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WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

Location: Commission Board Room  
1331 South Blvd., Chipley, FL 32428

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

1. PROCLAMATION

- 1.1 Call to Order – Chairman Pettis
- 1.2 Invocation – Chairman Pettis
- 1.3 Pledge

Present – Commissioners Bush, Pettis, Hawkins, Griffin, and Corbin. Also attending – Deputy Clerk Brantley, Clerk of Court, Lora Bell, and Attorney Milton and Fuqua, Fuqua & Milton, P.A.

Agenda Additions

- (2.3-A) Statement of Assurances for Property Acquisition
- (2.4) Opioid Fund Request – Sheriff Crews
- (2.5) 2024 Tax Certificate List

2. AGENDA ITEMS

2.1 Approval for Cash Carried Forward Transfer for Items Approved at the January 18, 2024, Meeting – David Pettis, Chairman said the board approved the purchase of a piece of equipment for public works and the addition of the Public Works Director position at the meeting on 1/18/24. For accounting clarification, board approval is needed for the above-referenced transfer. - This item will be listed on the consent agenda.

2.2 Florida Detroit Diesel Contracts – Generator Maintenance – Randy Truette told the board the language request has been made and the renewal will include a 2 – 3% increase. The Communication Committee recommended approval to renew the contracts for the annex, Mudhill Radio Tower, jail, dispatch, and emergency management. The choice of non-load testing has been done in the past and caused savings. - This item will be listed on the consent agenda.

2.3 SHIP Change Order for Holley Development Group – Candace Thames, Grants/Procurement Specialist requested approval of the above-referenced change order which is for wiring, materials, labor, and a permit. - This item will be listed on the consent agenda.

2.3 – A Statement of Assurance for Property Acquisition Projects – Candace Thames, Grants/Procurement Specialist addressed the board. Washington County has applied for a FEMA Hazard Mitigation Program to get properties in

Washington County for conversion to open space and it is needed to coordinate with the State Department of Transportation and the Army Core of Engineers to ensure that no future planned improvements or enhancements to the federal aid system are under consideration that will affect the subject property. No future use of levy systems is planned.

Commissioner Hawkins asked if there was a clause that prevented them from transferring ownership to another state agency. In the future, it could be a possibility to transfer the property to Water Management since they are overseeing the water quality for this district.

Candace Thames confirmed that this is correct.

County Attorney Milton asked if the property owners have already agreed to the transfer in the event funding comes through.

Candace Thames said she believes that is correct. Wheeler Emergency Management is taking care of that; however, she can follow up with them.

This item will be listed on the consent agenda.

2.4 Opioid Fund Request – Sheriff Crews said they are experiencing a challenge with some of their unmarked units. Deputies are unable to use the 2006 and 2011 modes of transportation for out-of-town use due to the reliability of the vehicles. The first payment related to the opioid funds that have been received can be used in conjunction with what he has. The request before the board is to approve the funds being transferred to his budget.

Commissioner Hawkins questioned the purchase following the guidelines for the use of the funds.

Sheriff Crews said that he had checked into that before bringing this before them and it does.

Commissioner Hawkins asked if the funds would be used for drug detention vehicles.

Sheriff Crews responded that they were unmarked vehicles.

County Attorney Milton said that it is his understanding that the funds that the Clerk's Office has received and what the health department has are the same pot of money. A call was supposed to be set up with the health department.

Sheriff Crews said the meeting was held yesterday and if they meet the criteria, which is what they are doing with the programs that they have or put forward. It must be put in writing and given to the health network staff for their review.

County Attorney Milton addressed the board. The Opioid Settlement Fund has a limitation on uses.

Commissioner Hawkins said when they begin discussing the other money, there are issues they are having with transportation for the CARES Act. Is there any idea of an in-house treatment?

Sheriff Crews said there is eradication, first responder response, and jail, which is exactly what is being asked. A plan will be composed in a couple of weeks.

Commissioner Hawkins said he would like for them to get ahead of it, addressing it while they are incarcerated. It has touched all families.

Commissioner Bush asked if the money that has been received is a one-time occurrence.

Chairman Pettis said that it is his understanding that it is a one-time occurrence.

Chairman Hawkins said the funds were from a lawsuit that involved one drug manufacturer.

This item will be listed on the consent agenda.

2.5 Tax Certificate List – Chairman Pettis addressed the board about the annual decision on tax certificates per statute. The list provided to the board has been broken down into different categories.

County Attorney Milton addressed the board about the list they had been provided under the purchase of less than \$5,000.00, approximate cost is \$2.3 million in addition to clerk fees. This likely should be \$230,000.00 in addition to clerk fees, however, it should be verified. The statute requires the county to redeem anything over \$5,000.00.

Commissioner Hawkins said that he would like to see \$3,500.00 and list this item on the regular agenda.

3. FEMA COORDINATOR – Kevan Parker and Brent Melvin addressed the board.
  - 3.1 ITB 2024-01 Worley Road Mitigation Project – Kevan Parker said the bids have been received and have been reviewed by Brent Melvin. A call was made between Brent Melvin, Mason Garrett, and FEMA to discuss it.

Brent Melvin told the board seven bids were received for the Worley Mitigation Project. The bid was separated into three subcomponents. Section A included all the line items that they reviewed with FEMA and FDEM for in-kind mitigation, which is putting back the 48-inch culverts and making some minor

safety improvements. They needed the information to set up a basis of what the in-kind replacement cost would be and from there they could decide how much mitigation money the project would be eligible for. The lowest bidder for section A was North Florida Construction for \$542,000.00 +/-.

Section B was for the mitigation project for the construction of the box culverts. The lowest bidder for this section was Extreme Land Restoration for \$913,000.00 +/-.

Addressing these two items, this project qualifies with FEMA in that from the in-kind replacement the county is eligible for up to 100% funding for mitigation. In this case, the low bid was \$542,000.00, which means the total mitigation project could be \$1,083,000.00. FEMA and FDEM representatives said that everything looked in line but there is a process that it would go through.

The county issuing a notice of award for the project would start the clock for FEMA. They have been having weekly calls with FDEM and FEMA representatives.

Section C includes the items that FEMA determined were not covered under the in-kind replacement or the mitigation. The items include the driveway turnout, the culverts that go under the driveways, and the fencing along both sides of the roads. There has been back-and-forth documentation being provided to them, but the status is those items would not be covered by FEMA funds. It was made clear to the bidders that C. was an added item, and the board would decide on how it would be awarded. Extreme Land Restoration was the low bidder on the culverts. The total cost for those items was \$82,500.00 +/- . Most of that is the driveway culverts and fencing. If the county awards it, there is an opportunity to review it with the contractor for potential cost savings.

County Attorney Milton confirmed that the bid amount under section B includes section A work.

Brent Melvin said that it includes the quantity. Section A and Section B are complete in that would be the full project. FEMA allows double mitigation of what the in-kind is.

Kevan Parker said the recommendation is to award the low bidder contingent upon approval of the funding from FEMA and DEM.

Commissioner Hawkins said the county gives notice to award Section B. Section C will be awarded upon negotiations and approval through FEMA. Kevan Parker agreed, saying that is his recommendation.

Commissioner Hawkins disclosed for record purposes that CB&L is listed as a subcontractor for Extreme Land Restoration and has been discussed with the county attorney who said there is no issue.

Brent Melvin said they were listed for hauling.

The item that will be listed on the consent agenda is as follows: Commissioner Hawkins said to award the Worley Road Project to Extreme Land Restoration under Section B for \$913,433.25 along with the approval of FEMA. Approval to award Section C. to Extreme Land Restoration for \$82,582.00 contingent upon negotiations and the award of Section B.

Kevan Parker said in November the mitigation for the ag center was presented before the board for the flood wall, drainage connections, and a 6-inch pump. It is a three-part project to have mitigation. The vote at that time was tied.

Brent Melvin said the county was approved for approximately \$600,000.00 +/- that FEMA approved for mitigation of the flooding around the ag center for Hurricane Sally. The county received bids for the flood barrier. They are currently coordinating with Alday Howell who did the plans for the county to redo the parking area as part of the portico project. An updated drainage plan will be brought before the board once it is complete. Those two things will work in conjunction where the flood barrier can be put up, with the drainage being tied to a central location and pumped out to prevent the water from entering the building. Last November, the county received six bids for the flood barrier. For speed and efficiency, they went with something that was self-sustainable. The recommended flood panel wall is an L-shape, which would be a 4-foot flood panel for \$263,788.00. The budget was close to \$300,000.00. As of yesterday, the company said they would still hold that price.

They would not want to go ahead with bidding out for the drainage improvements around the ag center unless the county wanted to move forward with purchasing those. If the county does not wish to move forward with this part, it negates the rest of it.

Kevan Parker said there was insurance coverage that covered everything in Hurricane Sally. There was no FEMA. FEMA allows mitigation up to the amount of the insurance payout.

Commissioner Griffin questioned the funding source.

Clerk Bell said it would have to be paid from the general fund and went on to ask Kevan Parker if they could request an advance.

Kevan Parker said that he does not know if advances could be made for mitigation, but he would research it.

This item will be listed on the regular agenda.

3.2 FEMA Update – Kevan Parker said they are working on a couple of the

work zones that were not included and they had received an early time extension on, which would be 5.1 and Williams Road Bridge. All the test piles are down, some permanent piles are being put down, and the old bridge is up. It is on schedule.

Mason Garrett and Jason Crenshaw worked through around \$7,000,000.00 in invoices that are being held. Of the \$7,400,000.00 that is being held, \$380,000.00 is related to 1.5 – 2 inches of asphalt. The auditor for the state sends the information to FDEM and there has been no feedback from FDEM.

Chairman Pettis said that County Administrator Massey reached out to Melissa Foggy, DEM and they have not received a response from FEMA. This morning, he received an email from Melissa Foggy about a request for information/clarification they need.

Commissioner Hawkins asked Chairman Pettis if he would set up a meeting with FEMA and DEM.

Chairman Pettis said they could work on that. Administrator Massey has been working with Mr. Dunn's office.

Commissioner Bush asked if FEMA had released the funds to the state, with the request that they not release it to the county.

Kevan Parker said once the project is obligated FEMA transfers the funds to the state. He has not seen anything that said FEMA contacted the state directing them to hold the payout. 3 – 4 months ago on a weekly call with DEM they found out the reimbursements would be stopped.

Commissioner Bush asked how the contractors are being affected.

Kevan Parker said they were shut down during the time extension and continuation of this. It has been four months. Later in the meeting, Donald Stanley will address payment of retention to the contractors. The contractors have been good to deal with.

There is one contractor with a low bid on another project, but they have not been awarded because of being in the middle of this. They have offered to hold the bid, but they will not make the final decision until they can tell them when that will be. Right now, they would likely accept it. It is contingent upon if the cost of supplies increases.

Chairman Pettis informed the board that a conference call is scheduled at 1:00 p.m. today with FDEM.

4. MSBU Advisory Committee Update – Gary Hartman requested an update on the status of the mowing contract. They are preparing to begin a budget and have

significantly decided to lower the budget for mowing but need the status to go ahead.

What is the status of Deltona taking over the fountain? Around a year ago Deltona agreed to take the fountain over and renovate it. It is currently not in operation because it needs repairs, and the committee is reluctant to put funds into something that may be remodeled or changed in the upcoming months.

County Attorney Milton said sometime back the board agreed to end the lease. Due to some miscommunication with Deltona, there was a stall with this. As of last month, Mr. Massey said they agreed to end the lease and what they will do with it is unknown. The mutual termination agreement is currently being worked on and should be brought before the board at the next meeting.

Gary Hartman told the board the MSBU Committee positions for District 1 and District 2 will expire on April 30. The positions are filled by himself and Andrea Blackwood.

Commissioner Corbin said that he attended the MSBU meeting last night, and they have recommended bidding the mowing services out. They have multiple changes in mind.

Gary Hartman said most of the citizens in the community feel only a select number of roads are being mowed. They would prefer the money to be spent on roads.

Steve Healis said the current contract ends on April 30. All the roads have been named, which are all the same. Certain things such as the cycle and the distance in the scope will be changed. The houses being built are a contributing factor in the adjustment of the distance. Once the board gives directions, the new scope of work will be ready.

The mowing contract will be added to the consent agenda contingent upon receiving the adjusted scope of work.

5. Public Works Supervisor – None

6. Parks Update – George Swauger requested approval to go ahead with changing the portlet services to Xtreme LLC under their terms. One of the terms was that the county handled loss, vandalism, and things of that nature to the unit. The replacement cost would be given by the manufacturer and not directly from Xtreme LLC. The cost of a portlet is \$1,000.00 - \$1,200.00.

Commissioner Hawkins said many of the portlets will be put on bodies of water that fluctuate due to natural causes outside of the county's scope of work. Who handles the relocation of the structure due to natural causes? That is something that would occur multiple times during the year. They should handle moving the structure because they have the equipment to move it. The county needs to ensure they are not putting non-potable sewage into creeks, streams, and basins by trying to move them. Also, they do not need to handle the relocation and cause unnecessary damage.

Commissioner Bush said that he does agree, however, the caveat is that Washington

County tells them where to place the unit, per the contract. A temporary relocation fee should be included in the contract.

Commissioner Hawkins suggested fixing issues they are aware of with the current provider before entering into a new contract.

Strickland Landing – George Swauger told the board that he is working to correct some of the deficiencies noted by the Department of Environmental Protection during their last inspection. A new sign will be made and an ADA portlet.

St. Joseph Park – The focus has been on this area and working with the Washington County Health Department to get the exercise equipment put there.

Commissioner Corbin said the MSBU Board was concerned about several things at Wilder Park, which was brought up at the MSBU meeting last night. There are some apparatuses that are deteriorating. Maybe Gary Hartman or Steve Healis gets with George and get some temporary things done and remove anything that may be considered dangerous.

George Swauger said they met with a representative from Playmore and discussed the largest piece and how many users it was for. The largest problem with that was the walkways. It would be best to replace the entire thing.

Steve Healis said some trees are falling, and there is an electrical wire that is within reach, which is a danger to the community.

Commissioner Hawkins suggested that George Swauger work closely with the Splashpad Project at Hunter Park to make sure that it is upkeep-friendly for him.

County Attorney Milton said that he would have the updates on the portlet contract ready for the meeting next week. - This item will be listed on the consent agenda.

Deputy Clerk Brantley asked Chairman Pettis if he would like to address the MSBU Committee appointments that are coming up for expiration on the next agenda.

Steve Healis said the next MSBU meeting is on March 6. Gary Hartman told the board the board is back meeting every other month due to budget.

Chairman Pettis said the appointments will be addressed in March.

## 7. Engineering Projects Update

Kevan Parker, Wheeler Emergency Management told the board the funds for the ag center were sent September 2023. This is about the discussion about the ag center earlier in the meeting. The breakdown is \$556,296.30 from FEMA, \$30,905.35 from DEM, and \$30,905.35 (cost waiver). The state pays 15% and with the waiver, they pick



up the other half of that based on being a fiscally constrained county.

This item will remain on the regular agenda, while Clerk Bell confirms the deposit.

Commissioner Hawkins clarified that the funds would be returned if the project was not done.

7.1 Change Order Number 4 for ITB 2022 – 07 HMB Professional Engineers, Inc. – Donald Stanley requested approval of the above-referenced change order, which is the final change order for the project that is complete. It is a decrease of \$612,151.56.

Commissioner Griffin said there have been a lot of change orders in the last 18 months. Where does the money go?

Donald Stanley said the cost was not incurred. They are not receiving money back.

This item will be listed on the consent agenda.

7.2 Retainage – Anderson, C.W. Roberts, and American Sand have asked for their 5% retainage for the work that they have completed to date since things have been at a standstill. It is about \$530,00.00 for all of them. The projects are not complete. With every invoice that is sent 5% is held back until the job is complete.

County Attorney Milton will review the contract and provide an update.

This item will be listed on the regular agenda.

8. County Administrator – Not present.

8.1 Community Center Rentals/Chargers – Jane Dellwo, Administrative Assistant presented to the board a change request that resulted from a meeting with herself, County Administrator Massey, and Mark Mauldin, Ag Center.

- On the second page of the agreement under number 2 add the choice of individually renting out the west wing and the barn space.

- Fee Waiver – For the last several years agencies affiliated with the ag center/IFAS Program have not been charged a rental fee. He would like to put this in writing. The agencies are the Florida Forest Service, Florida Fish and Wildlife Commission, US Department of Agriculture, Washington County Farm Bureau, Washington County Cattlemen's Association, Central Panhandle Beekeeper's Association, and the Chipley Garden Club.

County Attorney Milton said that he could update the agreement, but the board needs to approve the fees and that language.

Mark Mauldin addressed the board. The suggestion for the west wing is \$100.00 daily, and the barn is \$500.00 daily. The list of organizations that have had the fee waived has been done for years and it should be documented in the event someone questions

it. Currently the lease agreement is for the auditorium. There are no restrooms in the west wing, and they would generally, use the ones in the auditorium, which is fine as long as that has not been rented by someone else. It is not favorable to leave the building open when the west wing is rented for the only reason being so they can access the restroom. The suggestion is to install a stud wall and close off where the restrooms are with key locks being put on both doors. If the west wing is rented now there is the choice to use the restrooms in the barn.

- This item will be listed on the consent agenda.

Jane Dellwo informed the board that SCRAP and SCOP applications are due in the middle of next month. Any suggestions should be given to them.

Commissioner Hawkins said that he asked Jonathan to look at Greenhead Road/Moss Hill Highway for a SCRAP and safety project. It is a main artery that feeds the prison, and schools, and is a cut off to Highway 77. It is highly traveled, has sharp edges, and there have been multiple wrecks.

Jane Dellwo said FDOT has recommended that it be broken up into phases.

Commissioner Hawkins suggested that Johnny Evans select what section is needed first.

9. Clerk – None

10. County Attorney – County Attorney Milton updated the board. There was a hearing on the Wayside Park lawsuit last Monday. The judge asked both sides to submit proposed orders. The county's proposed order will likely be submitted today. Mr. Green represents Ms. Blackmon and he will do the same. The judge will decide whether the case is concluded on summary judgment or if it will go ahead to trial.

11. Adjourn