

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

September 21, 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	Wesley Griffin	David

I. PROCLAMATION

- A. Call to Order – Chairman Hawkins
- B. Invocation – Danny Jackson
- C. Pledge

Agenda Addition – Construction Grant Resolution – Renae Rountree – 8 A
Project Graduation Use of Agriculture Center - 14

II. PUBLIC HEARING – NoneIII. ADOPT THE AGENDA – Commissioner Bush offered a motion, seconded by Commissioner Griffin, and unanimously carried to approve the agenda as amended.IV. ADOPT PREVIOUS MINUTES

- Workshop for August 10, 2023
- Board Meeting for August 17, 2023
- Special Board Meeting for August 28, 2023
- Special Board Meeting for August 31, 2023
- Workshop for August 31, 2023

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

V. NON-AGENDA AUDIENCE/PUBLIC PARTICIPATION - Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.”

- The Washington County Board of County Commissioners has expanded this provision to allow members of the community to speak on a topic which is not currently before the Board/Agenda. To do so the community members should, prior to the start of the meeting, sign the public participation form provided at the door of commission room, and shall state their name and the topic on which they wish to speak. During the Non-Agenda Audience portion of the meeting, the individual shall be given up to three (3) minutes to speak.
- Each individual shall have three (3) minutes to speak about a proposition before the Board. Prior to the time a meeting has been called to order, should an individual or group wish to address an item which is on the agenda for consideration, the individual or group shall obtain, from the Commission Secretary or Clerk, a public comment form and may write on the form their name and the agenda matter which they wish to address. The completed form(s) shall be returned to the Commission Secretary/Clerk, who shall provide the form(s) to the Chairperson. Should a particular group wish to address an item, they shall nominate a spokesperson to voice their ideas, comments, and concerns. In the event an individual wishes to speak on an item and has not signed up in advance, those who have signed shall be given priority.
- Any public comment before the board shall be directed to the Chairperson of the Board. It is not a question-and-answer period. Public comments concerning individual employees (other than those hired directly by the Board (County Administrator/County Attorney) shall not be entertained. Any comment, pro or con, regarding a county employee who does not report directly to the Board shall be addressed to the Human Relations Department or the County Administrator. Section V. was read by County Attorney Milton.

1. Mr. Blunt told the board the T.J. Roulhac Center received a grant for a building project found at 516 Pecan Street. They are a 501-C program and have come before the board to request a waiver for the cost of the building permit. The addition is approximately 2,400 square feet.

This item will be added to the agenda as item 15.

2. Benita Crittendon addressed the board. Over the last two months, she has sent emails to all the commissioners and three have been sent to Commissioner Hawkins during his tenure. She told the board that she received a return email that says her email address has been blocked by district3@washingtonfl.com, which needs to be fixed. It is a first amendment violation. The response was sent to all the commissioners.

Per members from the community, Commissioner Hawkins has said to different community members that the county is currently wrapping up a current ethics investigation about Commissioner Griffin. After contacting the Ethics Commission, she found there was no public record that a complaint had been made. They acknowledged that in the first complaint process, the first investigation is confidential and there is no reason a commissioner should be discussing that.

Benita Crittendon asked Attorney Milton if his firm felt like it was a conflict of interest and if the other commissioners were aware that their firm represents the owner of Wheeler EMC significantly in 20+ real estate deals since 2020 at the same time the firm is representing the Board of Commissioners. It seems that is a conflict considering that Wheeler EMC is now a target of a federal investigation as Attorney Fuqua announced at the meeting Monday.

Attorney Milton said they have not represented Mr. Maddox in any real estate transaction. They have handled real estate transactions but did not represent him.

Commissioner Corbin said that he checked with Jane or Wendy and that was not his email. He does not use the district email. His email is t...hawkins; Wendy white added that the email address is thawkins@washingtonfl.com.

Commissioner Hawkins asked if she had used the email address that was on the website. He said that he would not block anybody and apologized for any miscommunication.

Benita Crittendon said that she copied and pasted it from somewhere. She asked him if he used his personal email.

Commissioner Hawkins responded no.

Wendy White said the email address is thawkins@washingtonfl.com. It has since been changed to the district number, so that if there were a seat change, they would continue to receive emails at that same address.

Benita Crittendon asked if planned to switch over to district 3.

Commissioner Hawkins said that he is using whatever email address that was initially supplied for him.

Benita Crittendon said that needs to be corrected and whatever information is on the county website.

Commissioner Corbin said that he believes that it is correct on the county website.

3. Betsy Rattfield told the board that they have been trying to name a private driveway to Lewis Lane, after a Washington County Vietnam veteran. A man recently bought 12-acres there and has not been able to have an address issued to him because the E-911 office will not supply him one because there are more than three houses on the lane. This should not be a problem and have come to this point. They filed a petition which had three of the four signatures of residents that currently live there. An added signature was not able to be obtained.

Chairman Hawkins told her this item is listed on the agenda as item 7 and they will try to settle the issue today.

VI. CONSENT AGENDA

1. *Approval of Lease with Northwest Florida Community Hospital*
2. *Approval of Advertisement to WC Animal Control Ordinance (No. 2011-4)*
3. *Approval of Resignation of Bill Maphis, TDC Seat 7*
4. *Approval of Appointment of Carlie Gilbert, TDC Seat 9*
5. *Approval of Appointment of Ted Everett, TDC Seat 7*
6. *Approval of Reappointment of David Pettis, TDC Seat 1*
7. *Approval of Appointment of David Doherty, TDC Seat 4*
8. *Approval of Reappointment of Richard Kunde as Planning Commission District 2 Representative*
9. *Approval of Reappointment of John Gay as Planning Commission Member at Large*
10. *Approval to Rebid RFP for OST Printed Guide*
11. *Approval of Termination Resolution for Beautification Grants*
12. *Approval of FDOT Grant Agreement Approval for Dumajack Road*
13. *Approval of Dumajack Road Task Order for Engineering and Survey Services*
14. *Approval of Resilient Florida Grant Acceptance*
15. *Reallocation of FY-23 Budgeted Funds for MSBU for \$10,500*
16. *Approval of 2024 Planning Commission Schedule*
17. *Approval to Readvertise ITB 2023-15 Hardening of EMS Building*
18. *Approval to Readvertise RFP 2023-01 EOC Food and Catering Services During Emergencies*
19. *Approval of Task Work Order for (DHM) David H. Melvin Engineering to do Drainage/Site Improvement at Ag Center*
20. *Approval to Advertise for Flood Wall at Ag Center*
21. *Approval of Low Bidder, TCS Electrical Company, for ITB 2023-14 Installation of Generators at Five Critical Facilities*
22. *Approval of Wheeler EMC Task Orders for Fourth Quarter 2023*
23. *Approval to Give Administrator Authorization to Release Lease for Sunny Hills Fountain*
24. *Approval of Change Order No. 5 Final for ITB 2021-09*
25. *Approval of Change Order No. 5 Final for ITB 2021-11*
26. *Approval of Change Order No. 3 Final for ITB 2021-12*
27. *Approval of Change Order No. 1 Final for ITB 2022-24*
28. *Approval of Change Order No. 2 for ITB 2022-25*

29. *Approval of Change Order No. 6 Final for ITB 2021-08*
30. *Approval of ITB 2023-10 Rebid for Road Zone 4.3, Jewel Road, Kent Mill Pond Road, and Porter Pond Road to be awarded to Anderson Columbia Company, Inc.*
31. *Approval of ITB 2023-11 Rebid for Countywide Pavement Maintenance & Rehabilitation Continuing Services to be Awarded to American Sand & Asphalt Paving*
32. *Approval to Advertise for Concrete Drainage Features Continuing Service Contract*

Commissioner Bush offered a motion, second by Commissioner Corbin, and unanimously carried to approve the consent agenda.

VII. AGENDA ITEMS

1. Recognition of Danny Jackson for 30 Years of Service - The board recognized Danny Jackson for his years of service with the county, which began in 1993.
2. Request to Waive the 2-Year Period to Resubmit a Land Use Change Application for Property Located on Crystal Lake Drive - Doug Crook, Vice President for Panhandle Engineering addressed the board as a representative of an applicant whose land use application was recently denied. The applicant would like a fair chance at the process. The 2-year waiting period to apply for a land use change is not something either one of them were aware of until after the denial.

Commissioner Hawkins said that he was not aware of it.

County Attorney Milton said that he attended the most recent planning meeting where this topic was addressed. The request is to waive the 2-year restriction to apply.

John Gay, Washington County Planning and Zoning Chairman said that he was not aware of the 2-year waiting period along with other members on the planning board. The application was denied, and Mr. Crook reapplied and was told that about the 2-year waiting period.

During post denial discussions between him and the applicant, the applicant asked what he had done wrong. Mr. Gay supplied some suggestions, which included reducing the number of lots and to show houses. The applicant followed all the suggestions.

He suggested to the board to allow the applicant to reapply. The applicant understands that there is no guarantee of approval.

Commissioner Corbin offered a motion, seconded by Commissioner Bush to allow the application to go back before the planning commission, waiving the 2-year waiting period.

James Brooks asked if there is a developer in this. Is he named?

Doug Crook said the name is Nick Henderson.

Dick Alt said that ten people on two boards have gone through this and made decisions. The applicant did not show what he planned to do with the 38-acres. Crystal Lake does not need any more trailer parks. In the last year, the commission and planning board have taken steps to do things the correct way and this does not need to be messed up. If the 2-year waiting period is waived, where does it start?

Commissioner Hawkins said at the beginning. If approved, it would allow him to go back through the planning commission process. It would be at least 60 days before it would end up back on the agenda.

The motion on the floor carried unanimously.

3. Washington County Health Department Contract and Fee Schedule - Traci Corbin, Administrator requested approval of the annual contract. The only change is the fee schedule, which changes annually based off Medicare rates.

Commissioner Corbin offered a motion, seconded by Commissioner Bush, and unanimously carried to approve the contract and fee schedule listed above.

4. Annual County Commission Report from Florida Fire Service - Donnie Sellers, Forrest Area Supervisor supplied some information from the fire report. During the past year there have been 19 fires compared to 13 last year. Washington County is currently under a moderate fire index, which is low/moderate fire danger. During the past year crews were sent to Texas, Idaho, Montana, and Escambia County and a chainsaw crew to Perry.
5. Discussion Regarding Resources Available Through PanCare Health - Justin Perse, Peer Recovery Coach at Starting Point, which is under the umbrella of PanCare provided some of the benefits with the program within the county. Some include his involvement with the Northwest Florida Reception Center to do classes, and preparation to be productive members of society. They also supply kiosks at two locations in the county and are involved in prevention at the school level.
6. Resolution Recognizing September 16-23, 2023, as National Estuary Week - Melinda Gates, Interim Executive Director of the Choctawhatchee Bay Estuary Program Environmental Manager supplied the board information about the program. In 2017, Washington, Walton, Okaloosa, and Holmes County partnered to address issues at the Choctawhatchee Bay and its watershed through a collaborative estuary program which allows for a more comprehensive and collaborative management restoration and protection of the bay and its watershed. The board has been instrumental in developing a conservation management plan for the watershed which will be completed in 2024. It will help supply a long-term plan that can enhance action items to address water quality, living resource needs and the challenges and priorities of the Choctawhatchee Bay and watershed. Okaloosa County Tourist Development and some other entities have several activities planned for the week listed in the resolution.

She thanked Commissioner Bush for his work on the board.

Commissioner Bush offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the resolution to recognize National Estuary Week through 9/16 – 9/23, 2023.

7. Request for approval for New Road in Master Street Address Guide (MSAG) - Clint Erickson, E-911 Coordinator told the board there is a private road; anything with three or more houses/structures the private road is named for emergency services to access it for the resident's protection. This private road is not county maintained and the road has never been named. When an applicant who had bought property there applied for an address it signaled that the road would need to be named. Under the ordinance, if a private road needs to be named there is a fee associated with it. If the individuals get 80% of the landowners to agree on a road name, it is done. There is a disagreement among landowners about the name of the road. The options are as follows:
- The board can name the road.
 - The board can appoint the county coordinator or someone in the office to name the road.
 - Do nothing because it is private.

The situation is vital because it pertains to supplying emergency services.

Under the ordinance, the E-911 Director has the authority to name a road if it is county maintained. A list from the Florida animal species is used to name the roads.

The current structures on the property are addressed off the main road (Miller Lane). There are RVs on the property addressed from previous years. When it is readdressed, they are going to have to go back to the policy for what is not addressed.

Betsy Raffield said that she is minus two signatures. One lives on the road, and one does not. The request is to name the road Lewis Lane.

Clint Erickson said that it is not about the structures on the road. It is about the landowners.

County Attorney Milton said the ordinance says that roads named after people is not a preferable method unless there is historical significance.

Commissioner Pettis said the property appraiser's site shows a road that is named Lewis Lane.

Clint Erickson said that it has a different zip code.

County Attorney Milton read a part of the ordinance. A road name should not

be named for individuals except on a very limited basis where it can clearly be shown that a particular name carries significant and appropriate historical context.

In response to Mr. Erickson saying that it could be named the same as another in a county, doing so may cause confusion for emergency personnel.

The address for the road is ready and can be done by this afternoon. The address will allow the individual that bought property to allow him to get the permit(s).

Commissioner Corbin offered a motion, seconded by Commissioner Pettis, and unanimously carried to task Mr. Massey and Mr. Erickson to name the road.

8. Capital Projects Fund Grant - Renae Rountree, Library Director addressed the board. The Chipley Library is pressed for space. Public Library Construction is capped at \$500,000.00, which does not get much in adding to the Chipley Library. There is federal funding that will be administered by the Florida Office of Broadband to help public libraries continue with the services they currently offer. There is \$86 million available, and the county can apply for up to \$4 million, with an added \$2 million if needed. There is a higher priority for ready counties, which Washington County falls under. It is a reimbursement grant process, however, the legislation that came from the last session at the state level means that the state would possibly pay for the reimbursement part so it would not be terrible financially. The City of Chipley owns the property and does not have any issues with her applying for the grant.

The grant will be managed by Renae Rountree.

The state kicked back the public library construction remodel for Vernon because it was too vague. A resolution will be provided to them to make certain of all the assurances they want.

Commissioner Griffin offered a motion, seconded by Commissioner Bush, and unanimously carried to apply for the Capital Projects Grant Fund for the Chipley Library.

Construction Grant Resolution for Vernon – Renae told the board this was approved last month but the state wants more details. After the funds are accepted the building must be run as a library for 20 years.

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

9. Request for Approval of Planning Commission Representative, District 4, Wesley Griffin, Commissioner requested approval for Carl Owens to be his representative in District 4.

Commissioner Corbin offered a motion, seconded by Commissioner Pettis, and unanimously carried to appoint Carl Owens to the Planning Commission Board.

10. Extension of the 2023 Tax Roll - Tray Hawkins, Chairman said this is an annual approval in case the Value Adjustment Board has not finished in time.

Commissioner Bush offered a motion, seconded by Commissioner Pettis, and unanimously carried to approve the 2023 Tax Roll extension.

11. Interlocal Agreement Regarding Clerk Services for Highway 79 Corridor - Tray Hawkins, Chairman told the board the Highway 79 Corridor has approved the agreement and now it is before the board for their approval.

Commissioner Bush offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the Interlocal Agreement for Clerk services for the Highway 79 Corridor.

12. RFP 2023-02 Emergency Management Contractual Services –Tray Hawkins, Chairman said this was presented before the board last week and asked for the board’s pleasure.

Commissioner Griffin said that he thought the RFP was for a second contractor for emergency management and not a prime and then a second. Wheeler has a current contract in place with an extension. The thought was that the RFP was being issued to obtain a second contractor underneath them on the shelf.

Commissioner Corbin said that is what was discussed at the meeting and what the vote meant.

Commission Griffin asked if Wheeler is the second.

County Attorney Milton told the board the only issue that he sees with that is the term of the contract that was put out for proposal was a 3 or 5-year contract. If Wheeler is awarded this contract, they would have a new term while the current contract was extended for a year. It is unknown whether it is the last extension. Preferably the continued service contracts would have the same terms and not have staggering terms.

Commissioner Hawkins asked if this would still allow 1 and 2.

County Attorney Milton agreed, saying that is his opinion. If nothing is done Wheeler still has a contract in place with the term that expires on the date listed on the contract. If Wheeler is awarded this contract would replace their current contract.

Lynne Abel, Emergency Management told the board she received clarification that having two or more contractors in place would not be an issue. The only

recommendation was to have a clause in the contract that if work cannot be completed by a contractor, then another contractor would be asked to step in and take over the task. It is advisable to assign one contractor to a disaster.

Commissioner Bush asked if it would be suitable to task a new contractor if there is a new storm.

Lynne Abel said yes, that would not cause a problem.

Commissioner Bush said that he thought that was the goal. It would be like what is being done with the engineers.

Commissioner Pettis said that he made the original motion and the intent of the motion at that time was to bring alongside another contractor to do what Mrs. Abel just discussed. Wheeler would continue to work on the disasters they are currently working on and if something new occurs, the new contractor could take on that work. The intention was not to make them work on the same projects together but to have the other contractor in place to take on the new work.

Based on the bids and information received Commissioner Pettis recommended going with Metric Consulting as the backup contractor. He told the board that he is not asking for Wheeler's contract to be changed in any way. They voted to extend their contract a few meetings ago. The motion is to add Metric as the secondary contractor to take on any new work and be in place if one of the contractors decides to leave, they will not be left empty-handed.

Commissioner Hawkins questioned what would occur if there were not another extension for Wheeler's contract and they are still managing Hurricane Sally and Hurricane Michael. What will happen in that situation?

County Attorney Milton said that he believes there is a provision in the current contract that says even at the end of the contract certain projects can be requested to be finished with the existing contractor beyond the current term. It is the board's choice.

The concern is that the RFP was for a longer term and the board is disregarding Wheeler's proposal, which scored the highest.

Commissioner Hawkins said that if it was awarded according to scoring, Metric would still be second and take over new storms.

County Attorney Milton said the discussion from the workshop was about local preference. There was a tie for second.

The motion is understood as to not do anything with Wheeler's current contract and award the new contract to Metric.

Commissioner Pettis said that he does not know what is so confusing. He does not want to change Wheeler's contract that they voted to extend a few months ago. He wants to add a second contractor to pick up anything new that comes to the county.

Is there a legal obligation to follow the highest score?

County Attorney Milton said that it is his opinion if someone other than the highest ranking is selected, the reason that choice was made needs to be on record. The concern is that Wheeler's current contract is for 1-year and the contract for the RFP being discussed is for a 3- or 5-year contract, which gives added time under the contract, which is not currently in place with Wheeler.

Commissioner Pettis said based on the scoring, there were three that had different ones and there was an average made. Metrics was 77 and Wheeler's was 79.3. The scores are very close, however, what puts Metric over the top is they are local. The justification is that they like to use local people, and they are local and readily available.

Commissioner Griffin said that is his argument as well. The money should be kept in the county and not outsourced. Metric is a local company, and it has recently been discovered that Wheeler is under a federal investigation, which is concerning.

During Hurricane Michael or Hurricane Sally there was a contractor that tried to do work in the county and was turned away because he was under some sort of investigation. T & P Consulting; maybe.

Commissioner Hawkins said he does not think that was the reason he was turned away and went on to say that he does not remember.

Commissioner Bush said that he does not know who T & P is.

Commissioner Griffin said that he believes that Tyler Porter owns it.

Commissioner Bush said that he does not think that it had anything to do with an investigation. It may have been his conduct.

Commissioner Pettis said going back to Wheeler's existing contract. If it expires within one year and the county does not extend the contract and they issue a bid, at that time would be a second contractor. It may not be a bad idea to have those staggered in case something occurs. The contractor that is on board may have an idea of what is occurring, and it may not be much of an issue for them to pick up and continue with what they are handling. If it is not legally binding, the board has the right to use all the information and decide whether is the highest score or not.

Commissioner Corbin asked if the contracts include a 30-day out.

Commissioner Bush said that most of them do.

Commissioner Griffin seconded Commissioner Pettis' motion.

Benita Crittendon said that she calls a spade a spade when it needs to be called a spade. On the audio cd where this was discussed Commissioner Pettis' intentions were clear. This is the spade. This is a coordinated and manipulated effort to manipulate the wording that was put out in the RFP to allow Wheeler to bid on that. Commissioners Pettis, Corbin and Griffin know what Commissioner Pettis' intent was. That bid package should have never been accepted from Wheeler with those intentions, and it was. Commissioners Corbin and Pettis have questioned the acceptance of the bid. It is preposterous that Wheeler Emergency Management; the only exception is that there is not currently a backup in place. If there was a backup in place now Wheeler should have been dismissed from this contract due to them being under investigation as County Attorney Fuqua announced Monday night. It may be pending if indictments come down. That may be the trigger for the attorney to recommend that Wheeler should no longer work for the county. There have been other contracts in the past. The most recent lawsuit filed against the county alleges that the contractor was incorrectly disqualified based on a potential federal investigation. It has been spoken about in procurement policy and bid processes before. This is theater. Wheeler should be left in place for the extension of their year contract. This contract was meant and intended for a secondary person to be put in place for situations just like this. If Wheeler is indicted tomorrow, what will be done? Why should Wheeler's contract be entertained to extend 2 or 3 years? Per County Attorney Fuqua in the May meeting this is Wheeler's last extension.

Craig White, True North told the board that True North is a sister company under the umbrella of Neil Schaffer, which is a local company that has an office ½ a mile from the annex.

Commissioner Bush asked how someone would be precluded from responding to an RFP. How can you say you cannot apply?

Commissioner Corbin said they had discussed selecting three, because there was a tie for second place. That is True North Emergency Management, which did not know was local. There is fear with the difference in the length of the contracts. The county is in the middle of the current contract and what is occurring.

He said that he wanted a seconded contractor as well and was going to make the motion, but Commissioner Pettis beat him to it. Sometimes we do not understand the ramification of things that are said until after the fact that they could not have precluded them from the bid process. It was not with the intent to have them bid on it, but they did.

County Attorney Milton said they could not have been precluded from the bidding process.

Commissioner Corbin suggested they needed two contracts and let them finish if they can. If they cannot finish, then a backup will be in place.

Commissioner Hawkins said that he is in the same place.

Clerk Bell went back to what Lynne Abel said. If another contractor is put in the mix of what is going on, it will be a mess.

Commissioner Bush said that he has worked storms where there were three in one state under one contractor, and it was difficult overseeing all the different contractors. It is easier to deal with one storm at a time. Having a bigger roster is not a bad idea.

The motion on the floor is to award the contract to Metric and Wheeler's current contract would not be affected.

Commissioner Griffin said that Wheeler does not have an added year extension, and when that runs out things will go over to Metric, which will be a good transition time.

Benita Crittendon responded to Commissioner Griffin's comment above. It would be thought that the primary would be bid out again and if Metric wanted to bid on that, they would.

Commissioner Hawkins said that he does not believe that is how the contract is written. Metric would take over at the year end. They would ultimately be the primary. There is no way to award a second unless it was done for a year and that is not what the contract document says. Whoever is awarded to today, in a years' time, will be the primary contractor.

County Attorney Milton said unless you go out for proposals at the time.

Commissioner Pettis said that he does not think that is a must. The contract that expired would be readvertised.

County Attorney Milton said that it would be assigned to whatever contractor the board chooses. It would be no different than a task order.

Commissioner Hawkins asked what if there is not a contractor of record. What they issue another RFP?

County Attorney Milton said that an RFP would be issued for a primary or secondary contractor. It is another contractor. There are multiple engineering firms on a continuing contract.

Commissioner Bush recused himself from voting until the paperwork is done on Metric. It is not a slam on Metric. It is due to him possibly still being listed on Metric contracts. This is to make things clean.

Commissioner Pettis clarified the motion on the floor as leaving Wheeler's current contract in place and going with the secondary contractor, Metric Consulting. The motion on the floor tied 2 to 2, with Commissioner's Corbin and Hawkins opposed.

Commissioner Corbin offered a motion to do a new contract, awarding them in order of the scoring sheet, with Wheeler entering a new contract, and Metric and True North would be backups.

Wheeler is in the middle of the work and the intent is to allow them to finish if they can. The backups will be in place if needed. It will be the board's pleasure to sign any new work to a new contractor.

Commissioner Griffin said undoubtedly, they are in the middle of a federal investigation as well but who is keeping count?

Commissioner Hawkins seconded Commissioner Corbin's motion.

County Attorney Milton said that this is a task order contract. Things are getting stuck on primary or secondary. It is a task order continuing contract.

Commissioners Pettis and Griffin voted against the motion causing it to fail 2 to 2.

Commissioner Hawkins said they would continue with the single contract until Commissioner Bush confirms through the Ethics if he can vote.

Commissioner Bush asked if they could be awarded in order. He can vote on two of them.

County Attorney Milton told the board they could accept more than one contractor.

Commissioner Bush said that he would like for Wheeler to continue going the way they are going because he does not want the problems that would occur at the end of their term since they have all the history. Metric and True North are great companies. The idea situation is to have one continue and the other two be available.

Commissioner Bush said that he would like to offer a motion as they are ranked if it is the board's pleasure.

County Attorney Milton told Commissioner Bush that he needs to say the contractor's name.

Commissioner Bush offered a motion, seconded by Commissioner Corbin to award the contract to Wheeler with potential other motions being made to add added contractors.

Benita Crittendon said that she feels like this is a coordinated effort to keep a contractor that is under federal investigation in the county in place for an extended full contract rather than a year extension.

She went on to say that after the conversation that she had with three commissioners over the last couple of days and listening to the audio tape from the May 30 meeting, that she is very disappointed in David Corbin.

Doug Cauley, Metric Engineering asked for clarification of the motion.

Commissioner Hawkins said the motion is to approve Wheeler as one of the contractors with the possibility to have secondary contractors.

Doug Cauley, Metric Engineering said that it is common to have two contractors within a county. The Department of Transportation has two contractors/consultants with offsetting times so that there is not a position with one leaving and nobody to fill the gap. The RFP was specific in saying that each task would be assigned by the county. What Wheeler is doing, and the other contractors would be doing would not be an issue. The way that it is normally handled is before Wheeler's contract expires, the board would advertise again to fill the position of that contractor.

Commissioner Pettis said that his first motion, explains what was said above.

Doug Cauley, Metric Engineering said that he does not see where the problem is as big as it is being made to be. The board can select to continue with Wheeler and select someone else.

Larry Zezula said that disassociating with someone under investigation may be advisable.

Commissioner Pettis requested clarification of the motion.

The motion is to award to Wheeler Emergency Management per the rankings.

County Attorney Milton clarified with Commissioner Bush that his desire was to have added contractors. The motion is to approve Wheeler Emergency Management and leave it open for added motions.

The motion on the floor carried 3 to 2, with Commissioners Pettis and Griffin being opposed.

Commissioner Corbin offered a motion, seconded by Commissioner Hawkins, to select Metric Engineering as a continuing emergency management contractor for Washington County. The motion was carried 4 – 0, with Commissioner Bush recusing himself.

Commissioner Corbin offered a motion, seconded by Commissioner Bush, and

carried 4 to 1 to make True North Emergency Management a continuing service contractor for emergency management. Commissioner Pettis voted against the motion.

13. County Administrator Contract – Attorney Milton addressed the board. Mr. Massey has requested the board approve a contract for his position. He and Mr. Massey went through the contract, and he made changes. The major issues discussed at the workshop were about the severance package (5-month), annual and sick leave is the same. Insurance after any kind of severance has been cleared through the insurance and HR. The board can pay COBRA as part of a severance. Mr. Massey cannot remain as a member of the group but could pay for COBRA or pay a lump sum equivalent as part of severance. The contract is for 2 years.

Commissioner Bush offered a motion, seconded by Commissioner Corbin, to enter into an employment agreement with Mr. Jeff Massey as county administrator.

Benita Crittendon suggested the county should not engage in a contract for Jeff Massey. He has been employed with the county for 6-7 years and has performed apparently acceptedly to the board since he has not been fired. The county is at a time of turbulence and turmoil. There are lawsuits and federal investigations and some of these things could reveal impacts of Jeff Massey's leadership of the county. Why is there a need for it now?

James Brooks said Mr. Massey is the person that oversees contracts. The county is engaged in a couple of current lawsuits over contract issues and there is an ongoing federal investigation. He is protected by civil service and has other rights. A contract should not be entered into with the impending investigation. It is his belief that the investigation will be deeper than Wheeler Emergency Management. There is more coming. Be careful entering into contracts where the county may be liable in the end. Mr. Massey may have to be paid a severance of more than what he is entitled to under the contract. The board should not approve the contract.

Carol Rudd requested a breakdown of what the contract will cover as she does have concerns as someone that has recently retired and having to pay for insurance after 32 years of service and that there is an offer to cover insurance on someone who may be dismissed.

County Attorney Milton clarified if there is cause for termination there is no severance. The board could pay severance, but it would not be required under the contract.

Carol Rudd asked what is the stipulation that his insurance would be covered.

County Attorney Milton said if he is terminated without cause.

Carol Rudd said who is ever terminated without cause. It seems this is a setup for disaster. One of the reasons she retired was so that she could say

what she wanted to say to a couple of the commissioners. It is theatrics. Things are being done which nobody will call each other out for. Mr. Bush is one as well as Mr. Hawkins being the lead one. In address to Commissioner Hawkins, you have asked to be appointed to the Supervisor of Elections position after stabbing her repeatedly when she begged the board for money and now you want to run that operation when you know nothing about it. You are setting yourself up to potentially get that appointment and make sure they do not come behind after you leave and terminate Jeff. You are protecting those that are here. It is very obvious, and the tint is very clear. The shade has been ripped off some of your behavior and it is her hope that she stays around enough board meetings to watch him be brought down.

Larry Zezula said that he wanted to note that you sir was the only one that motioned for Wheeler again. It would be his choice to take the safe way.

Commissioner Bush said that he does not know what the investigation entails. It is an investigation. He has asked where it started from and the only information, he has received is that it was started by a contractor.

Commissioner Griffin said federal is federal.

The motion on the floor carried 3 to 2, with Commissioners Pettis and Griffin being opposed.

14. Commissioner Corbin said that Project Graduation has asked to use the ag center and have the rental fee waived for graduation. The period is May 21 – 24, 2024 and the availability of the center has been confirmed.

Commissioner Bush offered a motion, seconded by Commissioner Griffin, and unanimously carried to approve the use of the ag center as specified above. (This item was addressed prior to items 12 and 13.)

15. TJ Roulhac Permit Fee Waiver – Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to waive the fees for the building permit.

A recess was called after this item and prior to item 12.

- VIII. BROADBAND UPDATE – Keith Pegues supplied an update. They are getting ready to bring both water towers in Chipley online. Dupris is finished. The sheriff's tower should be close to complete. Robinson is about 2 months out. Mailers are being drafted to recruit more people to use the service. There are around 170 subscribers in Washington County. A service map can be found on the website.

Commissioner Pettis said there is a link on the county's website.

Recess 11:09 – 11:17

IX. FEMA COORDINATOR – Mason Garrett addressed the board.

- Worley Road – Phillip Garrett informed the board there has been a lot of back and forth with FEMA with this project. Option 1 – Award the contract for the alternate or base bid. The base bid is the mitigation choice, which would be for the box culverts. The alternative bid would be to put it back as it was.

Commissioner Hawkins asked what line items are the issues with?

Brent Melvin said a lot of it is miscommunication or misunderstanding on FEMA's part. One of the line items they had an issue with was miscellaneous asphalt which is going underneath the guardrails to put them back. The FEMA CRC Committee assumed that was for paving the driveway turn outs and they disallowed that. The discussion went back and forth for about 3 – 4 months. The biggest struggle has been getting them to understand what the line items are and reconstruct it to what it was originally.

Phillip Garrett said that he cannot guarantee that they will approve mitigation, however, the project has already gone through mitigation.

They are going to remove some items from the return to pre-disaster. Those line items are the same ones in mitigation.

Brent Melvin said there is a lot of overlap. If they disagree on what the base amounts are, that lowers the amount they will pay for as far as in-kind replacement, which lowers the mitigation cost. The easy way out would be to replace what was there by in-kind, however, that is not a viable long-term solution.

Phillip Garrett said most of the project was accepted. A determination memo will have to be issued for the lines that they believe are excessive which will allow the right to appeal. It is time consuming.

Brent Melvin said to replace in-kind FEMA says the original roadway through there was only 15 feet wide and they would only replace 30 feet of culvert. Whereas then when you go to the mitigation the culvert must be widened to account for the guardrail tying back to everything. They said they will not pay for that.

They will give you money to do one thing, but it is not workable to do the mitigation without having that base bid. They look at it in an individual way.

Commissioner Hawkins asked if they felt that the main parts of the project are secure. If they were to award it, they would have to do the punch list items to get pushed through. (guardrail, miscellaneous asphalt) If they issue a letter of determination, does that suspend them from getting any

money for the project.?

Phillip Garrett said that it does not. It has not gone back through mitigation at this point. Right now, the only guarantee is to return to pre-disaster. If the task order were issued and construction began, and they removed the line items when the invoice is submitted for reimbursement, only the eligible cost would be able to be captured. It is possible that the county may have to pay for it.

Commissioner Griffin asked if pre-disaster meant going with the culverts.

Phillip Garrett responded if that is the route that is selected.

Commissioner Griffin asked if they are guaranteed for that money, for pre-disaster, not for the box culverts.

Phillip Garrett said there is a higher guarantee, however, it still must be re-obligated before any guarantee. It has gone through the environmental review, so that is going to be quick. The thing that must be done now is move out of CRC and issue a determination memo. Once it leaves CRC, it goes to mitigation. Mitigation will take the available funds that CRC has supplied and hopefully double that part.

If the board approves the contract and issues a task order at once, there is a possibility that the county could be on the hook for all of it because work would be started before the project is obligated. The other two options can be done with the warning that it is contingent upon FEMA's final approval.

County Attorney Milton said that options 2 and 3 are the same process. One is in-kind and one is mitigation. How likely is it that the contractors will hold their prices while waiting for a task order to be issued?

Phillip Garrett said that is an issue that they have met many times in different counties. He has been led to believe that the decision is about to be made.

Brent Melvin said the concern is the bids were received for this on May 31, which is outside of the 60-day period. The low bidder would have to be contacted to see if they are agreeable to the conditions and holding the price. If not, it will have to be bid again.

Commissioner Griffin offered a motion to reach back out to the contractor to see if they will honor their price for the 60-days and if not, the project will be bid again. If they will, they will extend it for 90 days (see if they will hold it for 90-days. Reach back out to them to see if they will honor their bid and see if they will honor the 90-days after that and then see what it will come to with FEMA about getting it pushed forward.

County Attorney Milton clarified the motion as to award it to the low bidder

with a 90-day suspension if they hold their bid price.

Commissioner Griffin said that he would like to reach out to them.

Commissioner Hawkins said that would not require a motion.

Commissioner Bush suggested combining the base bid and the alternate bid when reaching out.

Brent Melvin said that the original design was done for what needs to be there, which is the culverts and bid it out in 2020. The alternate bid was out to have firm prices for FEMA to show them that the prices that were being quoted were not realistic for the area.

In this case, it would be selecting the alternate, putting back the 48-inch culverts, which is not the engineer's recommendation. The base bid was the box culvert. The recommendation is to reach out to the low bidder for the base bid.

Commissioner Griffin offered a motion, seconded by Commissioner Corbin, to award it to the low bidder for the base bid contingent upon them holding their price and to immediately suspend it for 90-days.

Commissioner Hawkins said if it is not approved to bring it back to the next meeting.

Commissioner Bush clarified this would be awarding it to Premier Paving for \$939,905.00.

The motion carried unanimously.

X.PUBLIC WORKS – Johnny Evans addressed the board. He is aware that there has been some flack for not stepping up and getting that done. Bay County had paved Scott Road right before Hurricane Michael. It blew the bridge up and it is still closed to this day. They are running into the same issue as Washington County.

- Discussion Regarding Fox Pond Subdivision – Residents have requested the county take over maintenance. The road is a half a mile long, 2,600 feet to where the county maintenance ends. It would take a lot of work, requiring a lot of hauling. If Fox Pond is fixed, Greenhead will be next to be fixed back out where it was broken in. The suggestion before the board is not to accept the maintenance request. Water Management owns a section of the road, and they made the request. The road is not up to the county's policy standards to take over.

- USDA Contract Extension – Their work has been satisfactory. Commissioner Bush offered a motion, seconded by Commissioner Pettis, and unanimously carried to enter into a Cooperative Service Agreement with USDA for the next year.

Commissioner Hawkins told Johnny Evans that he received a call last Thursday from Vernon informing him the gate is open and they have repaired the road behind the sewer plant for the dirt to be removed.

Johnny Evans asked if they had the trees knocked down.

Commissioner Hawkins said they had a road built in and told them that Johnny Evans would look at the area.

Johnny Evans told the board they sent a 2020 MAC Dump Truck and RM 300 Mixer to JM Wood's sale and the dump truck sold yesterday for \$167,500.00 and the mixer sold for \$511,000.00.

- XI. PARKS UPDATE – George Swauger supplied an update on the parks. Despite recent manpower deficits updates have continued. Blue Lake dock work was seen as a safety issue. It is being updated with a through flow product which is slip resistant and more durable than wood. More of these will likely be used during the next budget cycle, with one being Pate Pond.

Chairman Hawkins mentioned that he passed information a lot to County Administrator Massey about land that is for sale near Pate Pond, which could be used for needed parking in the area.

Commissioner Griffin asked County Administrator Massey how much the property was being sold for.

County Administrator Massey said that he does not have the information at this time but is working on it.

Commissioner Bush said that surplus property funds should be used in cases such as this.

There are dark areas, dangerous trees, and new growth that a crew is clearing out at St. Joseph Park. This will make it more open. There is still storm damage showing up. This will also be done at Daniels Lake.

Bids for toilet serves are being received and the services will be found at more landings. It may be more expensive than it was in the past, but it is necessary. A contract/agreement will likely be entered.

Working with Mr. Healis they are obtaining prices for playground equipment at Sunny Hills.

Once right-of-way work slows down more attention will be directed at the parks.

Correspondence about the parks can be sent to wcparks@washingtonfl.com.

Chairman Hawkins said that Hightower Springs should be back open. They closed last week to make repairs to the deck.

XII. ENGINEERING PROJECTS UPDATE - None

XIII. COUNTY ADMINISTRATOR – Jeff Massey addressed the board.

- Appropriations 2024 – The recommended projects include the Washington County Fire and EMS building in the south end of the county. It is in effect a fire department that will house EMS if that is what they choose to do. It will be in the Sunny Hills area to accommodate future growth. \$2.5 Million will be applied for. The next recommendation is the county annex to address drainage issues, road, and the parking lot that are all found in the back of the building. The amount that will be requested is \$2.2 million +/- . The last request is for Dumajack Road, Phase II for \$1.6 million +/- . All the numbers reflect current pricing.

Commissioner Griffin asked if they would be going after funds for Greenhead Road through SCOP and SCRAP. There is so much money tied up in design on that.

County Administrator Massey said that it opens in December and closes in March and the plan is to pursue it.

Commissioner Griffin mentioned Jane speaking to someone about it being done in sections/phases.

County Administrator Massey said during the meeting with DOT that is what was alluded to. Asking to have 3-miles done at one time, would be too much to ask for from District 3 money. About \$330,000.00 is what has been used for design.

Commissioner Corbin said that having the last bit of right-of-way is a benefit.

County Administrator Massey said DOT will have their workshop in November and that is when they will receive notification for projects that have been previously applied for.

- Waste Management CPI Increase – The contract includes a CPI clause, which will be an increase of 5.05%.

County Attorney Milton said that the contract requires them to supply notice. There is no say in whether they can or cannot do that. A motion is not needed.

XIV. CLERK – Clerk Bell addressed the board.

- Proposal from ARC for Maintenance of Flower Beds and Shrubs at Courthouse – The new sod will be delivered tomorrow and put in place this weekend. ARC has been asked to supply a quote without lawn maintenance.
- Proposal from Legendary Lawn Maintenance will continue the maintenance

on the sod which they are putting down this weekend.

The recommendation before the board is to go ahead with both proposals.

Commissioner Corbin offered a motion, seconded by Commissioner Bush to approve the proposals as recommended by Clerk Bell.

Clerk Bell said the Court Facility Fund pays for most of the maintenance. The county must fund some of the contracts, such as the heating and air, and the alarm system.

The motion carried unanimously.

- August Vouchers Totaling \$8,980,051.43

County Administrator Massey said that after the bi-weekly meeting at the courthouse concerning FEMA work, the recommendation from the committee is not to award any new FEMA projects until after the beginning of the year. This was done last year and is a step that gives time to assess things and to plan.

XV. COUNTY ATTORNEY – Attorney Milton addressed the board.

- Property Sold Twice – A couple of months ago there was an issue with a lot in Sunny Hills that was sold supposedly twice. The clerk was directed to refund the purchase price to the second purchaser. Since that direction a letter has been sent from their attorney. They are requesting to swap a lot or buy a different lot at the same price; however, the understanding is the lot is higher in value. They have claimed damages but have not supplied documentation. County Administrator Massey needs board direction.

Wendy White said that they received the check which was confirmed by certified receipt. As of Monday, it had not cleared the bank. It was sent at least a month ago.

Commissioner Corbin said what is the difference in what the lot was sold for versus the one they selected for a swap.

County Attorney Milton said the property appraiser's value of this one is \$10,000.00 and the other one was \$1,800.00/\$1,900.00.

Commissioner Pettis questioned how it happened.

Wendy White, Human Resources said that it was approved at the same board meeting, and it was a clerical error by an employee that is no longer employed with the county. It was a mistake.

County Administrator Massey said that is part of the reason for the decision to stop selling property until the inventory has been reassessed.

This item will be tabled until next month when County Administrator Massey will supply an update.

XVI. ADJOURN