

Book Type[BOCC] Date[12/22/2020] Time[6:00 P.M.
 Book#[71] Minutes#[16] Meeting-Type[SPECIAL

BOARD OF COUNTY COMMISSIONERS

TAYLOR COUNTY, FLORIDA

COURTHOUSE ANNEX

M I N U T E S

TUESDAY, DECEMBER 22, 2020

6:00 P.M.

THE BOARD OF COUNTY COMMISSIONERS OF TAYLOR COUNTY, FLORIDA
 (TCBCC), MET IN SPECIAL SESSION ON THE ABOVE DATE.

BOARD MEMBERS ATTENDED THE MEETING AS FOLLOWS:

<u>DIST</u>	<u>OFFICE</u>	<u>NAME</u>	<u>ATTENDED</u>	<u>PORTION ATTENDED</u>
1		JAMIE ENGLISH	IN PERSON	ALL
2	VICE-CHAIR	JIM MOODY	IN PERSON	ALL
3		MICHAEL NEWMAN	IN PERSON	ALL
4		PAM FEAGLE	IN PERSON	ALL
5	CHAIR	THOMAS DEMPS	IN PERSON	ALL

COUNTY STAFF ATTENDED THE MEETING AS FOLLOWS:

<u>POSITION</u>	<u>NAME</u>	<u>ATTENDED</u>	<u>PORTION ATTENDED</u>
COUNTY ADMIN	LAWANDA PEMBERTON	IN PERSON	ALL

COUNTY CONSTITUTIONAL OFFICERS ATTENDED THE MEETING AS FOLLOWS:

<u>POSITION</u>	<u>NAME</u>	<u>ATTENDED</u>	<u>PORTION ATTENDED</u>
CLERK AD INTERIM	GARY KNOWLES	IN PERSON	ALL

MICHAEL NEWMAN LED THE BOARD IN PRAYER, FOLLOWED BY THE PLEDGE OF ALLEGIANCE TO THE FLAG. THE BOARD WAS THEN CALLED TO ORDER BY CHAIRMAN DEMPS, AND BUSINESS TRANSACTED AS FOLLOWS:

THE CHAIRMAN READ INSTRUCTIONS FOR CONFERENCE CALL-IN LINE AND FACEBOOK LIVE STREAM.

3. UPON MOTION OF COMMISSIONER ENGLISH, WITH SECOND BY COMMISSIONER MOODY, AND BY UNANIMOUS VOTE, THE BOARD APPROVED THE AGENDA FOR THIS DATE, AS SUBMITTED.

4. EXAMINATION AND APPROVAL OF INVOICES:

UPON MOTION OF COMMISSIONER FEAGLE, WITH SECOND BY COMMISSIONER NEWMAN, AND BY UNANIMOUS VOTE, THE BOARD APPROVED AND AUTHORIZED PAYMENT OF THE CURRENT BILLS, AS FOLLOWS:

GENERAL REVENUE FUND	WARRANTS 064267	THROUGH	064372
ROAD AND BRIDGE FUND	WARRANTS 5016580	THROUGH	5016608

AND THAT THE CHAIRMAN AND THE CLERK BE AUTHORIZED TO ISSUE COUNTY WARRANTS COVERING SAME.

5. COMMISSIONER NEWMAN DISCUSSED MOORING IN THE STEINHATCHEE

WILDLIFE COMMISSION (FWC) TO OUR JANUARY WORKSHOP TO DISCUSS THESE TYPES OF ISSUES.

COMMISSIONER FEAGLE - QUESTIONED WHO THE OWNER IS, AND IF ANY, WHAT IS THE BOARD'S RESPONSIBILITY.

COUNTY ADMINISTRATOR - OWNER WAS IDENTIFIED AND LIVES IN TENNESSEE, NOTICE HAS BEEN SENT TO THE OWNER.

COMMISSIONER MOODY - FWC AND COAST GUARD HAVE NOT REMOVED BOATS IN THE PAST.

COUNTY ATTORNEY - THIS IS A NAVIGABLE STREAM AND FEDERAL AUTHORITIES HAVE JURISDICTION. THAT IT IS THE BOARD'S RESPONSIBILITY TO REPORT IT.

ACTION:

MOTION BY COMMISSIONER NEWMAN, SECOND BY COMMISSIONER MOODY, TO AGENDA THIS ISSUE FOR THE JANUARY WORKSHOP AND INVITE FWC LT. LLOYD TO DISCUSS THIS SUBJECT.

MOTION PASSED BY UNANIMOUS VOTE OF THE BOARD.

6. THE BOARD DISCUSSED APPROVAL OF DRAFT COUNTY-WIDE EMERGENCY MEDICAL SERVICES (EMS) AGREEMENT WITH CENTURY AMBULANCE SERVICES.

DISCUSSION:

COUNTY ADMINISTRATOR - WE HAVE CENTURY AMBULANCE REPRESENTATIVES IN THE HALLWAY.

COUNTY ATTORNEY - WE HAVE BEEN LOOKING AT THE CONTRACT AND I THINK IT IS A PRETTY GOOD AGREEMENT. MY RECOMMENDATION IS TO AGREE TO THE AGREEMENT.

COMMISSIONER ENGLISH - THE AMBULANCE SERVICE AGREEMENT IS FOR FIVE (5) YEARS AND THE STEINHATCHEE STATION LEASE IS FOR THREE (3) YEARS. CAN THEY BOTH BE FOR 5 YEARS?

COUNTY ATTORNEY - DMH HAS A LEASE AGREEMENT FOR THE STEINHATCHEE STATION THAT NEEDS TO BE TERMINATED.

COMMISSIONER ENGLISH - WHAT IS THE ENDING DATE OF THE DMH AGREEMENT?

COMMISSIONER DEMPS - THEY MIGHT HAVE THEIR OWN MEDICAL DIRECTOR.

MR. JOHNSON - STATED THAT CENTURY IS REQUIRED TO HAVE A MEDICAL DIRECTOR CONTRACT.

COMMISSIONER DEMPS - HAVE THE CURRENT EMPLOYEES BEEN TALKING TO YOU?

MR. JOHNSON - THERE ARE EIGHTEEN (18) CURRENT DMH EMPLOYEES GOING TO WORK WITH CENTURY. THEY RECEIVED SIGNING BONUSSES AND PAY INCREASES.

ACTION:

MOTION BY COMMISSIONER FEAGLE, SECOND BY COMMISSIONER MOODY, TO APPROVE COUNTY-WIDE EMERGENCY MEDICAL SERVICES (EMS) AGREEMENT WITH CENTURY AMBULANCE SERVICES.

MOTION PASSED BY UNANIMOUS VOTE OF THE BOARD.

7. THE BOARD DISCUSSED APPROVAL OF PROPOSED STEINHATCHEE STATION LEASE AGREEMENT WITH CENTURY AMBULANCE SERVICES.

ACTION:

MOTION BY COMMISSIONER NEWMAN, SECOND BY COMMISSIONER ENGLISH, TO APPROVE STEINHATCHEE STATION LEASE AGREEMENT WITH CENTURY AMBULANCE SERVICES FOR 5 YEARS, CONTINGENT UPON TERMINATION OF THE LEASE WITH

8. THE COUNTY ATTORNEY, COUNTY ADMINISTRATOR AND THE COUNTY ENGINEER UPDATED THE BOARD ON THE STATUS OF THE FOLEY CUT-OFF ROAD CONSTRUCTION PROJECT CONTRACTUAL DISPUTE.

DISCUSSION:

COUNTY ENGINEER - THE BOARD AGREED TO OPTION 2 ON DECEMBER 7 AND THE COUNTY ATTORNEY DRAFTED A LETTER TO PIGOTT. UNFORTUNATELY, PIGOTT ATTORNEY RESPONDED WITH AN UNACCEPTABLE COUNTER OFFER. WE ARE FORMALLY DECLARING WE WANT THE SURETY COMPANY TO COMPLETE THIS PROJECT UNDER THE PERFORMANCE BOND. WE ARE ASKING THEM TO TELL US WHAT THEY ARE PLANNING TO DO TO COMPLETE THIS PROJECT. I AM ASKING THE BOARD TO ENDORSE THIS POSITION.

COMMISSIONER FEAGLE - ASKED THE COUNTY ADMINISTRATOR IF SHE IS IN AGREEMENT WITH THE COUNTY ENGINEER, AND MS. PEMBERTON RESPONDED YES.

COUNTY ATTORNEY - IF YOU READ THE CORRESPONDENCE WITH MR. SELLERS, WE MADE A GOOD OFFER AND HE RESPONDS WITH MORE DEMANDS. IF THE BOND COMPANY HAS TO PAY THEY WILL GO AGAINST PIGOTT TO GET IT BACK.

COMMISSIONER ENGLISH - HOW LONG TO COMPLETE THIS PROJECT?

COUNTY ENGINEER - THERE IS ABOUT SIXTY (60) DAYS OF WORK REMAINING. THAT THE COUNTY ROAD DEPARTMENT HAS BEEN DOING SOME WORK BY HAND TO FILL POTHLES.

ACTION:

MOTION BY COMMISSIONER NEWMAN, SECOND BY COMMISSIONER MOODY, TO PROCEED WITH E-MAIL AND MAILING LETTER TO THE SURETY COMPANY.

MOTION PASSED BY UNANIMOUS VOTE OF THE BOARD.

SAID CORRESPONDENCE IS AS FOLLOWS:

December 23, 2020

Westfield Insurance Company
ATTN: Daniel D. Pentecost, Sr. Surety Claims Counsel
PO BOX 5001
Westfield Center, OHIO 44251

RE: Foley Cut-Off Rd Widening/Resurfacing Project
Contractor Default - Pigott Asphalt & Sitework, LLC

Mr. Pentecost,

Taylor County is formally requesting project completion under the terms of Performance Bond No. 07208F.

To date, we have exhausted all reasonable means to resolve the Contractor's Default and assert it to be ineffective to continue such efforts. Therefore, we are again requesting that the matter be resolved as provided for within the terms of the Performance Bond. Specifically,

- 1) Pigott Asphalt & Sitework, LLC and Westfield (Mr. Benjamin Campbell) were notified on September 28/29, 2020, that it was intended to declare Pigott Asphalt in default due to non-performance (Bond Para 3.1).
- 2) Pigott Asphalt & Site Work was notified on November 10, 2020 that their work stoppage resulted in Contract Default (Bond Para 3.2) pursuant to their November 4, 2020 notification of Non-Pursuit.
- 3) Surety Counsel (Mr. Pentecost) was notified on November 16, 2020, of decision to seek completion of the project under the terms of the Performance Bond (Bond Para 3.1).
- 4) Taylor County and NFPS (our CEI firm) attended a November 24, 2020, resolution meeting/conference with the Contractor and Mr. Pentecost (Bond Para 3.1).
- 5) Taylor County agrees to pay the balance of the available Contract Price to the Surety or a contractor selected to perform the contract in accordance with the terms of the contract (Bond Para 3.3).

Thus, after having complied with the prerequisite conditions, we are requesting that the options under Bond Para 4 (excluding Option 4.1) be utilized as soon as possible. For expediency, we suggest that Anderson Columbia be afforded the opportunity to complete the work effort as the replacement contractor. They are familiar with the project, have a detailed perspective of potential cost for completion, and are an approved contractor based on their past performance and efficiency.

Lastly, in accordance with Bond Para 5, we respectfully ask that you return your decision concerning this request with reasonable promptness. Our main concern is to finish the project as quickly and correctly as possible. The delay since the Contractor stopped work has only served to require reworking the bulk of the site work and portions of the previously finished roadway segment. Continued delay will only increase those costs further, increase those costs envisioned in Para 6, and unnecessarily present added liability from an unfinished roadway.

Sincerely,

9. COMMENTS AND CONCERNS FROM THE PUBLIC FOR NON-AGENDAED ITEMS:

NONE

10. COUNTY ADMINISTRATOR ITEMS:

1. ADVISED THAT FRIDAY, JANUARY 8, 2021, AT 5:00 P.M., IS THE LEGISLATIVE DELEGATION MEETING.
2. HOLIDAY SCHEDULE - COUNTY WILL BE CLOSED DECEMBER 24TH. AND 25TH. FOR CHRISTMAS AND JANUARY 1ST., NEW YEARS DAY. ROLL-OFF SITES WILL BE CLOSED ON CHRISTMAS DAY ONLY.
3. CARES ACT HAS BEEN EXTENDED ONE (1) YEAR.
4. DEAD MAN'S CURVE PROJECT IS IN PROGRESS AND ALMOST COMPLETED.

COMMISSIONER FEAGLE - WHEN WILL WE BE DISCUSSING OUR HEALTH INSURANCE, I HAVE SOME CONCERNS. IS THERE ANY WAY WE CAN HAVE A TAX DEFERRED PLAN?

THE HOUR BEING APPROXIMATELY 7:02 P.M., AND THERE BEING NO FURTHER BUSINESS, COMMISSIONER NEWMAN MADE A MOTION, WITH SECOND BY COMMISSIONER ENGLISH, TO ADJOURN. THE MOTION TO ADJOURN PASSED BY UNANIMOUS VOTE OF THE BOARD, SUBJECT TO CALL.

BOARD OF COUNTY COMMISSIONERS

TAYLOR COUNTY, FLORIDA

BY: _____

THOMAS DEMPS, CHAIRMAN

ATTEST:

GARY KNOWLES, CLERK AD INTERIM