

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

April 17, 2023, 6:00 p.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 – Jeff Massey
- C. Pledge

Present – Commissioners Bush, Pettis, Hawkins, Griffin, and Corbin. Also in attendance were County Attorney Clay Milton, Clerk of Court Lora C. Bell, County Administrator Jeff Massey, and Deputy Clerk Risha Brantley.

II. ADOPT THE AGENDA

Agenda Additions – Ag Center Entryway – County Administrator Massey, Resolution for the PAEC Property – Attorney Milton on Nadia Avenue, and Striping Contract Discussion – Commissioner Bush (Item 16)

Commissioner Bush offered a motion, seconded by Commissioner Corbin, and unanimously carried to adopt the agenda as amended.

County Attorney Milton spoke about the workshop process. The workshop is a time for the board to have discussion. A public participation section is not included on the workshop agenda; however, it will be on the agenda for Thursday.

III. AGENDA ITEMS

1. Fire Department Update - Jeromy Hayes, Fire Chief Association President addressed the board about the need for daytime help. Currently they struggle to meet calls. Most of the members are employed full-time and some cannot leave their job. Multiple departments may have to be paged to get enough volunteers.

County Administrator Massey informed the board the numbers in the volunteer fire departments have dwindled. They have been seeking an avenue that would set up daytime help. Previously, the SAFER Grant was used for added positions, but that grant is no longer active. In the future, paid fire departments will need to be looked at. Two full-time people can be funded for one year through the fire services, Monday - Friday. All chiefs have been contacted; however, nothing has been solidified. The added staff would be essential to the public.

Jeremy Hayes informed the board that two in and two out is needed for safety and FDA Standards. Someone is needed to man the truck and get water unless it is somewhere that has their own hydrant. Six would be ideal, which would be the bare minimum.

Justin Leach, Fire Services Coordinator informed the board the number of calls varies. One recent

example is eight calls were received within three hours. The average number of responders depends on availability and what day of the week it is. The average number for certified people outside of Chipley would be an average of two initially responding. There are also times when there are five.

Chairman Hawkins asked if two would be a benefit?

Jeremy Hayes responded that two added would be awesome, however, it is a low number to for responding to a structure or brush fire.

Chairman Hawkins commented the goal for the SAFER Grant is to put a county at a place where it can be self-sufficient. Would the addition of two employees help with qualifying for the SAFER Grant?

County Administrator Massey responded the positions would give them something to work with.

Jeremy Hayes commented they would find somewhere to put the two employees. Emergency Management or any fire department would be optional.

County Administrator Massey informed the board they intend to apply for the grant next year.

Jeremy Hayes informed the board that most of their front-line trucks are from 1980 -1990. A long-term plan needs to be set up to buy apparatuses. Most of their budget is spent on maintenance.

County Administrator Massey informed the board that the House and the Senate have approved both pumper tankers and will be entering into budget hearings this week.

Chairman Hawkins informed the board this item will be top priority to be discussed at the upcoming Legislative Day. The stage that it is at means there is traction.

Al Gothard, Washington County Fire Department confirmed the need for added volunteers. With four or five people at a structure fire, they are only able to last fifteen to twenty minutes before having to come out and cool off. Six is the minimum needed. The reality is that two will not help much.

The AFG Grant cycle for this year has passed. If that is correct, it will take two more years. Washington County is a few years behind.

Chairman Hawkins suggested discussing a plan during the upcoming budget.

Could a high school student take the class prior to eighteen and get certified after eighteen.

Al Gothard, Washington County Fire Department commented, he believes so.

Commissioner Griffin questioned what is being done to get the younger generation involved?

Al Gothard, Washington County Fire Department responded this used to be done, however,  
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manpower is needed for it to be done. Training volunteers must be covered by insurance.

Commissioner Pettis asked if there was a good response when the SAFER Grant was active.

Al Gothard, Washington County Fire Department responded, yes.

County Administrator Massey responded that the main workers were trained volunteers from other counties. It worked well.

County Administrator Massey informed the board that the fire department plans to hold a 4<sup>th</sup> of July event in Orange Hill on July 1. The event is for community involvement, recruitment, and a fund raiser. Full access to the park and the community center is needed. The event will include food, music, local crafts, bounce houses, and fireworks.

Justin Leach, Fire Department Coordinator confirmed the fire department's need for help and equipment, such as engines and pumper tankers. The fire department cannot survive solely from grants. \$2 million worth of trucks is needed. Two added people would help; however, more is needed but it is understood that things take time. A pumper tanker can be customized to fit the equipment and holds more water. The only issue with them is the weight. The departments are paying more for maintenance than some of the equipment is worth.

It is recommended to compose a committee with County Administrator Massey, a couple of chiefs, and a commissioner to create a plan.

Attorney Milton informed the board that a neighboring county has a fire assessment to help with the fire department's needs. They have a ten-to-fifteen-year rotation schedule. They borrow grant type loans, which helps make the payments affordable. If there is a desire for the fire assessment, it is a process; not something that can be done at once.

Chairman Hawkins recommended that County Administrator Massey create a Fire Department Committee.

2. US Water Presentation - Chris Saliba, Vice President of US Water informed the board the utility owner of the Sunny Hills Utility System desires to donate and vacate a part of the utility service along Highway 77 to Washington County for the sole purpose of economic growth and development. The current water and wastewater system in Sunny Hills merged with several utilities in the panhandle and is now known as The North Florida Community Systems, Incorporated, however, during this discussion it will be referred to as Sunny Hills. They have exclusive authority to supply service throughout the Sunny Hills area. There are three water plants, a water distribution system that does not make sense to repair, and one wastewater treatment plant. The facilities need some improvements.

The Sunny Hills Utility contract with US Water, who is the contract operator for the Sunny Hills Utility System. US Water's core discipline is the operation of water and wastewater treatment facilities. US Water has been running the system since the current owner bought it in 2013. Growth will not come to the area without the investment of utilities.

The county has the barrier of driving economic development in the Highway 77 area because there are no utilities that exist. Without the ability to have affordable utilities there, it is a deterrent. The question is, how can they expand growth and increase customers on the utility system. Part of the proposed expansion is commercial fire protection. This choice would remove the installation of septic tanks. This possibility would supply sewer and wastewater for potential growth.

The framework for this gives the county a way to have a utility set up. Bulk service would be provided from Sunny Hills to Washington County through a wholesale agreement. The advantage of that is it falls outside the authority of the PSE, which means the county sets the rates for the Washington County customers that would be served by the Sunny Hills Utility system.

In the agreement, Sunny Hills would commit to supplying 50,000 gallons of potable water daily, 1,500 gallons per minute of fire flow capacity, and 25,000 wastewater capacity at no added charges. Once that capacity has been consumed, the utility will fund the future water and wastewater expansion needed to accommodate growth in the two phased areas.

Existing customers that are already in the service territory along Highway 77 would become customers of the newly created Washington County utility. Since the county does not have an existing utility, an ordinance would be adopted to set up rates and rate resolutions to serve the customers that would convey to Washington County.

Infrastructure along Highway 77 would be donated or dedicated to the county after construction. US Water assumes that the company will continue to run and maintain that piece of utility system.

Zone 2 – The shaded area on the map would become Washington County assets and infrastructure and the offsite improvements would continue to be owned by the utility. There is a common conveyance for the wastewater that runs from east to west that would be needed for either improvement zone.

Chairman Hawkins commented that Washington County is not able to run a sewer/water system. If the county proceeds, would US Water and the county enter into an agreement for US Water to manage the system?

Chris Saliba responded they would continue to supply all the customer and retail services within the Sunny Hills customer service base. The county would handle the Highway 77 improvements. With approval, US Water would continue to supply customer service billing.

The key point of this for the utility development zone is the utility cannot afford the necessary improvements. There are not enough rate payers to support the improvements. The county is eligible for low interest funding or grants that could fund this through economic development and construct the necessary infrastructure to drive economic growth in the area.

Chairman Hawkins commented that utilities deteriorate. The county would need assurance that there is a capital outlay fund for maintenance and improvement plans to prevent neglect.

Chris Saliba responded that the draft rate resolution will include the rate and its broken down state. A minimum of 7% – 10% of the revenue will be deferred for R & R and some capital improvements.

Chairman Hawkins commented that language would be needed to document that the county would never enter the water and sewer business.

Chris Saliba suggested a county ordinance is optional to state that if water and sewer services are available, septic tanks are not allowed to be installed and connection must be made to the county.

County Attorney Milton informed the board that David Melvin, Melvin Engineering is familiar with this process and is currently helping the Town of Alford through the City of Marianna with a similar concept. They recently obtained around \$20 million in grants for the Town of Alford for the project.

Chairman Hawkins responded that David Melvin and County Administrator Massey have spoken about the proposal.

Commissioner Pettis addressed Chris Saliba. The scenario says that Washington County would take ownership of the mains by the road. Would the contractual service with US Water include a fee for maintenance?

Chris Saliba responded, the cost part would be structured and contemplated in the rate resolution. The fee would be covered in the retail rate paid by the customers of that utility corridor.

Commissioner Pettis addressed Chris Saliba. At Highway 77, the mains would revert to the county. What about the infrastructure inside Sunny Hills?

Chris Saliba responded that would remain with Sunny Hills Utility. There would be a wholesale agreement; a meter that the utility company would have at the right of way of Highway 77. There would be two different sides on the meter, which is called the point of demarcation.

The county must own the utility to qualify for funding.

Commissioner Pettis confirmed that added county staff would not have to be provided to maintain the utility.

Chris Saliba responded that it would be self-sufficient. US Water is already running that piece of asset and infrastructure. It would be donated assets of Washington County. The service would not change.

Commissioner Corbin questioned the number of people that could run off the system.

Chris Saliba responded that it depends on the lot size. The utilities would be expanded in a way to accommodate the development that is driven on Highway 77.

Commissioner Bush questioned how far south and north do the lines run alongside Highway 77 run?

Chris Saliba used the display to respond to this question.

Commissioner Bush confirmed that it runs from Sunny Hills Boulevard to Elkcam.

Chris Saliba responded that it goes further south of Elkcam but is not sure of the road name. The lines are about 40 years.

Commissioner Bush questioned what liability the county would be assuming if they decide to take that section over. 7% of the utility rates would be used for R & R on the system. The county will not have 40 years of collecting 7%.

Chris Saliba responded that the utility company handles funding those improvements. The infrastructure on Highway 77 will mainly be new infrastructure. A new water main is proposed to be built from well 5 to Highway 77 (east side of the map). This would be the responsibility of US Water.

The facilities will be new or upgraded infrastructure. The conveyance is not big enough for the fire flows, so new mains would run out to Highway 77. The largest main on the south side is 6 inches, which is not sufficient for fire flow. The main will be updated with a larger diameter to have the conveyance for fire protection.

Chairman Hawkins confirmed the county would be responsible for the master meter to new customers, which would all be new infrastructure. Everything from the master meter back would be the demarcation from the county to US Water, which would be the responsibility of US Water through 40 years of collections.

Chris Saliba confirmed that is correct.

County Administrator Massey informed the board that he would obtain a copy of the Power Point for the commissioner's review.

David Melvin, Engineer, will be contacted to give a synopsis of the information that Chris Saliba has provided.

Commissioner Corbin asked Chris Saliba what he is requesting from the county.

Chris Saliba responded, first the county needs to express a desire to go ahead and then they would work with the county attorney to draft the wholesale agreement, what is needed to vacate the right of way, and the right to serve. The county would want to have confirmation that the funding is available so that the project would be a practical choice for the county. At some point a rate consultant would be brought in for them to work on a rate resolution.

County Administrator Massey suggested the main part to begin with is zone 2, where the main

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entrance is (the commercial side there). The money is there to fund this sort of thing.

What is Deltona Corporations responsibility to take part in the project?

Chris Saliba responded discussion can be held between them and the county. From the utility side they are being selective based on the maps provided. They are trying to select home sites that have existing utility infrastructure. If there is someone developing in an undeveloped area, there may be an opportunity to develop a service agreement to bind the developer to share some of the cost components of improving the utilities necessary.

Consent Agenda Item – Have David Melvin go ahead with seeing what funding is available for the project and bring back a proposal to the board.

Chairman Hawkins called a recess.

3. Discussion Regarding Cogon Grass Control - Mark Mauldin, Ag and Natural Resources Agent informed the board that cogon grass is very invasive, and Washington County is overrun with it. The grass is very difficult to manage. It would take multiple years to treat it. It is concerning because it could displace all the native vegetation and is a substantial fire hazard. It is hard to control because the root system is very aggressive, and it collects a lot of energy. It is almost impervious to herbicides. It excretes chemicals in the soil that suppresses the other plants around it. It chemically eliminates how aggressive the other plants are that are around it. Grading drags and drops the roots, which causes spreading throughout the graded roads. The mechanical spread of this is more of an issue than through seeds. There are no cultural or mechanical control options. There are no selective herbicide options. The most effective chemistry is glyphosate and imazapyr. The problem with imazapyr is that it is soil active. It can take out a grown oak tree faster than it will the cogon grass. It also has a residual activity. It cannot be sprayed by the roads due to the liability factor. Glyphosate is active on cogon grass as much as anything else is. It can only enter a plant through green leaves; coverage is essential. It is the only choice in a right of way. It should be broadly sprayed a gallon per acre. After 30 days the grass will begin to go down, will stay down for another 60 days, and then start coming back up. October is the best time to spray. It is spreading at a rate where it would be futile to do anything in a couple of years. Any meaningful control efforts would be two applications per year for multiple years. If a year is missing, the clock has been reset. Management on both sides of the fence is needed. There must be communication and cooperations between private landowners and the person that manages the right of way. Some will not be fond of the county spraying the glyphosate. There is no scientific reason there is anything wrong with it.

Chairman Hawkins commented if a property owner is trying to kill it on their private property, the county should try to kill it on the right of way on the same schedule as the property owner.

He suggested Johnny Evans and Mark Mauldin discuss this.

County Attorney Milton commented that Roundup is very common and kills anything it touches. If a property owner is allowed to spray on the right of way, that will remove the ground coverage for the ditches and the right of way, which will cause erosion issues.

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Chairman Hawkins commented that paving the roads will help curb some of the growth.

Commissioner Bush suggested they develop a map and have a routine of treating those places.

Direction – Mark will bring a list of property owners to County Administrator Massey and partner with them. A list will be started throughout the county and an effort will start.

Commissioner Griffin asked if there were enough staff for this effort.

County Administrator Massey commented that the employee that does the signs also sprays. Things will have to be worked out.

County Attorney Milton suggested Johnny Evans giving the property owners consent to spray on the right of way is a choice.

Mark Maulden informed the board that he is aware of some property owners that would be on board.

He is also approved to do certifications.

Tropical Soda Apple increased after Hurricane Michael and Sally. The fruit and the seed float, causing spreading. Animals also spread this one. Chemical aminopyralid is effective in controlling everything in the lightshade family. The chemical will kill it in one application. Peanuts are wildly sensitive to aminopyralid. Many of the vegetable crops are also in that family. Composting manure and using it in different locations is a way of spreading it.

Commissioner Bush suggested employees can notify when they see it.

Would a right of entry be needed to go on a private property owners' pasture? Would the inverse of that be needed to allow them to spray the county right of way?

County Attorney Milton commented that if it is going to be allowed, documentation should be made. Citizens spraying on the county right of way is more concerning.

4. E-911 Request to Move Awarded Grant Funding for \$62,000 - Clint Erickson, E-911 Coordinator requested \$62,000.00 (revenue received from multiple grants) be moved to the following line items:

- \$17,000.00 to repair and maintenance (11552500 54601)
- \$45,000.00 to other contractual (11552500 53401)

\$17,000.00 – Next Generation invoice

\$8,500.00 – Data Mark

\$36,500.00 – C-One Annual Maintenance for 911

The request to increase the E-911 budget by \$62,000.00 will be listed on the consent agenda.

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Clint Erickson asked County Administrator Massey if the fire department had applied for a federal AFG Grant?

He informed County Administrator Massey that he is willing to help with grants if needed.

5. Discussion Regarding the Authorization to Condemn Property Located at 2306 Victory Road - Janet Riedel, Code Enforcement Officer addressed the board. The property has been in a condemned state for two years. The notice of violation obligation for 90 days has been met. Acknowledgment of the notice was received via return receipt. The next step is to request a public hearing for an adoption.

Attorney Milton addressed the board. The county code authorizes the issues. After supplying a notice of violation, it gives them a specific amount of time to fix the issue or bring it back up to code. The notice of violation was sent in January. 90 days have expired. The concern with this is adopting a resolution that condemned the property without providing them due process. If the board is comfortable with proceeding the consent agenda item would be to set the public hearing for this item. This will be next month's meeting. Janet would send out a notice advising the property owner of the public hearing.

Janet Riedel informed the board there was a house fire at the location and the house has since been vacated.

This item will be added to the consent agenda.

6. Discussion Regarding the Final Draft of the Public Nuisance Ordinance - Janet Riedel, Code Enforcement Officer – Attorney Milton informed the board before an ordinance can be approved a public notice of intent to adopt the ordinance must be placed. The concern is there are a couple of different places in the draft where the nuisance issue comes up. There is one narrow section in the code that deals with nuisance. Janet would like to broaden that. The land development code speaks of the enforcement of certain items.

Janet informed the board there is normally one violation per citation. Several citations may have to be written because one ordinance does not cover it.

County Attorney Milton said they must be sure that if this section is revised, that it does not conflict with the land development code.

This item will be listed on the regular agenda to give the board additional time to review the ordinance.

7. Discussion Regarding the Final Draft of Citation and the Citation Policy - Janet Riedel, Code Enforcement Officer informed the board that she adjusted the calculation to make sure it did not exceed the \$500.00 cap as asked. It is \$50.00 - \$100.00, \$150.00 - \$200.00, and the top is \$500.00. At any point they can go before a special magistrate.

The fines that are levied on the citation and the citation will be listed on the consent agenda.

Janet asked if the board would like citations for the parks and recreation to be written in or create another citation?

Commissioner Pettis and Hawkins agreed with writing it in.

Commissioner Griffin confirmed that the citation is per kayak and canoe, not per offense.

Chairman Hawkins commented that it is per tag.

County Attorney Milton informed the board that others would be needed because that code has a set amount that is different from the violations on the citation.

Chairman Hawkins confirmed with Janet that a separate citation would be a better choice.

Commissioner Griffin expressed concern about Jane being alone issuing citations at Culpepper.

County Attorney Milton informed the board that he recommended that County Administrator Massey request the help of the sheriff.

The ordinance is for commercial businesses.

Janet informed the board that she sent letters to the four different businesses, however, she has not received a return receipt.

8. Discussion Regarding Calculations for Property Lien Search Cost - Janet Riedel, Code Enforcement Officer updated the board on the lien searches. In February there were 29 requests, which would have been \$1,450.00 at \$50.00 each. There were 56 in March, which would have been \$2,800.00. There have been 13 in April thus far, which would have been \$650.00.

The fee was passed and the information above was requested by the board.

If this item is confirmed by Clerk Bell as adopted this item will be listed on the consent agenda. If not, it will be listed on the regular agenda.

9. Request for Approval for the SHIP Local Housing Assistance Plan (LHAP) - Samantha Arroyo, Grants/Procurement Specialist addressed the board. Every three years Florida requires the LHAP to be updated. State Housing has approved the plan. Due to inflation issues the home rehabilitation category was increased from \$35,000.00 to \$50,000.00. The new construction strategy was removed from the first-time homebuyer program. Those who qualify for replacement homes because of damage, or an older mobile home must have lived in the home for 10 years. Approval of the LHAP is requested and approval for Clerk Bell and Chairman Hawkins to sign the required documents for state housing.

This item will be listed on the consent agenda.

10. Request for Resilient Florida Grant Consultant Award - Samantha Arroyo, Grants/Procurement Specialist addressed the board. Earlier this year Washington County's application to the Resilient Florida Planning Grant was successful for \$491,361.00. The grant is for flooding vulnerability assessment. The assessment will be required next year for future grants through the Department of Environmental Protection. Approval of the task order with Michael Baker International to perform the scope of work in the grant is requested to be put on the consent agenda. The task order accompanies the piggyback grant with the Jackson Transportation Authority that has been reviewed by County Attorney Fuqua.

This item will be listed on the consent agenda after confirming with County Attorney Fuqua.

11. Resolution of Support for State Waterway Hurricane Debris Cleanup Priorities in Bay County and Southeast Washington County - Tray Hawkins, Chairman informed the board the resolution is a pledge of support. This item will be listed on the consent agenda.

12. Discussion Regarding Community Center Rental Policy - Tray Hawkins, Chairman addressed the board about the three proposals they have been provided about the community center's rental agreement.

- Each renter supplies event insurance.
- Larger scale event, higher risk. For example, event insurance would be needed for inflatables.
- Leave the rental agreement as it is.

Wendy White informed the board; most counties prohibit the use of inflatables or require event insurance. This information was provided by the Florida Association of Counties Trust.

Attorney Milton addressed the board. It is optional to include language in the rental facility agreement that says bouncy houses are prohibited. The more that is included in the agreement, the more protection there is from the county standpoint.

If a 501-C-3 has a community event at the park, they should buy liability insurance. The coverage is affordable.

Commissioner Bush confirmed the language as the following: inflatables would not be allowed without event insurance. How does the county figure out the correct amount to be bought?

County Attorney Milton responded. A minimum will be listed.

Chairman Hawkins confirmed the county would be listed as an added insurer.

Wendy White informed the board for \$1 million coverage; the cost is \$75.00 - \$125.00 for an event of 100 people or less.

Wendy White confirmed the board's consensus is to go ahead with option 2 – Only make mandatory event insurance if an inflatable or bouncy house type apparatus will be brought on the property.

Commissioner Pettis suggested the language be if any equipment is added other than what is at the park. Anything above and beyond what is there.

Chairman Hawkins suggested the language include any sort of outside entertainment other than the park features.

This item will be listed on the regular agenda with the updated language.

13. Discussion Regarding Value Adjustment Board Appointment of Gary Hartman - Tray Hawkins, Chairman confirmed with Gary Hartman that he would accept the VAB appointment again this year.

This item will be listed on the consent agenda.

14. Discussion Regarding Impact Fees - Tray Hawkins, Chairman informed the board this is an annual item.

County Administrator Massey requested this item be listed on the regular agenda, allowing him time to gather figures.

Commissioner Bush confirmed that the commercial impact fees are in place. Information about what impact fees can be used towards would be good information. The fees were set aside when building was slack.

15. Letter of Support for TJ Roulhac Enrichment and Activity Center's Application for an EPA Environmental Justice Collaborative Problem Solving Cooperative Agreement - Tray Hawkins, Chairman addressed the board. Rev. Blount contacted the board about a grant they are applying for through EPA for the TJ Roulhac Center. This letter is to show support for the application for a grant that would be between EPA and the sole source. The grant will not affect the county coffers.

This item will be listed on the consent agenda.

16. Striping Contract – Commissioner Bush informed the board that he would like to have some paint striping done on some roads in District 1 and requested the commissioners supply any that they would like to include in a combined bid.

Chairman Hawkins called a recess from 8:22 – 8:31

IV. FEMA COORDINATOR – Kevan Parker addressed the board.

- ITB 2023 – 02 Road Paving – Anders Road, Bryant Bay Road, Mattox Springs Road, Union Hill Road, and Yates Settlement Road – Three bids were received for this project. The low

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bidder was American Sand for \$7,399,228.50. Anderson Columbia bid \$7,897,647.50 and C.W. Roberts bid \$7,920,396.92.

Chairman Hawkins advised Wendy White that the agenda needs to be updated to include Leavins Road, which was left off.

Kevan Parker informed the board that Anderson Columbia did not supply bid security. C.W. Roberts included all items. American Sand and Paving did not complete the check list, did not printout the unit price bid, did not list proposed subcontractors or suppliers, did not supply evidence of authority to do business in Florida or evidence of a contractor's license, and did not supply a copy of FDOT prequalification. All the items have been supplied previously and since then they have supplied all items.

The bid says that you reserve the right to waive any and all irregularities, informalities and reject any and all bids.

It is asked that be waived and award to the low bidder of American Sand for the bid listed above.

Chairman Hawkins confirmed that they have all items that were omitted.

Kevan Parker responded yes. They had them in other stuff and it was an oversight on their part when they were putting it together.

Chairman Hawkins confirmed that this request for approval was okay.

This item will be listed on the consent agenda.

- 2023 – 03 – Future Grant Demolition and Purchasing Flooded Homes – Arrow Construction bid \$847,658.00, DS Homes bid \$1,007,624.00. Board approval is requested to award to the low bidder, Arrow Construction, contingent upon receiving the grant. Arrow Construction is from Marianna.

The bid includes around 44 homes. There is a tipping fee that is being passed through. The price includes demolition and removal.

Commissioner Griffin requested the list of homes that were bid on prior to the next board meeting.

Kevan Parker informed the board that the bid covers everything but the tipping fees, which are hard to guess. That is a set fee based on the number of cubic yards that come in.

Commissioner Griffin clarified that the county covers all tipping fees.

Kevan Parker responded that is correct.

County Administrator Massey clarified with Kevan Parker that the grant covers the tipping fees.

This item will be listed on the consent agenda, pending Kevan Parker supplying the documents Commissioner Griffin asked for.

- 2023 – 04 – Asbestos and Lead Paint Testing for Acquisition & Demolition of Flood Prone Structures – There was one bidder, which was not read. Approval is requested to reject and readvertise to try to get more bids.

This item will be listed on the consent agenda to reject the bid for 2023 – 04 and readvertise.

- 2023 – 05 – There was one bidder, which was not read. Approval is requested to reject and readvertise to try to get a second bid. This is for the appraisal services. This item will be listed on the consent agenda to reject the bid for 2023 – 05 and readvertise.

Commissioner Griffin questioned who has access to the bid amounts.

Kevan Parker responded, the in-house staff and commissioners.

- 2023 – 06 – The properties were bid individually. DSW Homes bid \$121,850.00. The recommendation is to award the low bidder of \$106,530.00 for Southeastern Surveying and Mapping.

This item will be listed on the consent agenda.

- 2023 – 07 – Title Services for Acquisition and Demolition of Flood Prone Structures – The lowest was bidder was Northwest Title Group for \$345.75, and DSW bid \$2,410.75.

Commissioner Bush clarified that the bid amounts are per home.

It is recommended to award the project to Northwest Title Group for \$345.75 per home.

This item will be listed on the consent agenda.

Chairman Hawkins clarified 2023 – 04 and 05 will be rejected and readvertised.

- Hurricane Michael Update –
  - \$61,000,246.00 has been submitted.
  - \$60,009,093.00 Received or approved, with \$253,000.00 in validation. \$109,000.00 of the validated amount is in the State Comptroller's Office.
  - \$3,700,000.00 is in the process for advance work. Expenses are paid from the general fund and once reimbursement is received a transmittal letter is sent for approval to move funds from the Hurricane Michael Account to the General Fund Account.

A new process of moving the funds when the invoice is received will be discussed at the meeting with the Clerk's Office.

Chairman Hawkins confirmed reconciliation will be done once the cancelled check is received.

- Worley Road – Preliminary in-house costs of 450,000.00 +/- were done. The cost does not include labor for spreading, packing, and testing. The estimate includes the truck driver's delivery. \$190.00 per load was used to show the preliminary cost.

County Administrator Massey responded that the estimate is \$483,600.00. \$96,000.00 of that is money that would be a loss because it is already invested in the FEMA project for engineering and things like that.

The old numbers to put the box culverts in were at \$751,980.00. If it is put back the way it was, the cost is \$571,335.00. That is all reimbursable but this other is not. Different permits will be needed if the choice is to put things back using 60-inch pipes.

Kevan Parker informed the board permit that has been issued for box culverts will need to be revised.

The bid request would be to put it back to its original state. The alternate would include the box culvert.

County Administrator Massey informed the board if they select to put it back the way that it was there is a chance that FEMA will not fund it if it goes out during another event. This would be caused because it was not mitigated when the county had the opportunity.

Chairman Hawkins confirmed what was being said as the following. If FEMA funds are used to put it back the way it was, then if there was a future occurrence FEMA may not fund it because the funds were not used to mitigate the project previously.

Duncan Community was fixed under emergency repairs.

Commissioner Griffin commented that Worley Road is an emergency because it has been out for 4-years. Why couldn't the road be patched, and still get reimbursed? FEMA money is not being used; the county resources are being used.

Kevan Parker responded that he has seen them go back and review other cases such as this and not approve of them.

Commissioner Corbin clarified that if the county uses funds from the county coffers to fix it, if the road goes out again, FEMA Funds can be applied for. It could also be fixed back like it was by using FEMA Funds. If it went out again, it would not

qualify for FEMA reimbursement.

Commissioner Hawkins asked if it is the board's pleasure to put the project back out for bid and move forward with the box culverts.

Kevan Parker informed the board that if that is approved on Thursday, it would be in the paper the following week, 30-days from that, and award the bid.

Commissioner Griffin suggested once it is awarded, the contractor would have 10 days to begin.

Chairman Hawkins confirmed that it must be bid the original way and the secondary is optional.

This item will be listed on the consent agenda.

#### V. MSBU ADVISORY COMMITTEE CHAIRMAN

- Assessment Increase of 5% with Forecasted Budget - County Attorney Milton informed the board the preliminary rate resolution has been drafted and will be saved for next month to allow County Administrator Massey time to meet with the MSBU Coordinator to get their information together.

This item will be addressed at the May meeting.

#### VI. PUBLIC WORKS SUPERVISOR – None

#### VII. ENGINEERING PROJECTS UPDATE

- Countywide Pavement Maintenance and Rehabilitation Continuing Services – Jason Crenshaw addressed the board. The bid will include reworking lime rock base, new lime rock base, optional base group, milling existing asphalt, performance turf, and asphalt. Option 1 is to award a single bid with the items mentioned above. Option 2 is to include the same items but on a per district basis. There are pros and cons to both options.

Commissioner Hawkins, Pettis, and Griffin agreed on option 1/one contract.

Commissioner Griffin questioned when will the county begin preparing themselves for the maintenance. Once everything is done, they will inherit all of it.

Chairman Hawkins responded that his goal would be as soon as they begin downgrading road graders.

Commissioner Griffin questioned the amount of the last asphalt bid.

Jason Crenshaw responded that it was originally around \$400,000.00 for Creek Road, three on Douglas Ferry, Clayton, and Old Bonifay. Headwalls were also included. The project



was negotiated to \$159,000.00 just for asphalt.

Commissioner Griffin expressed concern about them needing to prepare. They do not want to end up like Sunny Hills roads. The current staff or added staff needs to be trained on asphalt.

Chairman Hawkins responded there is staff that is qualified to do it. There is a plan in place. As soon as they begin selling; They have been working on moving forward with it.

County Administrator Massey suggested the money in escrow at the end of each year in the transportation budget can be used toward what Commissioner Griffin suggested. Staff will have to be retrained.

Chairman Hawkins commented Johnny Evans plans to downsize the road grader fleet and repurpose staff.

Jason Crenshaw asked if the board would like the contractor to be FDOT prequalified. It can be replaced with work experience.

The board agreed to leave FDOT prequalified in the bid.

County Administrator Massey informed the board discussion has been held but nothing has been planned.

Jason Crenshaw informed board the following is included in the bid:

- Construction will meet FDOT Specifications
- 3 Year Term with 2 one-year optional renewals as approved by the board.
- Price adjustment for fuel.

County Attorney Milton confirmed that the continuing services contract is for when the county needs a road resurfaced. Internally if the board chooses to do the work in-house that can be done.

Chairman Hawkins addressed Attorney Milton. The driving force for this was when the culverts had to be replaced and they stayed open for a period.

Commissioner Griffin commented that if the county had the personnel to do the patching, it could have been done in-house instead of being bid out.

- Mobilization and MOT – A minimum of \$15,000.00 per task work order or 15% of the total task order work amount.

Chairman Hawkins confirmed that the continuing services contract does not have to be used.

The Consent Agenda Item for this item is to complete the bid package and issue the bid for option 1.

VIII. COUNTY ADMINISTRATOR – Jeff Massey

- Property Insurance Renewal – An assessment of the structures listed on the insurance policy was done. The structures at the industrial park were removed. Property in the open for secondary structures will be insured under the original structure, which removes that premium. Pole barns without much value were removed.

There was an issue with the courthouse. They wanted to move insurance to replace the courthouse from \$8,000,000.00 to \$12,000,000.00. They have lowered it to \$9,000,000.00. For 2022 - 2023 the insurance premium is \$239,403.00. The proposal for the new year is \$218,804.00, however, the number is not final.

- Legendary Lawn Services Renewal – The contract has been active since May 2022, which includes another year's extension. The contractor is not requesting an increase. This contract was originally covered through land sale funds; however, this is not certain. From May to October that part could be covered by land sale funds until a funding source can be named for the new year.

Commissioner Bush expressed dismay about using land sale funds for items other than buying property.

Chairman Hawkins said the renewal can be listed on the consent agenda but in the meantime find a different funding source before the meeting.

Commissioner Bush addressed County Administrator Massey about the coverage amount for the courthouse expressing concern about being able to rebuild for \$9,000,000.00 if something were to occur to the courthouse.

Attorney Milton informed the board there is an underinsured premium in most policies. If a property is underinsured and there is a total loss, they will pay a part up to the full amount. For example, if it is insured for \$9,000,000.00 and it costs \$12,000,000.00 to replace, they would only pay 75% because that is what it was insured for.

Clerk Bell commented it was over \$9,000,000.00 when it was built.

Commissioner Bush suggested if it was at \$12,000,000.00 it should stay there. If the courthouse was a total loss, it would cost more than it was originally built for to rebuild.

County Administrator Massey responded he will check on the criteria and any penalties.

- Wildstar Consumer Price Index Increase – Keith Pegues addressed the board. The increase of 5.7% was due to the rising prices.

Commissioner Bush confirmed that Walton County received the same increase.

County Administrator Massey commented that an annual increase for CPI is in the contract. The contract has been in effect for three years and this is the first increase.

Keith Pegues said there are about 130 people on Wildstar. Advertising needs to be picked up. There are not any more people on the waiting list.

In response to Keith informing the board that he has not been able to contact anybody from the newspaper, Commissioner Corbin said that he can likely get the owner to call him.

Chairman Hawkins confirmed with staff that it is on the county website.

Commissioner Bush questioned the difference in consumer cost for Washington and Walton Counties.

Keith Pegues said the owner gave Walton County a cheaper rate than he should have. Nothing will be made from Walton County.

Commissioner Pettis confirmed with Keith Pegues that everyone on the waiting list where service is available is connected.

He suggested as a business, he would promote the service by any means.

County Administrator Massey addressed Keith Pegues. Phase 1 was going to be where all the towers on the south end of the county were up. The last of these was the deal with Bay County on their communication tower.

Keith Pegues responded Bay County, Ebro, and Robinson (found behind Campbell Park).

County Administrator Massey commented that it was his understanding that the phase was from Sunny Hills up to Chipley, Caryville, and to Ebro. That altered some due unexpected things. The connection between Wausau and Chipley needs to be done.

Commissioner Griffin asked when the project is due to be completed.

Commissioner Corbin responded grant money has been applied for that was challenged.

County Administrator Massey informed the board everything is fine with the challenge. Now he is waiting for the Department of Economic Opportunity to make contact about the \$2,400,000.00 that was applied for.

Commissioner Pettis asked if the rest of the buildout is contingent on this money. What is the status of obtaining the collocations?

County Administrator Massey replied no in reference to the rest of the buildout.

Keith Pegues responded they are coming along fine. The collocations can be done in two  
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days. The series to get the links done to get the path to the tower is what takes so long. Whitehead tower must be built. There is a tower that must be built in Walton to get to Depri. Depri must be built to get to Contini.

Chairman Hawkins confirmed the Depri tower is 120-days out.

Keith Pegues updated the board. Whitehead will be poured this week and will be built within 2 weeks of that. After that a tower must be built in Walton County and Depri will follow.

- Ag Center Entryway – Grant money was approved for the ag center entryway. One bid was received for the project. Approval is requested to reject the bid and readvertise.

This item will be listed on the consent agenda.

IX. COUNTY ATTORNEY – Attorney Milton addressed the board.

- Fire Department Inter-Local Agreement – This is for the municipality owned departments. A draft inter-local agreement between the county and those municipalities, which discusses funding, and their obligation to respond/aid the county with its fire services. Board approval is needed to present the proposed inter-local agreement to the municipalities. Each one must approve it before it comes back to the board.

If there is a change made to one, it should be made to all.

Approval to move forward with presenting the inter-local agreement to the municipalities will be listed on the consent agenda.

- Nadia Lane Option to Purchase – There is an option to purchase this property from PAEC. The survey and the title work are complete. A resolution has been prepared to authorize the chairman to sign closing documents and move forward with authorizing the clerk to use funds to buy the property. The original option agreement was done in 2019.

The resolution will be listed on the consent agenda.

- Wayside Park – After the special meeting last week, he met with the county planner about a question that had come up.

In 2011, there was a lawsuit by the City of Vernon against the individual property owner. The individual property owner was making people leave the park/boat ramp and/or telling the City of Vernon they were not allowed on the property. The City of Vernon filed a lawsuit to enjoin that individual from interfering with their rights to a square area that is 200 x 200 along the highway. The City of Vernon won the lawsuit; therefore, the court entered an injunction.

Following this, the landowner filed a lawsuit against the county and the City of Vernon for

not only the 200 x 200 area but also in reference to the boat ramp area. The county filed a Motion for Summary Judgement, and the court entered that Motion for Summary Judgement quieting title to the boat ramp; it is not just an easement. It was a quiet title in favor of the county.

The daughter of the former litigant is proposing to sell the property. The proposed buyer was asking about the uses of the property.

Property Appraiser Carter's map shows that the property is in the individual's name and does not reflect the 2014 court ruling. It is suggested to the board to authorize himself to prepare a letter to the property appraiser that says please update your maps based upon the 2014 Final Judgement. The copy of the final judgements includes a survey in the court file.

In addition, a notice should be recorded, to make it easier to find.

The final judgement refers to Wayside Park in parenthesis as defined in the Motion for Summary Judgement, which the map is attached to.

Commissioner Bush asked if there is anything in the Summary Judgement that shows an easement through the 200 x 200 for them to have access or to make it clean with the new owner can the board stop the access of driving through the county property, and they access their property from the DOT right-of-way.

County Attorney Milton addressed the board. The map that is approved as an exhibit shows the 200 x 200 area. There is a road that comes in from the side to the east of there, that comes down and goes down into the boat ramp.

There are two different parcels reflected on that survey and on that map. There is the City of Vernon parcel, which is the 200 x 200 area that they have a deed to from DOT. There is a road that comes in. Based on the lawsuit, county funds were used to improve the roadway, to build the boat ramp, and maintain the boat ramp. That was the basis of the counties claim. It was a common law dedication type claim. The public has used the boat ramp for a specific period; therefore, the county owns it. The court agreed with the county and adopted that map/survey as being the area considered Wayside Park. The map itself reflects what is defined as Wayside Park.

Can they be stopped from using the roadway to access their probably? Probably so, but a fence would have to be put up that would block them from making a through road.

There is a strip east of where other adjoining property owners come from the highway and down before the boat ramp, they go to the east and access their property.

In response to Commissioner Bush's question, County Attorney Milton responded that he is uncertain which side he is referring to.

Commissioner Bush responded that he is referring to the side where they come through the  
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county's property to access the property that is understood has been sold or is being sold. The county has allowed them access through their property throughout the years, even though it caused issues.

County Attorney Milton informed the board the map showed a wooden fence. It is uncertain whether the wood fence is still there. A couple of years ago this issue came up when the property owner's attorney sent a letter. They did not disagree with the Final Judgment. They disagreed with the location of where the fence was. Per the letter, the fence is no longer there.

If the board decides to put up a new fence, a new survey should be done that follows the map done in 2012. Monuments should be set from that and then a fence can be put up. That will stop them from going through the property, for which the board has the right.

County Administrator Massey confirmed that the county owns the boat ramp.

Commissioner Bush commented that due to parking issues, more land was cleared out to expand the parking and some of the dilapidated structures were removed. If there is a new owner, now is the time to end all that and start fresh.

County Attorney Milton responded that he is not aware there is a new owner yet. There were questions about allowable uses, special exceptions; different issues the planner was trying to address.

The issue was brought to him from the planner.

Board approval is requested to go ahead with a letter to the property appraiser's office to update his map based on the final judgement and to record the notice, so it can be found more easily.

The request above will be listed on the consent agenda.

X. ADJOURN