

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS

December 14, 2023, 9:00 a.m., 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 – Dallas Pettis, Grace Assembly - Chipley, FL
- 1.3 Pledge
- 1.4 Roulhac Middle School Theater Department Presentation led by Ms. Emily Broom

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

2. PUBLIC HEARING

- 2.1 Land Development Code Text Amendments – Dawn McDonald, Senior Planner informed the board the updates are housekeeping issues which include legislative changes made in the past few sessions. Certain code changes were reiterated. Major changes include the following:
 - Increasing the public notice requirements for the public hearing items from 500 feet to 1,500 feet.
 - The same setbacks within the land use categories would be applied to accessory structures and primary structures.
 - Clarification of the 100-foot requirement for setbacks, which would be from structures to the ordinary high-water mark next to the Choctawhatchee River and Econfina, Holmes, and Pine Log Creeks.

The Washington County Planning Commission recommended approval on December 4.

Commissioner Hawkins said that his home falls within 100 feet of Holmes Creek. In case of qualifying reasons for replacement, there are 6 months to pull the permit and rebuild the existing structure. Many homes are closer to the creek under the earlier setbacks. The language was included before this update, and it is assumed that it is still there.

Dawn McDonald said within 6 months would be replaced and with the same footprint.

Commissioner Hawkins said some homes have been along Choctawhatchee and Holmes Creek for years and have not flooded. He is aware that he falls under this criterion and wants to be upfront with that information.

Dawn McDonald said the challenge is for vacant properties that need to be

brought up to code. Any major changes that would change the footprint.

There was one item that needed to be included that was covered up within the original code a couple of years ago and did not make it to the update. They typically recommend 100 feet of road frontage for large parcels, such as 1 acre or more, especially when lots are being created with the immediate family exception. Approval is requested to add this item for clarification. That would be the only addition to what is being presented today.

3. ADOPT THE AGENDA

Additions

- EMS Building Hardening Discussion (6.8) Commissioner Hawkins
- Discussion about assisting citizens with burying deceased animals such as horses and cows (6.9) – Commissioner Griffin

Commissioner Hawkins offered a motion, seconded by Commissioner Bush, and unanimously carried to adopt the agenda as amended.

4. ADOPT PREVIOUS MINUTES

4.1 Special Meeting for November 2, 2023 – Commissioner Corbin offered a motion, seconded by Commissioner Bush, and unanimously carried to approve the adoption of the minutes for 11/2/2023.

5. 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 the 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, pros, or cons, regarding a county employee who does not report directly to the Board shall be addressed to the Human Relations Department or the County Administrator. Attorney Fuqua
- James Brooks, a citizen who runs a page called Washington County Citizens for Government addressed the board about the county setting up an isolation park/the rodeo/the equestrian center on Daniels Lake a couple of years ago using funds from the CARES Act. The program could have been used for many things, with some of those things being computers and the rural internet; it is thought that some of it was used for broadband. At that time, it funded new lighting, fencing, and engineering. There are not any visible campsites for isolation that could have been used for people to isolate due to COVID-19. The improvements enhanced the site of the sheriff's rodeo and none of the other things came to fruition concerning the isolation park. What is the usage of the park? Where is the policy/fee schedule? There is nothing in the county that has addressed policies for the isolation park/rodeo/equestrian. When the sheriff's office was contacted by a citizen about the use of the equestrian center for an event, \$4,500.00 was the amount that was given for use of it. The sheriff does not have a fee schedule or policy concerning the rodeo. Who does it belong to and who has authority over the equestrian area? Citizens are entitled to use that.

The sheriff was hacked by the Russians, affecting 500 people due to a lack of paying attention to current cybercrime. 500 people are at risk of losing everything to those people. The money could have been used for that.

6. AGENDA ITEMS

6.1 Land Development Code Text Amendments – Dawn McDonald, Senior Planner did not have any added comments.

Commissioner Hawkins offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the text amendments. *Note – This item will be ordinance 2023 – 16.*

6.2 State of Florida Opioids Settlement Funding – Tracie Moorer, NWF Health Program Office Manager addressed the board. They are the managing entity for the northwest region, which means they manage most of the public funds used for the treatment of substance use and mental health. The State of Florida joined some state-specific lawsuits and national lawsuits to sue pharmaceutical companies that contributed to the opioid epidemic. The money from the lawsuits was issued to qualifying counties, which is a county that has a population of 300,000 or more. A county with a population of less than that is considered a non-qualifying county, which would be Washington County. Those funds travel through the managing entity and they contract directly with the Department of Children and Families Offices of Substance Abuse and Mental Health. The amount

for Washington County is \$203,559.22. It is an 18-year abatement fund. The amount changes over the 18 years, with the most drastic drop being from year one and year two, and from there it fluctuates. There are many ways that the funding can be used. The board has been provided with Schedules A and B, which should be used as a guide. Schedule A includes items suggested to prioritize and Schedule B are other approved uses. Items that are not included have the possibility of approval through the state.

Other counties have used the funds towards programs with their sheriff's offices, partnering with the school district about prevention, purchasing Narcan, and medication assistance treatment in the jail to address the opioid epidemic, and working with the Department of Health and other community providers to address the epidemic.

Commissioner Hawkins expressed support for treatment at the jail level and requested more information.

Tracie Moorer told the board their fiscal year is from July – June 30. At this point, the direction that they have received is that the funding can be rolled over, however it is still fluid.

Commissioner Bush asked if funds could be used toward the expense of sending someone to Bay Behavioral if it is opioid-related since it fits into one of the core strategies. There would have to be some way to identify the individuals specifically referred to due to opioid use, without causing a HIPAA violation.

Tracie Moorer said yes. The key is that it must address the opioid epidemic. An implementation plan is requested to be sent by the board by January 8. Northwest Florida Health Network stands ready to take on administrative burdens. If there is an agency the board would like the funds to go to, they are ready to contract directly with them.

Commissioner Hawkins suggested a workshop with the sheriff, health department, and Northwest Florida Health Network to result in them presenting strategies. The board would not likely meet the deadline of January 8 since there is no meeting before then.

Commissioner Bush confirmed with Tracie Moorer that they could send a generic plan and amend it after the 8.

Tracie Moorer said they do realize that the holidays are upon us, therefore they could meet after the 8.

6.3 FDACS Contract – Lee Duke, Mosquito Control Director requested approval of the annual contract with the Florida Department of Agriculture Consumer Services, Tallahassee, FL. The funding amount is \$37,748.53, which is sent quarterly and is used for 75% of the budget.

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

unanimously carried to approve entering into the financial assistance agreement with FDACS Contract.

6.4 Public Relations Services RFP Discussion – Heather Lopez, TDC Director told the board they have done two informal bid processes for their public relations services, with one closing on November 9 and the other on December 4. The same two bids were received in both bid processes. The procurement requests three, however, approval to go ahead with the two submissions is requested before the board.

Commissioner Hawkins offered a motion, seconded by Commissioner Bush, and unanimously carried to set the procurement policy aside for the Public Relations Services Bid mentioned above.

6.5 Request of SHIP Report 2019 – 2020 - Melanie Rowland-Mills, Program Coordinator III Emerald Coast Regional Council addressed the board. The report for 2019 – 2020 reflects the annual receipt of \$350,000.00 funding disbursement. \$291,000.00 +/- was spent toward home ownership, and \$6,000.00 +/- in program income. \$13,658.00 will be carried forward to the following year. There are certain percentages required to be spent on homeownership and construction rehabilitation. The requirements have been met at 86% for the required 65% and 80% for the required 75%. The low-income category percentage is also needed and has been with only about 5% going toward moderate income. Eight families were helped with this funding. To date, the aid has helped six families with first-time homebuyer funds. Approval is requested to sign the certification for the above-referenced report.

Commissioner Hawkins offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the certification of the SHIP Report for 2019 – 2020.

6.6 Request of SHIP Report 2020 – 2021 – Melanie Rowland-Mills, Program Coordinator III Emerald Coast Regional Council told the board there were no funds received during this reporting period due to other programs that were used to help with building homes, mortgage payments, etc. (items tied to Hurricane Michael). Program income, interest, and the \$13,658.00 carryover were rolled over to the following year to spend in close-out 2021 – 2022. Approval is requested to authorize the signature of the certification.

Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve the SHIP Report Certification for 2020 – 2021.

6.7 Request Approval for Hunter Park Phase I Improvements Grant Agreement – Candace Thames, Grants/Procurement Specialist requested approval of the grant listed as 6.7, which is for the construction of a splash pad, new covered picnic tables, benches, and renovation of the existing basketball court and the restrooms.

Commissioner Hawkins offered a motion, seconded by Commissioner Bush, and unanimously carried to approve the grant agreement for Hunter Park Phase I.

6.8 EMS Hardening, Commissioner Hawkins clarified this project as the hardening of the building and not the safe room. It will add a standing seam roof, new energy-efficient windows, and hardened doors. The project has been bid out and was under budget. It is a project that was addressed on their D.C. trip. Senator Scott contacted Ken Lawson, the previous Director of D.E.O. and they pledged an additional 25% for the financially constrained counties. There is no match for this project.

Would the board reconsider approving the project? It is understood that the motion at the earlier meeting failed to pass.

Jason Gilmore, Wheeler Emergency Management addressed the board. The grant was awarded based off estimates two years ago. The lowest bidder was Hall Construction, which was over the approved amount. The process is to go back with an amendment request and ask them to increase the award amount. Everyone that they have sent has been approved but that is a possibility. The lowest bidder would have to be contacted to see if the bid price was still effective. If it is not the project would have to be rebid.

Commissioner Hawkins said the motion that he would request would be to award the project contingent upon the added funding and the contractor holding the bid.

Commissioner Bush seconded the motion.

Benita Crittendon asked if the repairs were the result of a disaster.

Jason Gilmore responded the grant funds are a competitive Hazard Mitigation Grant Program. After the disaster, they set up funding through the Mitigation Bureau to strengthen and harden a facility going forward as part of the Local Mitigation Strategy Working Group where projects are ranked and selected to apply for it. Directly and indirectly, the answer is yes and no. The facility does not necessarily have to be damaged to be an eligible facility, but the funds are a result of Hurricane Michael.

Commissioner Griffin commented that he does not have an issue with it if the county does not have to fund it upfront with funds that are not there.

Chairman Pettis clarified that this has no bearing on the funds that are being held with the state.

Jason Gilmore confirmed that is a different program.

The motion carried unanimously.

6.9 Animal Burials Discussion – Commissioner Griffin told the board that he had been contacted about the county assisting citizens who could not afford to

bury horses, cows, and small livestock and would like the board's input. A call-out employee can earn 3 hours of overtime to help with disposing of the animal.

Commissioner Hawkins asked if Johnny Evans, Public Works Supervisor, had been contacted to see if the department had time.

Commissioner Griffin said no. He spoke with other surrounding counties, and they offer the same thing.

Commissioner Hawkins asked if the county would need a right-of-entry form. There is a lot of work to make sure the county is not liable for any damage that could occur, such as hitting a well, septic tank, or water line. It is a noble cause. The opinion of legal and public works would be beneficial.

County Attorney Fuqua said an indemnification clause.

Commissioner Bush said the county used to offer this service. There is more to it than just sending someone out to bury a horse. There are issues as far as the employees are concerned and what they are being subjected to depending on how bad off the animal is. Time and staffing should also be considered. When the decision was made not to do it anymore, it would be the responsibility of the owner. It is a burden, but it is one of the things that comes with the responsibility of owning a large animal. Other factors include where they die, how wet it is, and what type of equipment is needed. When a citizen makes a request, they want the service at once. When the board voted to stop this service before the supervisor at that time was pleased.

Commissioner Pettis confirmed with Commissioner Griffin that it would be okay to gather information and discuss it at the workshop.

7. FEMA COORDINATOR – Mason Garrett, Wheeler Emergency Management updated the board. All the time extensions for the rest of the road projects were received from FEMA yesterday afternoon. It was confirmed with the state's contractors that there is currently a small request for information for procurement documentation related to some fabric that the road and bridge department. Over \$10,000,000.00 is in RFR validation, and a \$687,000.00 advance was approved for the Williams Road Bridge Project, which should be able to be funded with advances. \$248,000.00 was released from an advance for Road Zone 5.1. Per the contractors, a large part of the \$10,000,000.00 has been confirmed. FDEM's decision on releasing funds currently is unknown. It is not a FEMA decision.

Worley Road – There is a scheduled call every Monday at noon with FEMA on Worley Road. They have approved Brent Melvin's scope of work. The first ad is scheduled for December 20 with a bid due date of February 1, and February 8 workshop discussion.

Jason Gilmore updated the board on the Hazard Mitigation Grant Program Project. The projects include Michael HMGP, Sally HMGP, Ian HMGP, and COVID HMGP. Beginning with Hurricane Michael funding was awarded for buyouts. A contract

was awarded on December 6, 2021, for 12 months, with a 12-month renewal. December 6, 2022, it was extended to December 6, 2023. The contract said the period of performance would be when the notice to go ahead was issued, not the award date. The notice to go ahead was issued on February 8, 2022. Approval is requested for an amendment that is based on an inaccurate start date.

The FEMA deadline to complete the demolition of the homes is January 25, 2024. There are ten remaining. All the asbestos surveys are complete. Arrow Construction is the contractor on record and will hold their prices from 2 years ago.

Attorney Milton said they agreed with the January FEMA date.

Commissioner Hawkins confirmed with Jason Gilmore that the construction/boots on the ground is the phase that must be completed by January 25, 2024.

County Administrator Massey confirmed that demolition was not able to be expedited because they were not able to access the properties since they were still wet. There were environmental requests that had to be met. The state is still holding \$1,000,000.00 +/- for over a year of reimbursement funds for what has been demoed.

Jason Gilmore confirmed the above as correct.

County Administrator Massey said he confirmed with the state that they want to see the demolition begin.

Jason Gilmore said DEM would like to see CDBG funds beginning to be approved before they start paying some. The project is 75% funded by DEM and 25% funded by CDBG.

Commissioner Hawkins said DEO has 25% of the funding. They both want the other to pay first. If it is 100% complete, they both pay.

Jason Gilmore said there are no issues with compliance.

County Administrator Massey suggested holding a meeting to discuss the buyout. The board needs to have all the information to decide if future buyouts are something they need to do.

Jason Gilmore said the buyout on Ian is 75%, and he believes COVID is 90%. If the board does a buyout, their recommendation is to offer the homeowner 75%. All of this is a volunteer program for homes that are in a repeated flood area.

Commissioner Hawkins confirmed the motion to move forward with the close-out date of January 25, 2024, per the attorney's recommendation and the approval of the buyout program with the added funding mechanism through DEM and DEO. Commissioner Corbin seconded the motion.

Benita Crittendon questioned how COVID caused a homeowner buyout.

Commissioner Hawkins said they are discussing the Hurricane Michael Buyout. COVID and Ian will be discussed later.

Jason Gilmore responded it was due to the law. The Stafford Act says that when there is a presidentially declared disaster, which COVID was these other programs are turned on. They are not able to mitigate COVID with a buyout but across the country, the government has turned on the Hazard Mitigation Grant Programs because the Stafford Act allowed it. It still carries through the same procedures as the local mitigation strategy working group and those are the same projects that are ranked and qualified for. During the time Miles Anderson was the Bureau Chief of the Litigation Bureau, he contacted the county and asked that Washington County apply for the funds because it was such a success at getting the homes out of dangerous areas.

Benita Crittendon suggested that at times federal funding allows for friends and family plans and abuse of funds. It is not understood how buyouts relate to COVID, a disaster.

She went on to encourage the chairman to follow up on what is being described for verification.

Commissioner Bush requested Chairman Pettis reach out to both funding agencies to see if he could aid in bringing things together.

Jason Gilmore said what they have awarded is all the buyouts. The homes have been bought and are in the county's name. They have reimbursed 75% for buying the home. They have not reimbursed the demolition cost and disposal. Even if reimbursement is not received for demolition of the homes, the county owns the homes and has a requirement to take them back to greenspace.

Commissioner Hawkins confirmed they can be taken down by the 25 and receive money or take them down after the 25 and not receive funding.

Jason Gilmore said there will not be another extension after January 25.

The motion on the floor carried unanimously.

Jason Gilmore addressed the board about the ag center. Hurricane Sally Hazard Mitigation Program awarded funding to the ag center. A portico grant project was awarded for the front entrance. Brent Reed, Alday-Howell has completed plans for drainage improvements and will prepare the bid documents and issue the bid. Brent Melvin is working on another part of that grant. There are mitigation and portico funding sources attached to the grant. There are two engineering firms. Approval is requested to authorize Alday-Howell to go out for bid in January on the drainage project.

County Administrator Massey said that part of the design at the front entrance had

pipng for draining to run up and down the front of the ag center, which called for an 8-inch pipe. At the same time, there is another project that Melvin Engineering is working on that requires 12-inch. After review, they changed it to put 12 inches there so they could hook straight into a matching pipe. The reason for the request to issue the bid for the second part of this is that they are almost being done simultaneously and it does not make sense to do one and have it set and the other one is going on. Matching the pipe size will make it seamless. The Melvin Engineering part of the project addresses the drainage from the backside of the ag center and ties into what is being done for the portico which will cause good drainage to the west ditch. The cost of increasing the pipe size is negligible because there was \$5,000.00 of continuous money built in that will more than cover that cost. There will be no added cost incurred by doing this based on the numbers on the project. It makes sense not to have to come back later and dig up everything resulting in more costs.

Commissioner Hawkins offered a motion, seconded by Commissioner Corbin to move forward with Alday-Howell to take their plains for drainage and issue a bid for that feature for the HMGP Sally Project for the ag center.

It is understood that the portico is already out for bid. The justification behind it is to run both projects continuously simultaneously to prevent continued disruptions at the ag center.

Benita Crittendon asked if this is under Hurricane Sally Grant, FEMA funds, or the same.

Jason Gilmore responded that it is the Hurricane Sally FEMA Hazard Mitigation Grant Program.

Benita Crittendon asked if it was denied previously or if it was new.

Jason Gilmore responded that it is new. It is not restoring damaged facilities that were from the event. It is a grant program turned on because of an event to allow mitigation for future disasters to strengthen/harden the facility.

Benita Crittendon asked if all the Hurricane Sally Projects that were done because of the event had been performed, paid for, and reimbursed. Are there any ongoing Hurricane Sally Projects?

Jason Gilmore responded no. There are 17 – 18 road projects that are partially improved. The appeal has been won and now they are in the costing phase with them. Hurricane Sally will be around for a few years.

The motion on the floor carried unanimously.

7.1 Task Orders – Jason Gilmore opened up a discussion regarding task orders for Wheeler Emergency Management for January – March for approval.

Commissioner Hawkins offered a motion, seconded by Commissioner Bush to

approve the Wheeler Emergency Management task orders for January 2024 – March 2024.

Commissioner Corbin requested an explanation of the task orders.

Jason Gilmore said the task orders task Wheeler Emergency Management to continue working on the events on their behalf.

Commissioner Griffin asked County Administrator Massey if funds were available to pay them.

Chairman Pettis clarified that this is not an invoice.

Jason Gilmore said it is essentially a purchase order.

Chairman Pettis said they will only invoice for the work that is performed.

Benita Crittendon asked if the hold is still active for all the projects.

Chairman Pettis said yes.

Benita Crittendon asked if Jason Gilmore is requesting approval to move forward as the emergency management company on the task orders.

Jason Gilmore said the request is for them to have authorization to continue working on these projects. A blanket statement that the projects are not moving forward is sort of cavalier. Some of the projects are COVID-19, Hurricane Sally, HMGP, CDBG, mitigation work, Hurricane Michael PA, and Hurricane Michael PA which is unrelated to road damage. They feel like it is a heavy lift, and the board does not want to stop working on it.

Benita Crittendon said the message from the board and what she is interpreting from Jason Gilmore is mixed. Even if there are construction projects that are on hold and the contractors performing that work are on hold, is the county continuing to be invoiced for administrative work that Wheeler Emergency Management does to continue work on task orders?

Jason Gilmore said their cost is management cost and it is going to continue whether the roads are being built or not. There have been a tremendous number of requests from FDEM for source and support documentation, therefore they are continuously sending reports to FEMA and FDEM on the board's behalf due to the request for information. Their lift has increased because they intended to do all of that at closeout, several years from now, but it is being done now to satisfy and have RFR's turned back on.

Commissioner Griffin asked about the funded source.

Commissioner Hawkins said that he does not believe they can stop answering RFR's. Wheeler Emergency Management does that. Without the task order, they

cannot answer the RFR's from DEM.

Commissioner Griffin said that he understood that, and he referred to Clerk Bell regarding funding. The line of credit has been spent.

Clerk Bell responded that was for the paving invoices. They have been contracted with Wheeler Emergency Management for years to handle emergency management concerns. The funding depends on which project it is for.

County Administrator Massey said the other work for Hurricane Sally, COVID-19, and other things that are being worked on are not related to the current issues at the state. Anything unrelated to that is being approved. The process continues to work like it has been on those projects. It is only the projects that are in question now with the \$10,000,000.00 that are being worked through. For the rest of it, the approval and reimbursement processes remain the same.

Jason Gilmore said that he did not see any reason that they would not let them continue the maintenance request.

Mason Garrett, Wheeler Emergency Management said the funding is on hold for 14 road projects per DEM. FEMA has not made that decision. There are two road projects that the board can go ahead with right now. Advances can be received on it. Other projects related to Hurricane Michael are 14 road projects on hold. The ones on hold are related to the 1.5 inches versus 2 inches. FDEM wants FEMA to decide on how they want that to be treated.

County Administrator Massey said that his concern before the board is that even though the other projects may be on hold now, they are still required to have upfront funds to do the work.

Commissioner Griffin expressed concern about the upfront funds and making sure they do not get themselves stretched out and get in this bind again. That is the only concern for the county taxpayers.

Commissioner Hawkins addressed Chairman Pettis, saying that he believes that is the group that is going to give the information to DEM that they need for them to get answers from FEMA about what they would like to do with the road thickness issue. The RFR process that is being received from DEM has increased their work exponentially. It would be good to have the number for the added cost the county has incurred by answering the RFR's for this.

Jason Gilmore said they would track it.

Benita Crittendon said some of the issues regarding discrepancies have been due to engineering decisions that have been made, lack of backup documentation, and post-disaster documentation that Wheeler Emergency Management is being asked about, but yet they are being paid to reply to the RFI's that might indicate that is their negligence or their lack of follow-through that has resulted in the RFI's but they continue to make money from that. It is an ongoing payment plan to the main

engineering group and the emergency management group (friends and family plan). It is important to keep track of how much they are being paid to respond to RFI's because it shows cause on their part, then it should be the county's move to file a lawsuit against them in the end to recoup those funds. This is speaking from the opinion of a citizen. The county has been infiltrated by many different fronts that provide selective dissemination of information to other board members.

James Brooks asked why there was a change from 2 inches to 1.5 inches. Jason Gilmore says that it is being held up at FDEM but it is being heard that FEMA is in the background getting information. They are waiting for FEMA to answer the question as to whether they can go ahead. Is that what it is?

Jason Gilmore said that it was done because that is what the board wanted.

Commissioner Hawkins said based on engineered drawings, correct? The board does not design roads. Whatever the PW called for (engineered design drawings). Florida recognized here, design drawings and they drew them and stamped the job.

Jason Gilmore said that is correct. The program is a pilot program isolated to Hurricane Florence and Hurricane Michael. There are a lot of accommodations in the 10-page policy to manage \$180,000,000.00. There are many different opinions and interpretations.

Commissioner Corbin said the explanation about the 2 inches to 1.5 inches is the original 2 inches did not address the base material. It was 2 inches of asphalt and 2 inches of base, and to his knowledge, it is all in the base. A heavier base (8 – 10 inches +/-) would allow for lowering the asphalt to 1.5 inches is what the engineers called for. Other engineers unrelated to what is going on have all said that it will work. It is all in the base, which is his reasoning for being okay with using 1.5 inches.

Jason Crenshaw, HMB Professional Engineers, Inc. (a county engineer) addressed the board. The mitigation scope of work calls for a licensed professional engineer to design the projects, which is also in the Florida Statute requirements. There was an arbitrary 2-inch number left in the mitigation scope of work but as the engineer when the roads were evaluated, many factors were taken into consideration. The thickness and the base and asphalt are primarily driven by the traffic volumes. All the roads are mainly low-volume all system roads. As the engineer, it is also his job to design an economical and workable project. All the projects were scoped from 2018. After the pandemic costs significantly increased. Cutting a half inch of asphalt, by doing so they increased the base thickness because rock is cheaper than asphalt. Even though the asphalt thickness was decreased the base was increased so the overall structural value of the road was not neglected or changed. The request was made to FEMA and approved on two road zones, which could be 60/70 roads. FEMA made that approval to change from 2 inches to 1.5 inches. That approval was used as precedence to move forward with the remaining roads.

Many roads in Washington County have been paved 1 inch or less. Chipseal is .75

to 1 inch. By doing 1.5 inches, if the roads need to be milled and resurfaced it is not uncommon to mill a road an inch and put back an inch, leaving .5-inch play there, which is one of the justifications for going with 1.5 inches. The base is the foundation of the roads. The base was increased and still had the same s-end value for every road by using this method.

Chairman Pettis addressed Jason Crenshaw. In the original scope of work, 2-inches was mentioned. In the same scope, it mentioned using the design of a licensed P.E. With discussions with FEMA, they feel this may be conflicted. The current wait is for FEMA to decide if they want 2 inches listed in the scope to be used or 1.5 inches as designed by the P.E.

Jason Crenshaw said they completely rewrote/requested the two road zones that they received approval on. The thickness was completely removed giving the engineer the authority to decide if it needs to be milled asphalt or leave it as a rock base. Many of the roads have one home on them. It gives the engineer the authority to make those recommendations to the county.

Commissioner Griffin said that a lot of roads have been paved with less than a house or no houses on it.

Jason Crenshaw said that was before the scope amendment.

James Brooks asked if traffic studies were done or if they were required before the project began.

Jason Crenshaw said they figured out the traffic volume on every road. The county requested those, and they have been provided.

James Brooks asked when more base is required does that mean more haul?

Jason Crenshaw said they are all lump-sum projects. When they put them out for bid, hauling for rock is no different than hauling for asphalt. The cost is there regardless.

James Brooks said county employees are working six days per week (a lot of overtime) doing the hauling. Is that correct?

Jason Crenshaw said the contractors pick up the rock from the county stockpiles and take it to the projects, which is part of their lump-sum fee.

James Brooks said the overtime for county employees hauling rock needs to be looked at.

Jason Gilmore said the projects are written with restorative work and mitigation. A lot of what the force account does is restore the road to pre-storm conditions before the mitigation part, which is to strengthen them and harden them before another storm. Rock being hauled by force account could be a part of restorative work as well as factored into the fixed cost offer.

Johnny Evans, Public Works Supervisor said the county is not doing any overtime. When that was shut down, everything was shut down. The county is not hauling road base, the contractors haul that. The little that is being done are roads that were segmented how at the beginning of the program for them to do the road base on. All they haul is that.

Chairman Pettis asked about previous overtime.

Johnny Evans said that was captured under FEMA.

Jason Gilmore said that it pays for regular time as well when permanent work is being done. The permanent work was being funded and not local tax funds.

The motion on the floor related to the task orders carried 3 to 1 with Commissioner Griffin opposed. Commissioner Bush had stepped out briefly.

Recess 10:37 – 10:46

8. MSBU ADVISORY COMMITTEE UPDATE – Gary Hartman, MSBU Committee Chairman addressed the board. The ordinance requires meetings quarterly; however, they have recently been having them monthly due to so much going on. They are currently up to date; therefore, the next meeting will be in February.
9. PUBLIC WORKS SUPERVISOR – None
10. PARKS UPDATE – George Swauger supplied an update.
 - 10.1 - Portalet Service Agreement: Bid proposal submission is ready to proceed with. A provider has supplied draft terms that include the county being responsible for any theft or vandalism that may be caused to the company's portalets. It was sent to legal for verification that the terms were legal.

County Attorney Fuqua said the response he sent about this was that it is standard language.

County Administrator Massey said that he does not agree with the county being liable.

County Attorney Fuqua said that he reviewed other agreements, which included the same language. The language should be presented to the insurance company.

County Administrator Massey said they have not been receiving the service that they should have been receiving.

10.2 Litard Log was selected next because it has separated where it rises. The first part of the dock is sinking. This dock will not be treated with fiberglass mesh due to the elevation. Handrails will also have to be added.

Commissioner Hawkins asked about the floating dock at the end of Culpepper Landing.

County Administrator Massey will follow up on this.

Commissioner Bush mentioned they had discussed adding a floating part there to allow easier entry and exit of boats.

Commissioner Hawkins suggested a 12-foot gangway at the very far end.

Commissioner Bush said many tournaments are held there.

Commissioner Hawkins said the pavilion is in the way. There are many trees at the location.

County Administrator Massey said they need to start evaluating whether to replace or repair the structure. There is a liability. It does not make sense to put fiberglass if it will be rotten within a year.

- 10.2 Blue Lake Concrete Project: Sidewalk Installation – The project is being looked at about ADA or mobility issues to be able to use the entire park safely. A sidewalk with a 6-inch curve is in the plans to tie the pavilion area to the restroom area. The fence will be eliminated with the addition of landscape trees.

Health department staff have suggested adding a bike repair station at Blue Lake. This will be provided by grant funds through the health department. To bring in an adult presence, fitness equipment could be installed with grant funds. The added adult presence will detour vandalism. The health department also can partner with United Way to possibly provide funds to construct safe walking paths that could be turned into learning paths.

St. Joseph Park was also a topic of discussion. Trees have been removed from the park. The plan is to set up power, open the area up, and smooth out the milled bike path. The collapsed wall was a concern that was discussed. There were some FEMA funds earmarked for a specific area there, however, the funds would not cover the entire wall. The idea is to grade it and make a slope that would support sod. The ball field could be repurposed.

Commissioner Hawkins asked Chairman Pettis if it would be okay to task County Administrator Massey with engineering the area regarding the slope.

It was the consensus of the board for County Administrator Massey to be tasked with the above.

11. ENGINEERING PROJECTS UPDATES

11.1 FEMA Work Suspension Discussion – HMB Professional Engineers, Inc. reminded the board that the suspension of the contractor's work officially ends on January 10, 2024. The options included in the contract are 1) to let them go back to work or 2) terminate their contract. In working with the county attorney(s) the suspension of work language has been updated in the contract that will allow for an added suspension of time. It reads that the owner and contractor may agree to

suspend the work for additional periods of time for unforeseen causes. Such additional suspensions shall be agreed upon by both parties in writing by a change order that suspends the work and extends the contract for the agreed-upon period of time.

Commissioner Hawkins clarified with Chairman Pettis that there is one RFI regarding the procurement on fabric.

Chairman Pettis said the last information that he received was that it was going to an independent review, and something should be known within the next few days.

Jason Crenshaw told the board the updated language has been presented to the contractors who have all agreed and have signed an amendment pending the board's approval.

Commissioner Hawkins offered a motion, seconded by Commissioner Corbin to amend the contract to revise the language to allow for additional suspension of time if needed as presented by Jason Crenshaw.

Benita Crittendon said that she is not an advocate for an unending continued use of federal monies that has caused more problems for the county than a benefit. With the situation, the county has come to a point where it is not a necessary project, such as the Worley Road Bridge. Some things have repairs that must be fixed for residents but for the road paving project; the county needs to cut its losses. It is time to get back to county business and move from FEMA and away from an ongoing enrichment of the same people continuously. Questions and information continue to come up. Consider what has been done as an accomplishment and move on.

The motion on the floor carried 4 to 1, with Commissioner Griffin opposed.

Jason Crenshaw requested the board's approval to approve a change order that extends the suspension another 90 days and the contract by 90 days in the event approval has not been received to go back to work before January 10.

Commissioner Hawkins offered a motion, seconded by Commissioner Corbin to authorize approval of Chairman Pettis to sign the change order(s) if needed on the 10th.

Commissioner Bush asked Chairman Pettis to reiterate in his discussions with DEM and DEO the point where they are at now. This is what must be done if the philosophy is not changed about the funding hold.

Glenda Grice addressed the board. They travel on Foxworth Road to reach their house. They were excited to know that their road was going to be paved. The work began in September/October. The road was ready for the asphalt to be put down. They did not put enough rock down for it to be a rock road, which is something they do not want. The road is now developing a lot of potholes due to the rain, which will cause some of the prep work that has been done to be redone. It is

requested of the board to make the suspension less than 90 days.

Chairman Pettis told Mrs. Grice that their decision to stop the work was based on not receiving reimbursements from the state. The intention is to begin the work as soon as possible and they do not want to extend it any further than needed. The 90-day extension is a worst-case scenario. Things are uncertain.

Jason Crenshaw clarified that the change order will be for the initial 90 days and an additional 90 days, totaling a 180-day contract extension.

The motion on the floor carried unanimously.

12. COUNTY ADMINISTRATOR – County Administrator Massey addressed the board.

Speaking on behalf of Jonathan Sims, Dewberry as part of their ongoing effort to pave roads (this is not about FEMA) mitigation is required when they encounter wetlands. To get a permit for any sort of construction on those roads they must go through the Core of Engineers and (State of Florida) DEP. There must be mitigation bank credits. The wetlands on that road have value to the Core of Engineers and they issue credits. The road being referenced is Hartford, which has mitigation credits that need to be considered. They must have them for construction to be done on a road. The permits from DEP and the Core of Engineers have been obtained and the mitigation bank is owed as part of the project cost. Board approval is requested to move forward with the purchase of the credits for \$27,200.00, required by the mitigation bank to keep the permits intact. If it is not paid for the permits will be lost for perpetuity. No more construction would be able to be done on Hartford Road. The state has awarded \$140,000.00 for redesign. In the following year construction funding may be approved.

Commissioner Corbin offered a motion, seconded by Commissioner Hawkins, and unanimously carried to pay the mitigation bank \$27,200.00.

Permission is requested from the board to seek out a public works director for the road department, which was an active position before. This would help the department long term. The position would be covered by cash carried forward from public works with the understanding that it would be a reoccurring expense in their labor account. Board authorization to add an F.T.E. would be needed.

This item will be discussed at the workshop in January.

13. CLERK

13.1 November Vouchers Totaling \$7,550,656.67

14. COUNTY ATTORNEY - Attorney Milton addressed the board. The chairman attended mediation about a lawsuit against the county. Approval is requested to schedule a shade meeting on December 19, which would need to be followed by a special meeting. What occurred in the mediation will be discussed and the special meeting will be for any decisions.

Commissioner Hawkins offered a motion, seconded by Commissioner Corbin, and unanimously carried to approve advertising for a shade meeting at 8:30 a.m. on December 19, which will be followed by a special meeting.

15. ADJOURN