

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, County Administrator, Jeff Massey, and Attorney Fuqua, Fuqua & Milton, P.A.

2. ADOPT THE AGENDA – Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to adopt the agenda.

3. 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.

4. AGENDA ITEMS

- 4.1 HMGP Hurricane Idalia Funds Application for Shelter Generator Project – Lynne Abel, Public Safety Director requested permission to apply for the HMGP Hurricane Idalia Tier II Funding for two 300 KW generators for hurricane shelters. If the grant is approved the 25% match would be paid for by the state, therefore, eliminating the use of local funds for the project. The new generators will support air conditioners and automatic transfer switches at the shelters and will be used to run portions of RMS, and CHS. Washington County is a contiguous county along with Bay County who were declared under Hurricane Idalia. The application is due this week.

Commissioner Griffin questioned if county workers would assist in hooking up the automatic disconnects. Will going from manual to automatic be an additional cost?

Lynne Abel said the additional wiring is included with the grant.

Commissioner Griffin offered a motion, seconded by Commissioner Corbin, and unanimously carried to authorize applying for the HMGP Hurricane Idalia Tier II Funds.

- 4.2 FEMA Discussion – David Pettis, Chairman provided an overview and update regarding Hurricane Michael (2018).

2018 Hurricane Michael caused unprecedented damage in Washington County (roadway damage, downed trees, infrastructure damage, damage to homes, etc.). Washington County, Florida Department of Emergency Management, Federal Emergency Management Agency, and Wheeler Emergency Management began the process of road repair and associated drainage repair. This was a lengthy process as the approval and obligation of public assistance funding took approximately two years. The lengthy process began immediately after Hurricane Michael impacted our area and included accompanying FEMA staff on-site visits to capture disaster-related damage to our road infrastructure, which formed the basis for the damage description and eligible scopes of work for our project worksheets. Including mitigation measures to pave previously unpaved roads. The approvals were made by FEMA with concurrence from FDEM. FEMA has affirmed its initial approval on multiple occasions through various conversations, memos, emails, and guidance documents issued to the county.

In September of 2023, our reimbursements for Hurricane Michael were stopped. This put the county in a financial crisis. Contractors had completed work and had to be paid. This required the county to activate and utilize a line of credit for approximately \$10.5 million. At this time FDEM advised that they were awaiting a reply from FEMA regarding placing pavement at 1.5 inches instead of 2 inches. FDEM requested documentation regarding the use of 1.5 inches instead of 2 inches, which the county provided. We worked with FDEM for several months providing documentation and correspondence to FEMA. At this point, we thought the difference in asphalt thickness was the cause of the reimbursement stoppage.

On Monday, May 13, 2024, we had a phone conference with FEMA and FDEM. Included on this call was Saidat Thomas (FEMA). Ms. Thomas advised the county that paving dirt roads was not

eligible mitigation work and that FEMA intended to issue a denial of this work and de-obligate or take back funds from Washington County. When asked why the de-obligation occurred at this stage in the project, Ms. Thomas said that errors were made. I asked Ms. Thomas what errors were made and who made those errors. Her response was that,

“Costs were approved in error by FEMA.” Ms. Thomas stated that FEMA had been questioning this project since 2021. I asked if Washington County had been notified of FEMA’s concerns. Ms. Thomas said that she did not know but referred to FDEM. FDEM responded that they have no documentation showing that Washington County was notified of any concerns. We were notified of our appeal rights as well as a loan and interest repayment program.

On Friday, May 17, 2024, we had a phone conference with FEMA and FDEM. The county stated our position is that we did what we were supposed to do and followed FEMA policy. As confirmed by the approvals at the beginning of the project. Ms. Saidat Thomas used the word error multiple times during our conversation. I asked Ms. Thomas who made errors. She said, “Washington County has not made any errors.” I asked her to clarify who made errors and she said, “FEMA made those errors.” During this conversation, Ms. Thomas said FEMA is empathetic to this situation, doesn’t want to make the decision lightly, and will consider additional information. They want to help as we move forward and offer any help that they can. FEMA requested a phone call with FDEM to discuss this situation, which Washington County was not allowed to participate. We have no update on that call. We are continuing to work with FEMA and FDEM in this process. We have reiterated that we want to resolve this matter before entering the appeals process. FEMA has not yet issued a denial on these projects, and we are hopeful for a quick resolution.

On the state level, they have offered some help with PA-type things.

In response to Commissioner Griffin’s question regarding the de-obligation amount County Administrator Massey responded \$79 million but they are not saying that they are going to take that amount back. The total project is a specific amount and Washington County has spent approximately half of it. It is understood that the county is not looking at a receivable situation (where the county would have to pay back money).

Commissioner Hawkins questioned if FDEM thinks Washington County is in a good position to fight this.

Chairman Pettis said he emailed FDEM for their opinion and what their support would be for Washington County and the reply was they support the appeals process and going to arbitration.

Commissioner Hawkins said for now since they are using an interest-only line of credit, is there a way the state could utilize a bridge loan that is coming out of government coffers that the county would not have to pay interest on to reconcile the debt until things are figured out?

Chairman Pettis said that he and County Administrator Massey have discussed researching that is an available option.

County Administrator Massey said they had a call regarding this yesterday and Mrs. Bell is working on the information that is needed.

Clerk Bell said this item will be discussed at their standing Wednesday meeting. They were optimistic about it and the type of projects that were involved in this they felt would be covered regarding the interest. If the funds are released from FDEM, that would take care of the loan.

Chairman Pettis said that FDEM would like to make sure the funds released to Washington County are eligible because they do not want to have to request the funds back.

County Administrator Massey said once the funds are released, they are protected by 705 (c) Stafford Act, which cannot be clawed back. The documentation that Washington County has provided shows that they are eligible. If it does not matter that Washington County followed the rules and FEMA made an error, the documents/agreements, etc. that show that the funds are eligible can be discarded. The hope is that this will be resolved before it reaches arbitration. The point in identifying who did what is over. They are at a point where everyone is working together to make this right.

5. ADJOURN