

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

April 24, 2023, 9:00 a.m., Commission Board Room

1331 South Blvd., Chipley, FL 32428

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

I. PROCLAMATION

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

Present – Commissioners 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

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

- III. NON-AGENDA AUDIENCE – The board allows (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 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 Clerk who shall supply 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 shall be given priority and those who have not signed up may be allowed to speak at the sole discretion of the Board Chair. Please be respectful, and not accuse. It is not a question-and-answer session.

Benita Crittendon addressed the board for clarification. If the county obtains the lots today, is there procedure to go out for those who would like to offer a bid if they are for sale. Is the hold on the sale of county property still in effect?

County Administrator Massey responded that it is still in place.

Benita Crittendon asked if the county does not obtain the properties in the vote today, what is the process for the properties?

County Attorney Milton responded. The meeting today is not actually acquiring the properties. It is a step in that process.

If the property is valued at \$5,000.00 or more the county must move forward with applying for a tax

deed. The properties on the list are tax certificates that have been issued to the county because a third party did not bid on those certificates when it was sold on June 1 of a particular year. If the underlying property is valued under \$5,000.00 the statute says the county may move forward. Historically the county has not moved forward with applying for all the tax deeds for properties under a certain value, due to the cost associated with that. The certificates stand for taxes that someone did not pay, and some third party did not buy certificates, therefore it has been issued to the county. When the county moves forward, it is no different than a third party applying for a tax deed. Some of the fees attached include publication cost, service of process, clerk fees, advertising cost, etc. Once the process is over, the tax deed does get issued to the county, but it goes on the lands available for taxes after a certain period. It is not immediate.

Benita Crittendon asked if most of the list was Sunny Hills properties.

County Administrator Massey responded they are spread.

Benita Crittendon addressed County Attorney Milton about an article that she read about a Sunny Hills case around 2019 -2020 where Attorney Milton was the legal representation for Deltona.

County Attorney Milton responded that was about a foreclosure and bankruptcy case. Fuqua & Milton no longer has a continuing relationship with Deltona.

IV. AGENDA ITEMS

1. Discussion and Request for Approval for Tax Certificates – Jeff Massey, County Administrator informed the board they have been provided with lists for the following: \$5,000.00 and above, \$1,800.00, and above, and \$3,500.00 and above.

Chairman Hawkins addressed the board about his recent discussion with the clerk and tax collector. The monies that the tax collector receives through this process will remain within his office to offset added work done by staff. The only funds that will leave the clerk's office are for advertising fees.

Clerk Bell addressed the board. There is a \$60.00 per case processing fee, and the cost to notify adjacent property owners by certified mail. The cost depends on how many adjacent property owners must be notified. The \$60.00 processing fee stays within the office.

Chairman Hawkins confirmed with Clerk Bell that the set fee for advertising is \$245.00. Would \$300.00 per lot be a close estimate for advertising and certified letters?

Clerk Bell commented that would be close, which is the reason for the variance listed on the documents provided to the board. Each case is different.

County Attorney Milton informed the board the tax collectors office contracts with a company to do title searches. The title search is given to the clerk, which helps with notifications.

Chairman Hawkins commented per statute, Clerk Bell cannot keep revenue that exceeds her budget. Anything above that must be returned to the board. This is the same situation with the tax collector.

County Attorney Milton addressed the board. At the auction, a third party can buy the property. The starting bid is composed of the cost, taxes, and interest. It would not be any different from any third-party tax deed sale. There is a chance, that a neighboring property owner will buy certain property, which would mean no cost to the county. This scenario would mean the county would receive that revenue. That is the reason for this. After the statutory period runs for holding it, the county has the choice to use the property for county purposes.

Chairman Hawkins confirmed with County Attorney Milton that the properties can be used faster for county purposes versus selling them.

County Administrator Massey confirmed the expense does not occur at once. The payout occurs when the clerk invoices for the process.

Clerk Bell commented that the clerk's office cannot oversee them all at once based on staff and the scheduling process.

Chairman Hawkins confirmed the properties have been on the list since 2016.

County Attorney Milton responded that they would roll off after seven years. As he understands it, the list is one year of tax certificates that have remained outstanding.

Chairman Hawkins addressed the board. The worst-case scenario is Clerk Bell's fees of \$304,000.00 over the next 12 – 18 months. That would be with the board selecting to buy the properties valued at \$1,800.00 +. Mr. Naker, Tax Collector's fees would be \$204,000.00.

Averaging the lots at \$2,500.00 for List C, the cost is \$2,540,000.00 of potential ad valorem revenue versus an expenditure of \$508,000.00 over the next 18 months. This is with holding the lots for 3-years.

Attorney Milton informed the board List A is mandatory. The board must decide on Lists B, C, and D.

Commissioner Corbin expressed concern about the properties not being bought before this point.

County Attorney Milton addressed the board. The county does not have to pay the back taxes, however, a third-party does.

Last year the board moved forward with lots in Sunny Hills and getting tax deeds for those. What is the status of those?

Chairman Hawkins responded that he is not sure of the status.

Clerk Bell responded that she would have to research it.

County Attorney Milton responded that he was trying to decide if there was an overlap between the Summary of Minutes Prepared by Risha Brantley

two lists.

Clerk Bell confirmed with the board that Ken Naker, Tax Collector does contract the title searches.

County Attorney Milton responded that the title search fee is included in the \$200.00 fee provided.

Discussion was held.

Commissioner Pettis supplied the following figures by using the average of \$650.00.

List A - \$51,000.00, List D - \$17,850.00 - \$68,850.00

Commissioner Corbin asked if they must sell?

County Attorney Milton addressed the board. The opening bid is set by statute, which is the fee, outstanding taxes, and interest. Once it is beyond the holding period time, it is more flexible unlike the statutory holding time. Any fees in excess goes to the registered owner of the property.

Commissioner Corbin questioned the scenario of leaving it like it is.

County Attorney Milton responded. The first auction is the sale of the deed. Beyond that, the county holds it, and it is available for payment of taxes. Everything associated with the parcel, that the county has incurred has to be paid.

Chairman Hawkins confirmed that when the county owns it and sells it for \$45,000.00, the county keeps that revenue.

County Attorney Milton confirmed that is correct.

The ones on the list that County Administrator Massey brings before the board for sale, are properties that are beyond the holding period. The county receives that revenue.

The process gives the property owner more time to reacquire their property if they choose to.

Chairman Hawkins asked if it was correct that a purchaser cannot build on property if it was bought as a tax certificate.

County Attorney Milton commented that it depends on what they do. A quiet title can be filed, or it can be held for 3-years, which is not the marketable time.

Chairman Hawkins questioned if the board held it for 3-years, once it is issued for land sales, is it buildable?

County Attorney Milton responded. The board's policy says that if the board sales it, it is sold as is.

Commissioner Pettis questioned if the payment would come from the land sales revenue.

Clerk Bell responded that is the board's direction.

Chairman Hawkins commented that it should come from land sales.

Commissioner Pettis offered a motion, seconded by Commissioner Corbin, and unanimously carried to move forward with the properties on List A and D.

Note – List A has sixty parcels and List D has twenty-one.

Benita Crittendon asked County Administrator Massey if he expects the hold on county property selling county owned property to be lifted soon.

County Administrator Massey responded, yes. The property inventory has been gone over. They are also working on a Hometown Hero Housing project that could involve some of those properties.

The motion on the floor carried 4 – 0. Commissioner Bush was not in attendance.

V. ADJOURN – Commissioner Corbin offered a motion to adjourn.