

## WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

June 22, 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

## I. PROCLAMATION

A. Call to Order – Chairman

B. Invocation – Jeff Massey

C. Pledge

In attendance: Commissioners Bush (via phone), Pettis, Hawkins, Griffin, and Corbin. Also in attendance: Lora C. Bell, Clerk of Court, Risha Brantley, Deputy Clerk, Jeff Massey, County Administrator, and H. Matthew Fuqua, Fuqua & Milton, PA

II. ADOPT THE AGENDA – Agenda Additions: Temporary Easement Construction for Anderson Columbia - County Administrator Massey  
Amended Public Participation - County Attorney Fuqua

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

III. NON-AGENDA AUDIENCE - 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.” Each individual shall have three (3) minutes to speak on the 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 may 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 and those who have not signed up may be allowed to speak at the sole discretion of the Board Chair. – None

## IV. AGENDA ITEMS

1. Request for Task Order Approval - Kevan Parker, Wheeler EMC addressed the board. FEMA does not allow hourly contracts or contracts that are not tied down. Before a project begins an estimate is required. Project length and the number of people are used to establish the estimate. This means that it is a fixed cost. When the management cost invoice is submitted to the state for reimbursement, the task order is included. If the limit is reached on a task order, work is stopped until the task order is amended. The estimate for the task orders has never been close to being reached.

Task Orders - Hurricane Sally, Hurricane Michael PA, American Rescue Act, Hurricane Michael Road Work, Hazard Mitigation Long-Term Recovery Project (this includes the current Buy-Out Program), and COVID HMGP Buyout.

Once the Resiliency Florida Plan is approved a task order will be brought before the board for approval. If Hurricane Sally Roads are done the same way as Hurricane Michael a task

order will be brought before the board for approval.

Commissioner Pettis confirmed that what has been presented before them is a quote of what Wheeler Emergency Management thinks will occur, and they will invoice for the actual cost.

Kevan Parker confirmed that this is correct.

Chairman Hawkins added that it would be approved by County Administrator Massey as with other invoices. This is a placeholder in the contract; a scope used to bill their time.

Commissioner Griffin asked what happens to the remaining funds in a task order. For example, the cleaning of ditches by the paving crews.

Kevan Parker responded that it does not go anywhere. It is not spent. About the paving crews, that cost is included in the beginning in the clearing and grubbing price.

This is not encumbered money. It is a task order, which is encumbered at the end and approved by County Administrator Massey before being sent to the clerk's office.

Clerk Bell said that it is similar to the budget that you plan for and make amendments if necessary.

Commissioner Corbin asked has a task order required amending based on the price going over.

Kevan Parker responded, no, not even close.

Commissioner Corbin offered a motion, seconded by Commissioner Hawkins to approve the task orders presented by Kevan Parker for July - September. The motion carried 4 to 1 with Commissioner Griffin opposed.

Note – Documents provided – Task Orders 20-0917, 21-0612, 20-0644, 20-0645, and 22-9004.

2. Hurricane Michael Release of Funds - Lora Bell, Clerk of Court addressed the board. The Release of Funds is not a process that was approved or brought before the board. It was done to assist with the reconciliation process and record keeping. The agreement was for Wheeler Emergency Management to send the release requests to the board office to County Administrator Massey when funds have reached the Hurricane Michael account that need to be released to reimburse the general fund and would be signed by the chairman authorizing the funds to be moved. The chairman is now concerned about signing those. If they need to be brought before the board, that would hold up funds, however, it is something that can be done. The transfer request would be needed twice monthly at the minimum, which would require a special meeting.

Chairman Hawkins included that the release is an internal document for the stewardship of the money.

Clerk Bell included that she has invited each board member to attend the meetings at the clerk's office.

Chairman Hawkins confirmed that the line of credit has not needed to be accessed. The work done by Wheeler, the clerk's office, and the board's staff have contributed to the line of credit not having to be accessed.

Deputy Clerk Brantley added that before transmittals are done the clerk's office can see what funds are available.

Commissioner Corbin asked Mrs. Bell about the process.

Clerk Bell responded they agreed to put the process in place to assist with reconciliation. Special meetings would have to be called to keep the general fund where it should be.

The current audit looks amazing, and will likely be presented before the board in the upcoming months.

Commissioner Corbin questioned the process.

Kevan Parker responded. Each project has a project worksheet and within that project worksheet, there may be 20 – 30 different payouts. During the reimbursement process, the project number and pay number are identified. Individually Wheeler Emergency Management will complete a transfer for each amount, which is sent to the annex for approval, and from there the clerk's office receives it. Everything is put in separate accounts for tracking.

Commissioner Corbin asked how many times has it been approved before making it to the chairman. Is there any need for the board to look at it?

Kevan Parker responded that the invoice has been reviewed approximately 15 times before the transmittal letter is done.

Clerk Bell included there would never be a reimbursement from the state if it was not approved at every level on their end before the money is released.

Kevan Parker said the money is moved to the general fund because that is where the expenses are initially paid from.

Clerk Bell informed the board a transmittal is currently being held from June 15 for \$952,000.00.

Commissioner Pettis confirmed that by the time the request is received, it has been through checks and balances at the state level to this point. This is technically a formality.

Clerk Bell commented this was something that was not in place but was put in place by the  
Summary of Minutes Prepared by Risha Brantley

group when they met.

Commissioner Pettis confirmed the transfer could have been done without board approval.

Clerk Bell confirmed that this is correct.

Commissioner Corbin offered a motion, seconded by Commissioner Hawkins, and unanimously carried to keep the process as it is, with the chairman signing the transfer approvals from the Hurricane Michael Fund to the General Fund.

3. Discussion Regarding Notices to Proceed - Tray Hawkins, Chairman informed the board that he typically signs the notice to proceed, which is done after the contract has been awarded by board approval.

Commissioner Griffin offered a motion, seconded by Commissioner Pettis, and unanimously carried to approve of the chairman continuing to sign the notice to proceed.

4. Temporary Construction Easement and Indemnification Agreement – Jeff Massey, County Administrator informed the board they are looking at road projects in northern Washington County and they are seeking an area to store limerock for the projects. The sod farm was considered, however, it would not be a good location based on it not being a good idea to pull off on Highway 273 on the curve with a loaded truck and things are going on at the sod farm that may cause interference.

The Anderson Columbia property across from West Point Home was considered and the company was approached with the idea. They did not seem opposed to the idea but did request an agreement where they would be held harmless in the event something occurred linked to the proposal mentioned.

County Attorney Fuqua drafted a Temporary Construction Easement and Indemnification Agreement to present to the board and Anderson Columbia. Board consideration of the easement is requested contingent upon Mr. Strickland and Anderson Columbia's approval.

Commissioner Corbin asked if it was any cost to the county for the use of their yard.

County Administrator Massey responded \$10.00.

Commissioner Corbin offered a motion, seconded by Commissioner Griffin, and unanimously carried to approve the easement proposal as presented by Mr. Massey.

5. 2020 Property Sold Error – Jeff Massey, County Administrator informed the board that in 2020 a county property was sold twice in error. The second buyer was sent a letter and given the option for a refund or give them a lot of equal value. They were not opposed to that but they have since asked for something unreasonable.

It is suggested to refund the money.

Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to refund the money for the property or give them a lot of comparable value at County Administrator Massey's discretion.

6. Public Participation – County Attorney Fuqua presented the board with an updated draft of the public participation policy as requested by Mr. Massey. Stetson Law Review recently sent out a book that included a section covering public participation and what is the public's rights. An attorney resource group was contacted for their input on what is appropriate for a public participation policy.

The statute on public participation provides that the public shall be allowed to speak on an item that is up for board consideration. This means there is a statutory right for someone to speak on something that has been motioned and seconded. There is no statutory right or right of any kind for someone to come up and speak on a miscellaneous item.

Public entities want to allow the public to speak on non-agenda items. The key to any participation policy is that it be administered equally and consistently. If the board would consider this updated policy, please list it on the next agenda as item 1.

Policy that allows individuals to speak on something that is not on the agenda. It is suggested that if there is an item that is not on the agenda, contact the county administrator or his assistant two days before the meeting and provide the topic and from there the requester will be added to the agenda under the public participation policy and given (3) minutes to speak. It restricts compliments and criticism of any county employee. This does not include the county administrator or county attorney. The board does not make decisions regarding individual employees. The county administrator and the human resources department do that.

If an individual would like to speak on an item on the agenda, the individual needs to sign up before the meeting begins or before that point.

The purpose of the updated items is to give advance notice that there is an issue coming before the board regarding a specified item, which gives the board time to research and possibly address the situation as it arises. The board does not have to answer any questions or respond.

Requiring people to sign up allows them to think about what they want to say beforehand.

The policy is the board's and each member has been provided a copy. Per the research, it has been indicated that all the statutory requirements are met and beyond.

The updated policy handles the concern that was brought before him.

Commissioner Bush questioned the added agenda items.

County Attorney Fuqua responded that they would be able to sign up as they come to the meeting. The only thing they have to sign up for in advance are items they want to address

that are not on the agenda. If something is added during the meeting, they should be able to sign up and speak on that.

V. ADJOURN