

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

February 16, 2023, 9:00 a.m., Commission Board Room

1331 South Blvd., Chipley, FL 32428

DISTRICT 1 Alan T Bush	DISTRICT 2 David Pettis, Jr.	DISTRICT 3 Tray Hawkins Chairman	DISTRICT 4 Wesley Griffin	DISTRICT 5 David Corbin Vice-Chairman
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I. PROCLAMATION

- A. Call to Order – Chairman Hawkins
- B. Invocation – Johnny Evans
- C. Pledge

Agenda Item 1. Recognition of Felicia Brown for 30 years of Service – The board recognized Felicia Brown’s 30 dedication and presented her with a plaque.

II. PUBLIC HEARING

- Request a Future Land Use Map Amendment for Two Parcels Totaling 2.41 Acres; Proposed to change from General Commercial to the Residential Low Designation – Dawn McDonald, Senior Planner presented the FLUM request submitted by E. Banks. The request is to allow for a dwelling unit to be placed on the site. The public notice requirements were met. The neighborhood information meeting was held and there was no attendance. Staff and the planning commission recommended approval.
- Request an update to the Capital Improvement Element of the County’s Comprehensive Plan to Review the Five-Year Schedule of Capital Improvements (Final Public Hearing) – Dawn McDonald, Senior Planner informed the board the update is required of local governments annually. The amended plan can be adopted by ordinance per the state's requirements. The update assists with planning purposes for large infrastructure projects and is beneficial for future grant applications. The list was updated in 2021 and this update will be for five years.

The public noticing requirements were met and there was no neighborhood meeting required. Staff and the planning commission recommended approval.

III. ADOPT THE AGENDA

Remove Item 8. Highway 79 Corridor Request for Qualifications for Financial Accounting, and Budget Services – Per Chairman Hawkins this item was tabled at the 79 Corridor meeting and was moved to a workshop. A workshop date will be discussed by the board.

Add Item 8 – Discussion for workshop dates for the 79 Corridor for the City of Bonifay, Washington County Board of Commissioners, and Holmes County Board of Commissioners.

Add Item 9 - Culpepper Landing Ordinance

County Administrator – Add clerical position change from part-time to full-time.

Item 1. – This was addressed at the beginning of the meeting.

**Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the agenda as amended.**

IV. ADOPT PREVIOUS MINUTES

- Board Meeting for January 19, 2023
- Workshop Minutes for February 9, 2023

**Commissioner Griffin offered a motion, seconded by Commissioner Bush, and unanimously carried to approve 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 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, an individual wishes to speak on an item and has not signed up in advance, those who have signed up shall be given priority and those who have not signed up may be allowed to speak at the sole discretion of the Board Chair.

- Wade and Priscilla Brown thanked the board and George Swauger for the work that is being done at Campbell Park and for the road work that is being done by cutting back the debris that was interfering with visibility. The lights, pressure washing, and safety issues have been taken care of. The bathroom fixtures remain to be done and the cameras. They were able to meet the utility company to give input on adjusting the lights.

Chairman Hawkins informed the Browns that the cameras have been received and they are currently working through a software issue.

Wade Brown expressed concern about the rental fee being high.

Chairman Hawkins advised this item will be listed on the workshop agenda in April.

VI. CONSENT AGENDA – **Commissioner Bush offered a motion, seconded by Commissioner Griffin, and unanimously carried to approve consent agenda items 1 – 9 and 11 – 15.**

1. Approval for Foreclosure of Property Located at 2416 Victory Lane
2. Approval for Charging for Property Lien Searches for \$50 per request
3. Approval for Code Enforcement to Move Forward with Draft Ordinance for Public Nuisance
4. Approval for Code Enforcement to Move Forward with Policy for Issuance of Citations
5. Approval for Amendment to Approve One Year Extension with Animal Control of West Florida Sheltering of Confiscated Animals by Animal Control Officers
6. Approval of the 2023 Board Schedule
7. Approval for Appointment of Commissioner Griffin to Public Safety Committee
8. Approval for Appointment of Betty Lee Weekly as MSBU Member for District #4
9. Approval for Sunny Hills FY 23 Road Project Award to Roberts and Roberts, Inc.
10. Approval to Surplus Roche Pitt Property (This item was removed and listed on the regular agenda for discussion.
11. Approval to Purchase CAT 140 GC Grader
12. Approval to Surplus 2014 67 G John Deere Grader
13. Approval to Accept Additional Funding from FDOT for South Boulevard for \$532,704
14. Approval for Additional Funding from County Coffers for Crystal Lake Appropriations Project Above the \$1.2 Million Funded by FDOT
15. Approval for Attorney to Prepare Resolution for Line of Credit (Bond Counsel will prepare)

IV. AGENDA ITEMS

1. Recognition of Felicia Brown for 30 years of Service – This item was addressed earlier in the meeting.
2. Request a Future Land Use Map Amendment for Two Parcels Totaling 2.41 Acres; Proposed to Change from General Commercial to the Residential Low Designation – **Commissioner Bush offered a motion, seconded by Commissioner Griffin, and unanimously carried to approve the above FLUM amendment.**
3. Request Approval of the Ordinance for the Capital Improvement Element of the County’s Comprehensive Plan to Review the Five-Year Schedule of Capital Improvements **Commissioner Corbin offered a motion, seconded by Commissioner Griffin, and unanimously carried to approve the above-referenced ordinance.**
4. Grassy Pond Homeowners Association Discussion - Debbie Goss, Grassy Pond Ranches HOA Secretary thanked County Administrator Massey for coming to look at the property at Grassy Pond.

Since attendance at the December meeting, a letter was sent to 114 property owners for the 120 parcels in Grassy Pond Ranches. The letter included an explanation of the status of the HOA covenants not being renewed after a 30-year deadline. Options were provided along

with a survey. 43 letters for the representation of 50 parcels were received back of which 14 chose to revitalize the HOA covenants and 29 chose to dissolve the HOA covenants.

In 2014, the renewal year for the covenants the board did not renew the HOA covenants for unknown reasons. The corporation for the HOA remains active.

Some residents expressed that they would like to keep the common area, which is the covered pavilion area and boat ramp, available to the subdivision. Others agreed to sell the property and use the funds to repair the roads.

Guidance is needed from the county. The main concern is once the HOA covenants are resolved and the assessments will no longer be received, therefore there will not be funds to purchase road materials to keep the roads in a satisfactory condition. This would negatively affect school buses, mail delivery, and emergency vehicles.

There would also not be any funds to purchase the casualty and liability insurance to cover the pavilion area and the subdivision.

The request is for Washington County to work with them on the process to take over the maintenance and upkeep of the subdivision roads.

County Administrator Massey addressed the board. There is a lot of material that would need to be moved before crowning and ditching. It would be tough to bring the roads up to county standards due to the amount of work needed. A grader and staff would have to be added to the area. Roads must meet county standards before the board can adopt them.

Chairman Hawkins commented it is a private subdivision and more are located throughout the county. If the option is opened for one, it would mean the option would be open for all.

Attorney Milton commented that when the plat is approved the developer transfers the title to the HOA. The purpose of the HOA is to maintain the roads and common areas. If the HOA is dissolved it would mean there is a private road that is not maintained. An HOA is complicated in the sense that the members of the subdivision have an interest in that HOA.

Chairman Hawkins commented that would be the same thing for the common areas.

Debbie Goss commented that it is her understanding that the corporation portion owns the property.

Chairman Hawkins requested Attorney Fuqua research if the platted subdivision had a common area that was part of the amenity package of purchasing a home, could that be conveyed to a deed and sold?

Attorney Fuqua responded the plat would have to be reviewed.

Chairman Hawkins advised this item will be put on the workshop agenda in April.

5. Communications Committee Recommendation for Old Mud Hill Tower - Randy Truette, Communications Committee Chairman informed the board the Mudhill Tower has deteriorated and the cost to repair it would be \$90,000.00. A company provided the cost to repair and bring the tower up to code. This was discovered when a light on the tower went out, which would be very expensive to repair. There is a new Mudhill Tower across the road from this one, to which everything from the old tower is being transferred. The quote to demolish the tower is \$8,700.00, which was received from a company the county currently has a working relationship with. Once the tower is demolished, public works will get rid of the waste. The company meets the requirements for tower climbs and tower work. Years ago, the communications committee implemented specific criteria for anybody that gets on a county tower. One requirement is to have a good safety record. They must meet the highest standards.

The power will have to be disconnected, the generator and propane tank relocated, and all the equipment will have to be moved.

During the process of demolishing the tower, a nearby block structure may be damaged. If that occurs the block structure will need to be torn down.

County Attorney Fuqua informed the board the block structure belongs to the county.

**Commissioner Bush offered a motion, seconded by Commissioner Griffin, and unanimously carried to give County Administrator Massey authority to tear down the tower and the building along with it.**

6. Request for Approval for Holmes Creek Proposal – Cliff Knauer addressed the board. Last year quotes were obtained for adding a gangway and floating dock at Culpepper Landing. The price was significantly higher. Once the cost of supplies went down the company submitted a revised quote, which is around \$15,250.00 and \$2,000.00 for shipping. A modification to the ERP permit will have to be obtained before work. Eight piles are being added. A new nationwide permit will have to be acquired from the Army Core because it cannot be modified. Obtaining both permits will take 3 – 4 months. Once everything has been received the job will take an estimated 3 days.

The size of the dock was presented with a challenge due to the location of a cluster of trees, which have endangered muscles at the base of them. They have to be preserved per DEP. The floating dock has to be on the other side of the trees. The boardwalk will be extended 15 feet from the shoreline and come back parallel to the walkway on the east side. If the floating dock was wider the trees would be impacted, however, longer is an option. If it is longer the number of piles does not change. The floating dock is set to be downstream of it. The idea was the kayakers would be able to launch at the floating dock, which is away from the boat ramp.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin, and unanimously carried to amend the state permit, and apply for the Nationwide Permit to put in the gangway and the floating dock at Culpepper.**

He requested Cliff Knauer review the area and see what additional length can be added and report back to County Administrator Massey.

7. Request for Approval for One Year Extension of Sunny Hills Mowing Contract - Tray Hawkins, Chairman confirmed with County Administrator Massey this is the last extension in the contract.

County Attorney Fuqua advised the board they have the option to continue the contract whether there is an extension or not.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin, and carried 4-0 to approve the Sunny Hills Mowing contract for an additional year.**

Commissioner Pettis refrained from the vote, which he advised the board of during the workshop.

8. Highway 79 Corridor Workshop Discussion – Chairman Hawkins advised everyone to submit the dates they are available to Wendy White, Human Resources.

9. Culpepper Landing Ordinance – Chairman Hawkins advised the ordinance was advertised last year, however, it was not adopted. The ordinance needs to be readvertised at the board's pleasure.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin to readvertise the Culpepper Landing Ordinance.**

Commissioner Pettis expressed his concerns. The ordinance states there is no commercial use at Culpepper Landing. Would this affect a gentleman who has a non-profit organization that uses it? He does offer paid trips that support his non-profit side which is for military veterans. Does this encompass county-owned businesses that are in Washington County?

County Attorney Fuqua advised that discrimination is not permitted. For example, you cannot include counties that are authorized and counties that are not. In the non-profit scenario, an application process could be an option to seek a waiver.

Chairman Hawkins commented non-profit would have to be defined. Paid trips are also being done. If there is a trip donated to a fundraiser, would that be classified as being in that same category?

Commissioner Pettis expressed concern about hurting some of the county-owned businesses and the non-profit example given. Some of the county-owned businesses have access to the

creek elsewhere. Some of the long-term county-owned businesses do not have that access and would have to utilize somewhere like Culpepper.

It is understood that there is an issue with nonresidents using it and congesting it.

Chairman Hawkins responded that Cotton Landing is within a .25 of a mile, which is north of it and it can be used. It is nothing but the utilization of kayaks.

Commissioner Pettis referenced a discussion earlier in the meeting. The board discussed using additional funds to extend access for kayaks so they could get out of the way of the boat ramp which has been an issue.

Chairman Hawkins brought the meeting back to the motion on the floor.

**Approval to advertise the ordinance as written for Culpepper Boat Ramp carried 4 to 1, with Commissioner Pettis voting no.**

This item will be listed on the March agenda.

10. Approval to Surplus Roche Pitt Property – Chairman Hawkins commented that after reading the ingress and egress easement, whoever purchases the property does not have to maintain it. They can maintain their easement, and ingress, and egress the way that it is written.

Chairman Hawkins suggested working with the technical college on moving the dirt around and pulling some of the slopes in at county pits. The pits that are not being utilized need to be put back on the tax roll.

Chairman Hawkins requested Johnny Evans do an assessment of the county pits and bring the findings before the board.

The run sheets from the ditches can be used toward determining how much dirt should be in the county-owned pits.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin to surplus Roche Pit.**

Johnny Evans addressed the board for clarification. A property owner that adjoins the back part obtained an easement to access his property by going through the middle of the pit, instead of going through his property.

Chairman Hawkins confirmed the easement is not surveyed or defined. As long as the property owner gives a conveyance of ingress and egress, it is fine.

It was not stated that the county had to maintain it.

Johnny Evans addressed the board. The landowner is not being kept from accessing his property. He would have easier access to his property by using it for access.

**The motion carried unanimously.**

- VII. BROADBAND UPDATE – Keith Hughes updated the board. There are 82 people hooked up and 231 waiting. Thirteen have been done since Tuesday. The next tower will likely be Orange Hill or Whitehead (Five Points). Six more towers have to be built in Washington County. This number does not include the colocations. The colocation on Creek Road period is a month and a half.

The orders are based on paperwork. Dupree will be done before the one on Creek Road.

County Administrator Massy confirmed there is a link on the county website that links to Wildstar. Broadband is at a point where it can be marketed.

Keith Hughes informed the board Sunny Hills is completely active, and the tower at Hunter Park is.

Chairman Hawkins addressed the board regarding recent confusion with the governor's announcement regarding the areas that would receive additional funding for broadband. The funds are for the providers that work in specific areas.

Through Wildstar Washington County did apply for it. Comcast has challenged the proposal saying they could cover Washington County. The challenge will be amended at the Broadband office.

Commissioner Pettis questioned collocating on several towers, which seems like it would be a streamlined process. Putting the equipment on towers as opposed to fully constructing a tower. What can the board do to streamline the process?

Keith Hughes responded. There are several locations set up for water towers and existing towers. It is in phase 3. Phase 1, Whitehead (Five Points) will be complete. A meeting is scheduled with the City of Ebro to discuss putting towers in that area. A tower is needed mid Highway 77, between Vernon and Ebro, and Ebro.

Chairman Hawkins commented that early in the process an MOU has been entered with every municipality in Washington County, the City of Bonifay, Cottondale, and Alford to collocate on their towers.

Commissioner Corbin questioned how many potential customers could be serviced now. If Sunny Hills is ready to go, people need to be notified.

County Administrator Massey listed towers. Quail Hollow Tower, Crown Castle Tower, which is a collocate tower, Crystal Lake with American Tower, Daniels Lake, and working



with Bay County to use a tower around Highway 20 in the Singer Road area, Wausau, Mudhill, Sunny Hills, and Orange Hill. All tower companies will not allow collocating.

Keith Hughes commented the collocating process takes around 2 – 5 months for the approvals and paperwork. The actual process is around 2 days.

A recent home test showed 65 up and 180 down.

The business section is about to start. They will be offered 200 – 300 MB.

Five Points is in phase II.

Wade Brown questioned the tower at Holmes Valley.

Chairman Hawkins responded the sheriff received a grant for a tower there for communications. Once it is up, collocating will be done on that tower.

Commissioner Griffin questioned the calculation process of the dirt in the pits/hauled.

Chairman Hawkins commented that sheets are filled out daily for how many loads of dirt were taken off a road.

Kevan Parker commented if it is a small dump truck, they may say 2 and a large dump truck 19. The numbers will be estimates.

VIII. FEMA COORDINATOR – This update was provided at the workshop.

IX. MSBU – This item was covered in the workshop.

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

- ITB 2023-01 Bids for Creek, Douglas Ferry (3), and Clayton Road Patches – American Sand was the only bidder on the project for \$413,000.00. If public works handle the MOT detours and one of the headwalls on Creek Road, the bid is lowered by \$154,000.00. The other big item was mobilization. Douglas Ferry is a ½ mile within all three patches. The contractor is willing to negotiate.

The board's direction is to negotiate and come back before the board.

- Castor Report – Merry Acres (1), Beaver Road (2), Crews Lake (1)
- Replace Service Truck – The current service truck is a 2015 model. Chipola Ford has one for \$71,258.00, which is lower than the sheriff's bid. Four companies were contacted and Chipola is the only one that responded. The 2015 model will be used for pulling trailers, etc.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin, and unanimously approved to authorize the purchase presented above.**

- Danny Jackson's Position – Approval is requested to hire someone by April to shadow, which would allow for an easier transition. The budget can fund the position.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin, and unanimously carried to allow Johnny Evans to overlap Danny Jackson's position beginning in April through the time that Danny leaves.**

Overlapping not only allows learning but also gives the outgoing employee time to use their accrued leave.

Chairman Hawkins addressed Simon Sheffield who signed the public participation form to speak on items 9 and 12, which are not on the agenda to be discussed today.

Simon Sheffield addressed the board. The road was approved on March 26, 1973. They took the road up to the church. They cut it off 100 – 150 feet from the church to Gainer Road. The condition and ownership of the park in the St. Joseph Community were mentioned. A memorial is requested to be put at the park or a park name change in recognition of Ernest Earl Sheffield who died in the Korean war.

If FEMA funds are available for the road it is requested to pave the area mentioned in the paragraph above.

He informed the board that he is thankful for the mill, however, it is not doing any good at filling the holes.

XI. PARKS UPDATE – This update was provided at the workshop.

XII. ENGINEERING PROJECTS UPDATE – Donald Stanley addressed the board.

- 2021 – 05 Change Order for Pine Ridge – Approval for a 30-day time extension. The contract period was for 60 days. – **Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the change order as presented above for the Pine Ridge job.** The contractor is American Sand and Paving.
- 2022 – 06 Change Order 2 - The request is for a 30-day time extension. – **Commissioner Griffin offered a motion, seconded by Commissioner Bush, and unanimously carried to approve the change order as presented for project 2022 – 06.** The contractor is American Sand and Paving.
- 2021 – 11 Change Order 2 – The request is for a 30-day time extension. – **Commissioner Bush offered a motion, seconded by Commissioner Corbin.**

Commissioner Bush clarified that the agenda project is 2021 – 11 and not 2021 – 1.

**The motion on the floor carried unanimously.**

Chairman Hawkins called a recess from 10:23 – 10:29.

- Sunday Road – Jonathon Sims, Dewberry addressed the board. Approval is requested to request supplemental funds for Sunday Road. The low bid was American Sand and Asphalt for \$1,622,665.70. The agreement amount is \$1,353,114.00. The supplemental request will include the overage and the CEI cost and will total \$388,533.00.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin, and unanimously carried to award the Sunday Road Project to American Sand and Asphalt, the low bidder contingent upon the Department of Transportation's approval of the additional funds.**

- Task Order for Melvin Engineering – Brent Melvin addressed the board. Approval is requested for a task order for Melvin Engineering for the Rural Infrastructure Grant that was funded for the plans and design of the industrial park for Washington County. – **Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the request as presented by Brent Melvin.**
- Grant Submittal for Project Grant – Approval is requested to submit a Raise Grant, which is the Rebuild American Infrastructure Grant (federal), which would target adding a rail spur to the industrial site. An estimated \$3 million grant will be applied for on behalf of Washington County.

The second grant is a subsequent Rural Infrastructure Grant, which would be construction funds to support the construction of Project Gantry at the industrial park. The funds would be used for water and sewer and stormwater infrastructure. The grant is estimated at \$2 million.

**Commissioner Bush offered a motion, seconded by Commissioner Griffin, and unanimously carried to authorize approval to submit for the RAISE Grant and Rural Infrastructure Grant on behalf of Washington County for Project Gantry.**

XIII. COUNTY ADMINISTRATOR – Jeff Massey addressed the board.

- Position Status Change Request - Approval is requested to transfer a part-time, which will be vacated on March 10 to full-time. Approval to make that change is requested from the board to address the duties of the part-time position and to expand that position to filter into the grants department.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin to make the change in position status as requested by County Administrator Massey.**

Commissioner Bush questioned if the position is recognized as a part-time position on the organizational chart. He was not aware this required board approval.

Wendy White, Human Resources responded that it is a change in the number of full-time employees, which requires board approval.

**The motion on the floor carried unanimously.**

- 2014 Flood - Legacy Projects – Kevan Parker addressed the board. Approval is requested to issue a letter to DEM stating that Washington County would not appeal the final close-out. This was for Disaster – 1831, which will close the project on the DEM side.

**Commissioner Bush offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve issuing the letter as presented by Kevan Parker.**

Kevan Parker informed the board he would draft the document for Lynne Abel to sign.

XIV. CLERK

- January Vouchers Totaling \$6,416,178.91

- XV. COUNTY ATTORNEY – Attorney Fuqua addressed the board. On the consent agenda, it was listed that the county attorney will draft the bond resolution. The resolution will be drafted by the bond attorney.

Commissioner Bush confirmed the loan as revolving.

Chairman Hawkins responded that it is the loan that was discussed in the workshop.

Loan – Approval of the loan and authorization of Chairman Hawkins executing a request for the loan documents are requested from the board. – **Commissioner Bush offered a motion, seconded by Commissioner Corbin, and carried to approve the request as presented by Attorney Fuqua.**

XVI. ADJOURN