner Hawkins suggested discussing with them about hardening their system to prevent future power outages. There is money available to be applied for to assist with that.

- SCOP Funding – The application results will be available in September/October.

- South Boulevard Construction – The advertisement for construction is ready to go out.
- Davidson Road – The alignment is complete. Surveyors were sent back to pick up the area where tall banks were tied into.
Would the board like to set up a community meeting regarding right-of-way? The information for a community meeting will be ready in 3-weeks.

The board agreed to a community meeting. A location will be determined.

- Sunday Road – Currently working on bidding and contract documents and the plans are complete. An update has been provided to DOT. Once the bidding and contract documents are complete, they will be submitted for review. Once the agreement has been sent from DOT, CEI will need to be set up.
- Crystal Lake – The scope can be put together from what the first legislation appropriation was.

XIII. COUNTY ADMINISTRATOR – Jeff Massey addressed the board.

- Unifirst Agreement – Approval to renew the agreement is requested from the board. There is no increase in cost. The company will brand the uniforms with the new logo at no additional cost.

Commissioner Kent offered a motion, seconded by Commissioner Bush, and carried to approve the agreement with Unifirst.

- Surplus Equipment – Approval is requested from the board to surplus a 2003 ambulance that was donated to the fire department years ago. The funds will be put in the fire budget.

Commissioner Kent offered a motion, seconded by Commissioner Bush, and carried to approve to surplus the 2003 Ford F-450, VIN ending 8020.

XIV. CLERK

- July Vouchers Totaling \$4,301,153.43

XV. COUNTY ATTORNEY – Attorney Fuqua requested approval of a shade meeting at

8:30 a.m. on September 22, 2022.

Commissioner Kent offered a motion, seconded by Commissioner Abbott, and carried to approve the shade meeting as requested above.

XVI. ADJOURN