

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

May 11, 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 – Jeff Massey
- C. Pledge

Present – Commissioners Bush, Pettis, Hawkins, Griffin, and Corbin. Also in attendance were County Attorney Fuqua and Milton, PA, Finance Director, Johnnie Pettis, County Administrator Jeff Massey, and Deputy Clerk Risha Brantley.

II. AGENDA ADDITIONS

US Water – County Administrator Massey

III. AGENDA ITEMS

1. Recognition of Sure Shots 4-H State Winners and Teams – Nick Dillard on behalf of Julie Pigott Dillard – March 25 Tournament

Senior Group

- Skeet – Kast Dillard, 6th, Westyn Haddock 8th, and Izabel Henderson, 4th
- Trap – Kast Dillard, 8th, and Izabel Henderson, 4th
- Sporting Clays – Drew Fleener, 7th, and Izabel Henderson, 1st (out of 50 targets, she hit 49)
- High Overall – Drew Fleener, 4th, and Izabel Henderson, 3rd

Izabel Henderson will be the representative at the national event in Nebraska.

Intermediate Group

- Skeet – Sam Alsop, 9th, Seth Strickland, 7th, and Hunter Whittal, 4th
- Trap – Jake Jenkins, 8th, Will Barber, 8th, Hunter Whittal, 7th, and Seth Strickland, 2nd
- Sporting Clays – Sam Aase, 9th, Will Barber, 5th, and Hunter Whittal, 1st
- High Overall – Will Barber, 9th, Seth Strickland, 6th, and Hunter Whittal, 4th

The senior team was second in the state and the intermediate team was first in the state.

SETP Rookie Division

- Jaxon Fussel – 1st in Skeet, 3rd in Trap, and 3rd in Sporting
- Easton Odom – 2nd in Skeet, and 8th in Sporting
- AJ Strickland – 9th in Trap
- Will Barber – 7th in Trap
- Jason Strickland – 2nd Skeet
- Westyn Haddock – 10th in Sporting

Jaxon, Easton, and AJ were 1st in Skeet and 2nd in Sporting.

2. Discussion of Planning Department Fee Schedule – Dawn McDonald, Senior Planner informed the board the last fee schedule for the Planning Department was updated in 2016. The department recommends an update to the fee schedule. There are applications now for things that are reviewed that are not included in the fee schedule. The fees do not account for inflation and are low compared to other counties. A change to the code at the planning commission's level has been discussed to increase the public notice letter notification to property owners from 500 feet to 1,500 feet. That will increase mailing costs, and the cost of mail has increased. Notices for commercial projects will also be suggested to change. More citizens want to be involved and surprises are not pleasant.

The process is driven by public noticing. The deadline is the first Monday. By Friday, the advertisements must be in the newspaper for the neighborhood meetings. Delays have been caused due to payment not being received. There have been times the application fee was paid but the public noticing fee had to be invoiced.

The fees for future land use, and the larger cases, such as the special exceptions, and minor and major developments fees should include the public notice, which would make it one fee. The small-scale notice fee is around \$300.00 - \$350.00. It is required by state law and county code.

Chairman Hawkins asked if the attorney has reviewed the draft fees. Is it amicable to the surrounding counties' rates? Has Emerald Coast Regional Council been involved? Would it cover costs and support the planning office?

Dawn McDonald responded no, but they can present it to them. The draft has been shared with the planning commission for their input, which is supportive of the increases.

Attorney Fuqua informed the board that Calhoun County is looking at the same issue and the proposed fees are lower than what Calhoun County is proposing.

Chairman Hawkins commented that he does not want to approve something that is not adequate to support the department.

Dawn McDonald informed the board that she needs input from the engineers about the actual cost. The only consultant reviews are from the county engineer for the flood plain reviews for the elevation certificate and development reviews.

Commissioner Bush addressed Dawn about the minor and major reviews. The consultant's cost is more than what is proposed.

Dawn McDonald responded that one needs an update. If the consultant is limited to a few items, it is not going to be to that extent. A minor development review is not to the extent of a major development review. The project is a factor.

Chairman Hawkins clarified the request. The proposed fee for a minor development review is \$1,000.00. Are there any added fees that go into that for a minor development review, or is it all-inclusive?

Dawn McDonald responded that she could investigate that and come back before the board.

Chairman Hawkins expressed concern about the proposed fees being lower than the actual cost. Growth should pay for growth.

Commissioner Griffin questioned who the consultants are.

Dawn McDonald responded it is Dewberry, the county engineer.

The fee for the elevation certificate in the fee schedule is \$50.00.

Commissioner Pettis addressed Dawn McDonald about the possible notification increase from 500 feet to 1,500 feet. Do the prices include the increased cost of mailings?

Dawn McDonald responded that would be covered in the larger cases. It has not been decided about the small-scale. Certified return receipt letters that are sent are around \$8.00. The increase in the distance notification will increase the cost. There has been an increase in small-scale residential.

Commissioner Pettis clarified his request. Is it correct that the invoice from the mailings is separate from the actual application fees?

Dawn McDonald responded that is correct. Some applicants make one payment.

Chairman Hawkins asked if the customer pays the added fee for mailings or is it absorbed internally?

Dawn McDonald pay the fees separately helps the customers. In the current fee schedule, the small-scale amendment is \$250.00. The payment is used to cover costs associated with the application process. If expenses exceed the fee the applicant is invoiced. The fee for public noticing is not in the fee schedule.

Commissioner Bush questioned the change in notification distance.

Dawn McDonald responded this was included because it has been a theme lately. There have been more commercial developments near residential areas, and they want to be notified. Sometimes areas that would be affected were not within the 500 feet distance notification.

Chairman Hawkins commented the following person that will speak is John Gay, Planning Commission Chairman.

John Gay, Planning and Zoning Commission Chairman informed the board he would like the notification distance increased to meet meeting participants saying they were not notified. The cost for the distance increase notification is covered by the applicant.

County Attorney Fuqua addressed the board. The distance notification increase would be applied to anything that requires notification. There are some things that public notice is not needed for.

Chairman Hawkins confirmed that any changes will be included in the resolution.

Dawn McDonald included that it will be text changes to the code.

This item will be listed on the next workshop agenda.

3. Request to Renew Small Quality Hazardous Waste Generator's Assessment (SQG) Contract pursuant to Florida Statute, each county in the state is required to conduct a small county generator assessment notification and have a verification program. Staff recommends board approval to renew the contract with the Emerald Coast Planning Council to perform the assessment, which includes surveying at least 20% of the identified generators in Washington County. The agreement is for \$4,000.00, and there are no changes from last year. This item is requested to be listed on the consent agenda.

The board has been supplied last year's report, which found sixty-nine potential SQG businesses in Washington County as of June 30, 2022

This item will be listed on the consent agenda.

4. Renew SHIP Agreement – Samantha Arroyo, Grants/Procurement Specialist addressed the board. The staff recommends placing on the consent agenda renewal of the SHIP contract with Emerald Coast Planning Council to administer the Washington County SHIP Program. All funds for this agreement are state funds given to the county each year from Florida Housing. There are no changes to the contract from last year. The county staff is pleased with the performance of the ECRC staff.

This item will be listed on the consent agenda.

5. Discussion Regarding the Renewal of Hickory Properties, LLC Feeding Contract – Lynne Abel, Public Safety Director addressed the board. Washington County and Hickory Properties have had an active agreement since July 30, 2020. The original contract includes two one-year extensions. This would be the first extension.

Commissioner Griffin asked who owns the company.

Lynne Abel responded during Hurricane Michael and Sally from the EOC, while responding they were trying to feed as well as cleaning the items used to prepare food while responding and recovering. Many of the counties in the state have feeding contracts. This was one of two individuals that responded to the RFP. Several were contacted, but only two responded with proposals.

The county used Dickey's in Marianna. They supplied meals for staff, public works, and administration during long work hours.

Commissioner Griffin asked who owns Dickey's Barbecue.

Lynne Abel responded that she was unsure.

In response to the question, Wendy White replied it is Sara Maddox.

Lynne Abel addressed the board. The service would typically be used when EOC has been activated. During activations, community and state partners work around the clock. The feeding contract would be activated during this time. It was used during COVID when many restaurants were down, and staff quarantined. It was also used during points of distribution when shots were being administered. Food was brought in for the workers.

Commissioner Griffin commented, so no local restaurants.

Commissioner Pettis commented that there was one from Washington County and Dickey's.

Lynne Abel confirmed that Deb's Food Shack sent a bid but was more expensive than Dickey's.

Different restaurants in Washington County were contacted by phone to see if they were interested in sending a proposal.

Commissioner Griffin requested the services be put back out for bid to give local companies a chance.

Commissioner Pettis commented that is the way he feels. The local people may not be interested again but he would like them to have a chance.

Chairman Hawkins asked Attorney Fuqua if the services should be bid for a three-year contract.

County Attorney Fuqua agreed.

Approval to readvertise an RFP for feeding services will be listed on the consent agenda.

County Attorney Fuqua said the same RFP can be used, except for statutory changes.

Commissioner Bush commented that the only change will likely be a price increase.

Lynne Abel informed the board an extension with the current provider did not include an increase.

County Attorney Fuqua confirmed that the cost is reimbursable.

Chairman Hawkins responded yes.

Wendy White informed the board the advertisement period is for thirty days.

Chairman Hawkins commented that a special meeting can be called if needed. The other contract ends on July 30. There should not be a period when they do not have an active contract.

Lynne Abel informed the board hurricane season begins July 1.

6. Discussion Regarding the Renewal of Wheeler EMC Contract – Lynne Abel, Public Safety addressed the board. This item is a request for an extension of the emergency management services. Washington County and Wheeler Emergency Management Consulting entered the contract on June 1, 2020, for emergency contract services. The term of the agreement was three years. The agreement included an extension of the two added twelve-month period. Board approval is requested to extend the contract.

Commissioner Griffin responded that he would like to rebid the services. Who owns Wheeler EMC?

Chairman Hawkins responded that he assumes that it is Ben Maddox.

Commissioner Griffin asked if that was Sara Maddox's husband.

Chairman Hawkins responded not that he knows of.

Attorney Fuqua asked if she is Ben's sister-in-law.

Commissioner Pettis commented yes.

Chairman Hawkins commented that is not relevant to this contract.

Commissioner Griffin commented he would like to rebid the contract.

Commissioner Bush commented that he does not want to rebid it.

Chairman Hawkins commented he does not see how that can be done with everything that is going on.

It is up to the board.

Attorney Fuqua suggested listing this as an agenda item.

Commissioner Corbin asked Lynne Abel her thoughts.

Lynne Abel responded and gave her opinion. Currently, there are three ongoing recovery efforts in the county. The county is still recovering from Hurricane Michael in 2018. \$178,000,000.00 + is obligated. Two years after Hurricane Michael, which was different from anything anyone had experienced, federal funding was allotted for that, and a public aid grant was received for that. At the beginning of that Hurricane Sally hit, which was an extremely significant flooding event. Public aid was also received for that. So many of the requirements changed when Hurricane Sally occurred, and they were still struggling from Hurricane Michael. Hurricane Sally came with new mandates. The Wheeler team helped Washington County with addressing those mandates and getting the required documentation to be considered for aid. The roads had to be driven and videoed to show that there had been some progress made within the county on the Hurricane Michael disaster but there was still pending work to be done. The county was required to separate

the damage that was done by each storm. It was tedious and task oriented. There were several sides to the event, including COVID, that had not been faced by staff before.

To try to separate those three events and bring someone new on for that task is practically impossible. To try to get a new company to follow behind the work that has been done would possibly cost Washington County millions.

This item will be listed on the regular agenda.

Commissioner Pettis addressed Lynne Abel about the comment of lost money. Is that in grant funding or money that the county would have to come up with?

Lynne Abel responded that it would likely cost funding that has been issued, which would have to be repaid in her opinion. This would be due to deadlines, reporting, and things such as that. There was money given in advance. Due to money that is tied up already in work being done, if the county jeopardizes those projects being completed within the timelines and requirements it is very possible, they could be unfunded. Money received would have to be returned.

Commissioner Griffin asked what projects she is speaking of.

Lynne Abel commented that she does not have specifics, however, it would include road projects that are underway.

Commissioner Griffin commented extensions are being issued at every board meeting for road projects.

Chairman Hawkins commented that is not an extension to FEMA. That is an extension to the contractor.

Lynne Abel commented that it is the federal reporting, and deadlines for closings, finishing projects, etc.

To end the contract on June 1 and advertise and bring someone in or whatever the board chooses to do, the gap in time would create issues for the county as well as the catch-up time learning where things are.

Chairman Hawkins addressed finance about their thoughts. Does finance receive the needed correspondence from Wheeler Emergency Management as far as accountability, and the money coming in? Is there good communication?

Deputy Clerk Brantley and Finance Director Pettis responded yes.

Deputy Clerk Brantley commented that Wheeler Emergency Management had to work directly with the auditors in the past couple of years. They have been very helpful with that.

Commissioner Corbin asked finance if they knew what it may cost the county. The reimbursement process requires the check to clear before reimbursement can be issued. What could occur with a

new company?

Deputy Clerk Brantley responded that it may cause a delay in the reimbursement process. As Lynne mentioned, a new contractor would have to come in and catch up, it may cause those funds to be delayed.

Chairman Hawkins commented a delay in that amount of funds would use a \$6,000,000.00 line of credit quickly.

Finance Director Pettis commented that the line of credit would have to be used. \$6,000,000.00 may last a month.

This item will be listed on the regular agenda.

7. Appointment to Value Adjustment Board Chairman and Vice-Chairman – Tray Hawkins, Chairman

Commissioner Corbin asked about the process.

County Attorney Fuqua responded that if a citizen challenges their tax assessment, the VAB hears the petition as a judge.

Chairman Hawkins commented Derrick Bennett is the VAB attorney. Both sides present evidence to the board and the board makes a ruling. The board is made up of a citizen at large, a school board member, two commissioners, and a business owner.

Attorney Fuqua addressed the board. The attorney must be someone that does not represent any local government.

Chairman Hawkins and Commissioner Corbin will be listed on the consent agenda as the VAB board appointments.

Chairman Hawkins called a recess from 9:58 a.m. – 10:04 a.m.

IV. BROADBAND UPDATE – Keith Pegues updated the board. Around 130+ customers have signed up. An advertisement is being composed to publish in the newspaper. Ebro is next to the last for Phase I in Washington County. Phase II is almost complete, except for Contini and Dupree towers. Phase III, Chipley is up. Chipley was needed to get the signal down south. Chipley is hooked up and waiting to get a signal to it. Whitehead is being built, the foundation has been put down, and it will be wired in the next week or so. Phase III will be simple once it is started. It includes Gainey and one other to build there. Everything else is collocated. Orange Hill continues to be pushed down the priority ladder. They are the two least spots that are needed currently. Phase I must be completed.

County Administrator Massey addressed the board. The original design was set up in three phases. The southeast part of the county was the starting point because it was identified as an area of growth. As the deliverables for the \$1.5 million infrastructure grant, those three phases must be

completed to satisfy the grant. As a part of that, twenty homes must be shown in each phase and a list must be provided to the state that includes names, and the bandwidths they are receiving. February 24 is the deadline to complete the original grant with the \$1.5 million infrastructure grant. The original date was February 2023, but DEO extended it due to COVID.

During a meeting with Chris Josey and Greg Wiler they were advised of the timeline for the deliverables. The biggest problem now is some people are unaware of the towers that service them. During the call, it was requested to have something specific to Washington County from Wildstar to put on the county's webpage.

Commissioner Corbin suggested that a map needs to be included that shows availability areas.

County Administrator Massey informed the board that the largest group that is signing up is on the Quail Hollow tower. The service works great.

A second batch of money for \$2 million + was applied for. The plan for these funds is to address weak areas. DEO has the money for Washington County to access but they directed to finish the first grant of deliverables to prevent grants from crossing over. Once this is complete, every resident will have access to broadband.

The governor has not given Holmes County money for broadband. It is the contractors who are running fiber, which will be targeting the heaviest populated areas. Washington County did not choose that route.

Chairman Hawkins requested a better marketing campaign.

V. FEMA COORDINATOR – Kevan Parker updated the board.

- Hurricane Michael - \$64,746,000.00 has been spent. \$63,806,000.00 has been approved and \$940,000.00 is out for validation.
- Worley Road – The project is out for bid. It will come in on May 31.
Chairman Hawkins included that FEMA would decide on the project once the bids are received.
- Williams Road Bridge – Bids were received for the project eight months ago. There was \$1 million between the low bidder and second place. The state has been asked if the contract the county has can be negotiated to add money for inflation that has occurred since the bid. The bid tabs will be sent to them.
- HMGP – New Grants for Hurricane Ian – Due to so many being affected, the whole state was declared eligible in Tier I. The distribution amount of \$1.7 million was decided by population. The funding is for Washington County and its municipalities. The City of Chipley plans to pursue generators for the city hall. The City of Vernon has sewer and water issues they would like to address. Wausau has some road evacuation routes they want. The deadline to send the tentative project is August. It is a 75/25 cost share.
- West Drainage Easement – After receiving the drainage easement last night, it was sent to the property owner. Since then, it has been sent to the county attorney. Once it is approved a closing will be scheduled at the county annex.
- Road Bid – The next road bid will be issued in June instead of May.

- Road Paving Project – 35 roads have been paved. 75+/- is under contract. An average of ten roads are being worked on daily.

The board was shown a slideshow of some of the roads that have been paved in the county. The roads displayed were Earl Gilbert Road, Peel Road, Cane Mill, Tiller, Alabama, Bill, and Hagan Road. Hagan was the first road done fourteen feet wide due to right of way and constraints. It was done with the intent of providing room on the grass to pull off when cars met. There has been no damage to the road with this scenario.

Commissioner Bush suggested when the county transitions to a road crew maintaining the paved road, something will be needed to address the shoulders. With some of the soil washing away there is sporadic grass on the shoulders. There needs to be a way to come back and put dirt on the shoulders. They also need to be fertilized.

Chairman Hawkins confirmed with Johnny Evans that public works has an attachment that attaches to the front of a skid-steer, which was used on Moss Hill Road.

Commissioner Griffin commented that many roads within the county need that done.

Kevan Parker continued displaying roads, which included Pine Log Road, which is the first one that C.W. Roberts did in-house. There are some areas where the asphalt will be overrun and put down toward the ditches to address some areas that were affected by recent rain.

Pine Ridge Drive, which was flooded during Hurricane Michael, was paved last Thursday. Once dressing up is done the project will be complete.

Roland Road has been rocked. Suggs Road, New Jerusalem Road, Ebenezer Road, Hicks Lake Lane, Pipkin Road, Cooks Mill, and Loubelia Lane were displayed.

There has been a paving crew every day for the last week on a project.

VI. PUBLIC WORKS DIRECTOR – Johnny Evans updated the board.

- Road Striping Recommendations – Danny Jackson is continuing to work on this item.

Commissioner Bush said that the condition of Creek Road is deteriorating. West of Chester Road should be submitted as a SCOP project in the future.

Commissioner Pettis informed the board that he received a call about striping being needed from Spirit Filled Church to Vernon on Pate Pond Road, which is in District 1.

Johnny Evans informed the board that Danny Jackson has included the section from Mary Jane's store into Caryville.

VII. MSBU ADVISORY COMMITTEE CHAIRMAN – Jeff Massey addressed the board.

- MSBU Committee Members Renewal: MSBU 3 – Kathy Gesslein, 4 – Bettylee Weekley,

and 5- 2-Year Renewal Period – The renewals will be listed on the consent agenda. Districts 1 and 2 will be addressed in 2024.

- Change Order 1 Sunny Hills Road Project – Additional 1,000 feet on Borehamwood Drive and a turnoff to Florence Court. The MSBU Coordinator has met with the contractor and MSBU has funds to support the change order.

Chairman Hawkins confirmed the change order was okay with County Attorney Fuqua.

This item will be listed on the consent agenda.

VIII. ENGINEERING PROJECTS UPDATE

- Alternative Road Materials for Projects 2021-09 – Donald Stanley, HMB presented a request from C.W. Roberts for the 2021 – 09 project, which includes Ebenezer Road. A part of the road was extended significantly. The other roads in the project are complete. The contractor requested final acceptance of those projects that were in the original bid. This would allow them to stop the maintenance on the roads.

Chairman Hawkins recommended that Donald Stanley work with Johnny Evans and bring a recommendation before the board next week.

IX. COUNTY ADMINISTRATOR – Jeff Massey addressed the board.

- Clarification on Insurance for Courthouse – Jane Dellwo addressed the board. Part of the new contract with Florida Municipal Insurance Trust is the county is not allowed to underinsure properties. The courthouse was originally insured for just over \$12 million. The premium amount for the structure was alarming. Finance supplied the cost of the original structure, and they were able to reduce the replacement value based on the documentation provided. The building is fully insured for full replacement cost.

The premium last year was just over \$200,000.00 for all county properties. Things such as demolition and self-insurance allowed the premium to be lowered to just over \$200,000.00. The first proposal almost doubled the current amount.

- US Water – County Administrator Massey requested board direction on US Water proposal. They along with David Melvin are ready to go ahead. Zone II would be done first, which is just over \$5 million. The funds are at the state. According to David Melvin the request would be reasonable and thinks the county be approved for it. That would put the water and sewer on Highway 77 and open it up for businesses. Zone II will be for the Sunny Hills fountain entrance and go back that way and extend water and sewer in that area. Zone I would be next with different grant funds. It will be around the Elkcam area. Water and sewers will be brought in and upgraded commercial lines.

County Attorney Milton addressed the board. There are preliminary items that would have to be agreed upon with US Water. The county would be essentially tying into their system. There is a part of the system that is in place, they mentioned donating that portion to the

county, which would allow the county to apply for grant funds.

Chairman Hawkins confirmed that a small part going out to Highway 77, which has five to six customers is what would be donated to the county.

County Attorney Milton continued. It would need to be rebuilt because it is thirty to forty years old.

Chairman Hawkins added that would come into the ownership of the county's water system. Would the bulk service agreement be discussed after the determination of the funds?

County Attorney Milton responded that it could be done either way. When you do not own the treatment facility, you're at their mercy to an extent. A long-term agreement can be entered into about how it will run.

Chairman Hawkins expressed concern about the upfront cost and not being awarded the grant.

Attorney Milton responded they would normally submit the grant application, without a fee. If the grant is successful, the board would have to accept it and approve to go ahead with the bulk service agreement.

US Water cannot apply for the grant. It must be a county system to get the grant funding to construct the system along Highway 77.

Chairman Hawkins asked if it would have to remain under the county's ownership forever.

Attorney Fuqua told the board it needs to be figured out with David Melvin if the potential donated part would be large enough to qualify for the grant.

Chairman Hawkins told the board per a meeting with David Melvin, they would apply for the grant at their cost and if the grant is approved, their cost would be in the cost of 5%.

The commissioners agreed with obtaining the grant and going ahead from there.

Commissioner Bush expressed concern about why the county would want to get into the water business.

Chairman Hawkins responded they do not want to be in the water business but wanted to have water along the corridor of Highway 77.

Commissioner Bush addressed the board. The water would run from Elkcam to Shenandoah.

County Attorney Milton addressed the board. The benefit to US Water is they have more customers/more flow on their system. From the county's standpoint, it is for economic development. Most commercial developers want water and sewer before considering a site.

The few existing lines that the county would inherit would have to be replaced.

Commissioner Bush understood the information from the presentation regarding 7% of the billable amount being for maintaining the infrastructure.

County Attorney Milton responded that is on their side. The county would have a new system. The infrastructure there would be replaced by grant funds.

Chairman Hawkins said the demarcation point would be new lines for the grant.

County Attorney Milton told the board they would have to build the 7% in their rates.

Commissioner Bush confirmed they would have a wholesale rate from US Water.

Chairman Hawkins confirmed that is correct. They would administer it and be the bill collector.

County Attorney Milton suggested a service agreement would be needed. There would be a master meter at the demarcation point.

Commissioner Pettis commented that he does not want to be in the water service either. The lines on Highway 77 can be worked out. As a county commissioner, he understands the economic development part. From a personal perspective, there is a private company that is not regulated by the public service commission.

County Attorney Milton responded that they are a part of the public service commission, but the county is not.

Commissioner Pettis commented that Deltona will possibly benefit greatly from the services and market them. Do they have any stake in this?

Attorney Milton responded, to his knowledge they do not. This is strictly on Highway 77. What is done on the other side of the demarcation point is US Water.

Commissioner Pettis confirmed that what happens past the demarcation point has nothing to do with the county.

Attorney Milton responded that was correct. Per the presentation, US Water will guarantee the county a flow rate.

Proceeding with applying for the grant through David Melvin will be listed as a consent agenda item.

X. CLERK – None

XI. COUNTY ATTORNEY

- Fiscal Year 2024 MSBU Assessment Increase – Attorney Milton informed the board over the last two years a 5% increase has been applied. The process is adopting the MSBU rate

Summary of Minutes Prepared by Risha Brantley

resolution this month and passing the final rate resolution in June. There are no new parcels that have been added, as far as newly paved roads. If dirt roads are paved, then they become assessed parcels.

The ordinance originally passed allows for the increase without having to issue mailings. A notice will be posted in the newspaper. The public hearing will be held in June.

The MSBU preliminary rate resolution will be listed on the consent agenda.

- Release of Option Money for Jemmstone – Attorney Fuqua addressed the board. Some time back, Jemmstone wanted to acquire property for a facility. They did not get their license approved. The contract said if they did not renew within a certain period, the county would refund their deposit. They did everything according to the option agreement and have requested a refund and it should be returned.

Commissioner Corbin addressed County Attorney Fuqua. They were supposed to give \$25,000.00, \$15,000.00, and \$20,000.00. If they did not complete the project, the county was to keep the \$35,000.00.

County Attorney Fuqua responded, they never gave the other money. It is believed they requested an extension from the board. The only money they deposited was the amount they requested to be returned. They did not make it to the point of “we get to keep the money.”

Commissioner Corbin commented that should not have been done. He confirmed they gave \$25,000.00 one-time and they were given extensions. Per the contract, the county must give it back.

County Attorney Fuqua responded there are two contracts because one expired. They have been refunded money once.

Commissioner Hawkins responded that they asked for another extension.

County Attorney Fuqua informed the board the process ended based on them telling the company that the board would not likely approve an extension.

Commissioner Corbin confirmed that the company is not receiving anything above what they paid.

The release of funds to Jemmstone per the option agreement will be listed on the consent agenda.

XII. ADJOURN