

Nassau County Board of County Commissioners
Workshop Session, June 24, 2019, 4:00 p.m.
Regular Session, June 24, 2018, 6:00 P.M.
Commission Chambers, 96135 Nassau Place, Yulee, Florida

Call to Order, Invocation and Pledge of Allegiance to the American Flag

Commissioners:

Present: Chairman Justin Taylor, Commissioners Daniel B. Leeper, Aaron C. Bell, Pat Edwards, and Thomas R. Ford.

Other Officials Present: Michael S. Mullin, County Attorney/County Manager; Taco Pope, Assistant County Manager.

Staff Present: Megan Diehl, Office of Management and Budget Director; Robert Companion, Interim Engineering Director; Adrienne Burke, Planning and Economic Opportunity Director; and representing the Clerk's office Brenda Linville and Peggy Snyder, Deputy Clerks.

Official Agenda Summary:

WS190624 - 4:01:22 (Tab A) Workshop Session to discuss the Double Chip Seal Program.

Discussion: Mr. Mullin addressed the Double Chip Seal Program. He requested a time frame of thirty days in order for staff to bring back new standards to address not only the utilization of chip seal but what will be required by the contractors who install the materials to ensure the roadway product works prior to the invoice being paid.

David Hearn, Road Department, provided a PowerPoint presentation regarding the Double Chip Seal Program. He explained the costs associated with routine dirt road maintenance as well as the periodic grading and the addition of stability materials. He explained that chip seal was found to be a cost effective way to stabilize a dirt road surface for approximately ten years and is a low cost alternative to traditional paving. He explained the benefits of chip seal and advised that the County currently

has 23 roads that are chip sealed. He compared the costs for dirt road stabilization, double chip seal, and traditional paving. Mr. Hearn addressed roadway concerns related to narrow rights-of-way, lack of grass to prevent erosion, lack of drainage facilities, and trees in the rights-of-way. Discussion followed regarding the Double Chip Seal cost analysis and the ability of the County to chip seal three miles of roadway per year.

Ms. Diehl explained that the Road Department has a baseline annual budget of \$340,000.00 for the Double Chip Seal Program. Part of the Five-Year Capital Improvement Plan (CIP) presented last year provides for an increase of \$150,000.00 in Fiscal Year 2019-2020; however, this increase is non-recurring. Discussion followed regarding the Road Department's increased funding needs for materials and labor. Mr. Mullin reiterated that staff will bring back in thirty days cost estimates and a better plan options. In the interim, Ms. Diehl will look internally first to furnish the funding required prior to a budget request increase.

The Board recessed at 4:35 p.m. and reconvened in regular session at 6:00 p.m.

Audience Input: Non-Agenda Items

RS190624 - 6:02:03 Sieber Newsome III came forward to speak in opposition of internet gaming/simulated gambling.

Audience Input: Agenda Items

RS190624 - 6:06:38

None.

RESOLUTION(S) :

RS190624 - 6:08:31 (Tab B) Approve a Resolution of the Board of County Commissioners of Nassau County, Florida, proclaiming the week of July 27 through August 4, 2019 as "Gullah/Geechee Nation Appreciation Week".

Motion: Approve Tab B as stated above and authorize Chairman to sign Resolution 2019-116 regarding same.

Maker: Commissioner Leeper

Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor
Follow Up: County Manager

PRESENTATION(S) :

RS190624 - 6:15:44 (Tab C) Marge Powell, Chair of Arts and Culture Nassau regarding an overview of the committee and their activities.

Discussion: Ms. Powell provided a PowerPoint highlighting the funding received from the Specialty Arts license plate and several of the Arts and Culture Nassau accomplishments.

RS190624 - 6:16:59 (Tab D) Taco Pope, Assistant County Manager, regarding 2019 Growth Trends Report.

Motion: Schedule a special meeting for July 15, 2019 at 1:00 p.m. to discuss the 2019 Growth Trends Report and discuss Fiscal Year 2019/2020 budget.

Maker: Commissioner Leeper

Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: County Manager, OMB

CONSENT ITEM(S) :

RS190624 - 6:23:36 Approve the following: (Tab E) Resolution of the Board of County Commissioners of Nassau County, Florida, establishing a temporary 35 mph speed zone on County Road 115 between Braddock Road and Dyal Road, providing for findings by the Board of County Commissioners; providing for placement of 35 mph speed limit signs; providing for penalties; and providing for an effective date. (Tab F) Acceptance of donation from Rayonier Advanced Materials for 10 HazMat Suits for Nassau County Fire Rescue's Special Hazard Operations Team; and authorization for the Chairman to sign the Additions to Inventory Form. (Tab G) Board minutes from the special session held on May 2, and the regular session held on May 13, 2019.

Motion: Approve Consent Items Tabs E, F, and G and authorize Chairman to sign Resolution 2019-117 regarding Tab E.

Maker: Commissioner Bell

Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor
Follow Up: County Manager, Sheriff's Office, Fire Rescue,
Clerk Staff

REGISTER:

The Chairman signed the register for the following warrants: Wire Transfer No. 1913009 dated 6-18-19 for a register total of \$181.58; Wire Transfer No. 1913010 dated 6-18-19 for a register total of \$128,447.08; and, Warrant Nos. 255308 thru 255408 dated 6-21-19 for a register total of \$176,414.82.

OLD BUSINESS:

RS190624 - 6:23:56 (Tab H) Continue discussion and receive Board direction regarding proposed alternative route for the Orange Avenue Trail; and authorize staff to set public hearing for July 22, 2019 at 6:00 p.m. to close Orange Avenue to vehicular traffic.

Discussion Mr. Pope reviewed the request.

Public Input: The following citizens came forward to speak in favor of the closure of Orange Avenue Trail: Tom Durel, Theresa Prince, Judy Beal, and Ted Burkhart.

Motion: Authorize staff to execute the quit claim deed and take ownership of the Sabal Palm right-of-way; consider Orange Avenue Trail during the budget process for inclusion in the five-year Capital Improvement Plan (CIP); and schedule a public hearing for July 22, 2019 at 6:00 p.m., or as soon thereafter as the matter may be heard, to consider closures of Orange Avenue to vehicular traffic.

Maker: Commissioner Bell

Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor

Follow Up: Planning and Economic Opportunity, OMB

RS190624 - 6:43:20 (Tab I) Continue discussion regarding proposed development at Amelia River Golf Course.

Discussion: Mr. Mullin reviewed the request.

Public Input: The following citizens came forward to speak in opposition to this project citing lack of community-led studies performed to determine the best use for this property; noise factor associated with the proposed race track; loss of tree canopy, and the effects on wildlife: Cameron Moss, William C. Rowdon, Lynn Pannone, Gary Mendelson, and Theresa Prince.

Motion: Authorize the Chairman to sign a letter to be sent to the City of Fernandina Beach Commission addressing the citizen's concerns regarding the proposed development at Amelia River Golf Course.

Maker: Commissioner Bell

Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: County Manager

RS190624 - 6:44:00 (Tab J) Discuss/consider setting a closed session to discuss the Labor Agreement with Nassau County Fire Rescue Professionals, Local 3101.

Motion: Schedule a closed session on July 8, 2019 at 5:00 p.m. for Tab J as stated above.

Maker: Commissioner Edwards

Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: County Manager, County Attorney, Board

NEW BUSINESS:

RS190624 - 6:58:06 (Tab K) Approve a new Contract Specialist position in the Office of Management and Budget.

Motion: Approve Tab K as stated above.

Maker: Commissioner Edwards

Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: OMB, Human Resources, Contract Management

RS190624 - 6:59:05 (Tab L) Set Public Hearing to amend Ordinance No. 2001-38, which amended Ordinance No. 95-31, as amended, which established a one percent sales surtax, specifically amending Section 30-126 of Division 3, Operational Expenses for Infrastructure; providing an effective date.

Motion: Schedule public hearing for July 22, 2019 at 6:00 p.m., or as soon thereafter as the matter may be heard, for Tab L as stated above.

Maker: Commissioner Edwards

Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: Finance, OMB, County Manager

RS190624 - 6:59:53 (Tab M) Discuss and authorize Chairman to execute Impact Fee Credit Agreement and approve Special Warranty Deed.

Discussion: Mr. Mullin reviewed the request.

Motion: Approve Tab M as stated above.

Maker: Commissioner Bell

Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: Finance, OMB, Planning and Economic Opportunity

RS190624 - 7:01:18 (Tab N) Discuss/consider the Interlocal Agreement with Florida Governmental Utility Authority (FGUA) relating to the provision of utility services to the Nassau County Amelia Utility (NAU) Water and Wastewater Utility System; and approve associated budget transfer for the 2018-2019 professional services expense.

Discussion: Mr. Mullin reviewed the request. Commissioner Ford commented that FGUA may be beneficial in other areas of the county and would like to further explore those options.

Motion: Approve Tab N as stated above.

Maker: Commissioner Leeper

Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor
Follow Up: Finance, OMB, County Manager, NAU

APPOINTMENT (S) :

RS190624 - 6:01:31 (Tab O) Discussion of a replacement for Len Kreger on the Affordable Housing Advisory Committee.

Discussion: Chairman Taylor advised that this item was previously addressed at an earlier meeting noting that Taylor Rippey from Micah's Place was named as At-Large member to replace Len Kreger.

Motion: Pull Tab O from the agenda.
Maker: Commissioner Leeper
Second: Commissioner Bell
Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor
Follow Up: County Manager, Planning and Economic Opportunity

NON-QUASI-JUDICIAL PUBLIC HEARING(S) :

RS190624 - 7:02:09 Mr. Mullin read the legislative procedures applicable for Tab P through Tab S.

Motion: Open the floor to public discussion for Tab P through Tab S.
Maker: Commissioner Bell
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Discussion: The Board agreed to hear Tab P and its companion application, Tab R, concurrently. Kailey Saver, Senior Planner, provided a PowerPoint presentation and discussed the William Burgess Context and Connectivity Plan.

RS190624 - 7:02:09 First public hearings to consider: **(Tab P)** Comprehensive Plan Amendment, CPA19-002, an Ordinance amending the 2030 Nassau County Comprehensive Plan; amending the Future Lane Use Element; amending the Future Land Use Map Series (FLUMS) map FLUMS-10, amending the William Burgess Mixed Use Activity Center Overlay District; providing for severability; and providing an effective

date; and **(Tab R)** LDC19-006, an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending Ordinance No. 97-19, as amended, known as the Nassau County Land Development Code; adopting a new Article 43; adopting by reference and approving the use of the William Burgess Context and Connectivity Blueprint in the subsequent implementation phases of the William Burgess Mixed-Use Activity Center Overlay District as adopted in the 2030 Comprehensive Plan; and providing an effective date; providing for codification; providing for severability; and providing for an effective date.

No public input.

Motion: Close the floor to public discussion for Tab P and Tab R.

Maker: Commissioner Bell

Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Motion: Approve second public hearing for July 8, 2019 at 6:00 p.m. or as soon thereafter as the matter may be heard, to consider Tab P and Tab R as stated above.

Maker: Commissioner Edwards

Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: County Manager, Planning and Economic Opportunity, Property Appraiser's Office

RS190624 - 7:21:09 (Tab Q) Approve an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending Chapter 23 1/2 of the Nassau County Code of Ordinances (Ordinance No. 2014-23), specifically amending Section 23 1/2-83 regarding rental rates for the use of County Facilities and Ball Parks; providing severability; providing an effective date.

Discussion: Mr. Mullin reviewed the request.

No public input.

Motion: Close the floor to public discussion.

Maker: Commissioner Leeper

Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor

Motion: Approve Tab Q as stated above and authorize the
Chairman to sign Ordinance 2019-16 regarding
same.

Maker: Commissioner Bell

Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor

Follow Up: County Manager, Facilities Maintenance

RS190624 - 7:22:50 (Tab S) Consider Comprehensive Plan
Amendment application, CPA18-003, an Ordinance amending the
Future Land Use Map (FLUM) of the Comprehensive Plan;
providing for the reclassification of approximately 9.11
acres of real property located on the south side of Amelia
Concourse, west of Old Nassauville Road between Frank Ward
Road and Terra Cotta Lane, from Medium Density Residential
(MDR) to High Density Residential (HDR); providing for
findings; and providing an effective date.

Discussion: Doug McDowell, Principal Planner, reviewed the
request.

Public Input: Emily Pierce, attorney with Rogers Towers
and agent for the applicant, came forward to request that
the Board support this land use amendment. Ann Kemp came
forward expressing concerns with density issues and
increased traffic on CR107/Old Nassauville Road.

Motion: Close the floor to public discussion.

Maker: Commissioner Bell

Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor

Discussion: Commissioner Bell commented regarding the need
for schools in the Amelia Concourse/Old Nassauville Road
area to handle the increased growth. Mr. Pope explained
that the School Board has planning tools to address this
issue and they are aware of the need.

Motion: Approve Tab S as stated above and authorize the Chairman to sign Ordinance 2019-17 regarding same.
Maker: Commissioner Bell
Second: Commissioner Ford
Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor
Follow Up: Planning and Economic Opportunity

QUASI-JUDICIAL PUBLIC HEARING(S) :

RS190624 - 7:38:58 (Tab T) Consider Rezoning application, R18-003, filed by JOCO Amelia Company, LLC, and Nassau 1 Amelia LLC, owners, and Prosser, Inc., agent for owner, to rezone approximately 85.7 acres from Open Rural (OR) to a Planned Unit Development (PUD) to be known as "Concourse Crossing". Property is located on the north and south sides of Amelia Concourse, east and west of Old Nassauville Road and between Frank Ward Road and Terra Cotta Lane, Fernandina Beach area.

Mr. Mullin read the quasi-judicial procedures.

Waive Presentation:

RS190624 - 7:40:14 Emily Pierce, agent for the applicant, came forward and was sworn in to provide testimony.

Motion: Open the floor to public discussion.
Maker: Commissioner Bell
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Commissioners Ex-parte Communications:

RS190624 - 7:45:02

None.

RS190624 - 7:45:37 Documents submitted into the record: Draft Ordinance and Exhibit A; Exhibit B; Exhibit C, Parcel, Zoning and FLUM maps; Application; Staff Report; and, email from P. Green dated May 31, 2019.

Motion: Accept documents into the record as presented above.
Maker: Commissioner Leeper
Second: Commissioner Bell
Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Deputy Clerk swore in staff to provide testimony.

Discussion: Mr. McDowell reviewed the request. Ms. Pierce came forward and was sworn in. She addressed the financial benefits of this project to the County. Kevin Justice, Southport Real Estate, in Delray Beach, Florida, owner's representative, came forward and was sworn in to respond to an inquiry that the project will begin in 18 to 24 months.

No public input.

Motion: Close the floor to public discussion.
Maker: Commissioner Bell
Second: Commissioner Ford
Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Motion: Approve based upon competent substantial evidence in the record Tab T as stated above and authorize Chairman to sign Ordinance 2019-18 regarding same.

Maker: Commissioner Bell
Second: Commissioner Ford
Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: Planning and Economic Opportunity, Property Appraiser's Office

RS190624 - 7:34:21 (Tab U) Consider FD18-011, The Final Development Plan for the Nassau Crossing PUD (Parcels A & C) filed by Patriot Ridge LLP, owner; and Gregory E. Matovina, agent for owner. Property is located on the north and south sides of William Burgess Boulevard between Harvester Street and Harts Road, Yulee area.

Waive Presentation:

RS190624 - 7:34:38 Greg Matovina, Managing Partner of Patriot Ridge, LLC, came forward to waive presentation and rely on staff comments.

Motion: Open the floor to public discussion.
Maker: Commissioner Ford
Second: Commissioner Edwards

Action: **Aye:** Commissioners Leeper, Bell, Edwards,
 Ford, and Taylor

Discussion: Mr. McDowell reviewed the request noting that this is the first Final Development Plan for the Nassau Station PUD for 84 single-family lots and a community park site.

No public input.

Motion: Close the floor to public discussion.
Maker: Commissioner Edwards
Second: Commissioner Bell
Action: **Aye:** Commissioners Leeper, Bell, Edwards,
 Ford, and Taylor

Motion: Approve based upon competent substantial evidence
 in the record Tab U as stated above.
Maker: Commissioner Edwards
Second: Commissioner Bell
Action: **Aye:** Commissioners Leeper, Bell, Edwards,
 Ford, and Taylor

Follow Up: Planning and Economic Opportunity

EXPANSION ITEMS:

RS190624 - 6:08:20 (1) Authorization for the Chairman to initial the revisions to the Reservation and Sales Agreement between the Nassau County Board of County Commissioners and Longleaf Mitigation Development Company, LLC (CM2680), specifically revision the expiration date from June 1, 2019 to July 30, 2019, and changing the amount of Corp Credits from 0.94 to 1.24. (2) Authorization for the Chairman to sign the Agreement between the Nassau County Board of County Commissioners and the Amelia Island Convention and Visitors Bureau, Inc. (CM2698). (3) Authorization for the Chairman to sign necessary form to provide Robert Companion with signing authority up to \$5,000.00 for designated accounts. (4) Authorize payment of \$10,000.00 to Norfolk Southern for the temporary construction easement related to the Crawford Road project.

Motion: Expand the meeting to consider four (4) items as
 stated above.
Maker: Commissioner Leeper
Second: Commissioner Bell
Action: **Aye:** Commissioners Leeper, Bell, Edwards,

Ford, and Taylor
Follow Up: County Manager

RS190624 - 8:03:16 Expansion Item #1: Authorize Chairman to initial the revision to the Reservation and Sales Agreement between the Nassau County Board of County Commissioners and Longleaf Mitigation Development Company, LLC (CM2680), specifically revision the expiration date from June 1, 2019 to July 30, 2019, and changing the amount of Corp Credits from 0.94 to 1.24.

Motion: Approve expansion item 1 as stated above.
Maker: Commissioner Bell
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor
Follow Up: Finance, OMB, County Manager, Contract
Management

RS190624 - 6:07:40 Expansion Item #2: Approve and authorize the Chairman to sign the Agreement between the Nassau County Board of County Commissioners and the Amelia Island Convention and Visitors Bureau, Inc. (CM2698).

Motion: Schedule a special meeting for June 26, 2019 at 4:00 p.m. for consideration of expansion item 2.
Maker: Commissioner Bell
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor
Follow Up: County Manager, Board

RS190624 - 8:04:02 Expansion Item #3: Approve and authorize the Chairman to sign necessary form to provide Robert Companion with signing authority up to \$5,000.00 for designated accounts: (County Transportation-Engineering, Account No. 034205; County Transportation-Drainage, Account No. 034025; County Transportation-Bridge Department, Account No. 034055; and Municipal Service-Development Services, Account No. 043355)

Motion: Approve expansion item 3 as stated above.
Maker: Commissioner Leeper
Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor
Follow Up: County Manager, Finance, Engineering Services

RS190624 - 8:04:24 Expansion Item #4: Authorize payment of \$10,000.00 to Norfolk Southern for the temporary construction easement related to the Crawford Road project.

Motion: Approve expansion item 4 as stated above.
Maker: Commissioner Ford
Second: Commissioner Bell
Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor
Follow Up: County Manager, Finance, OMB, Engineering
Department, Road Department

DISCUSSION ITEMS:

RS190624 - 8:05:14 Commissioner Edwards' Business:
None.

RS190624 - 8:05:17 Commissioner Bell's Business:
None.

RS190624 - 8:05:19 Commissioner Ford's Business:
None.

RS190624 - 8:05:20 Commissioner Leeper's Business:
None.

RS190624 - 8:05:21 Commissioner Taylor's Business:

- Reminded the Board members that on June 27, 2019 at 1:00 p.m., there will be a dedication ceremony for renaming the Callahan County Building to the Walter "Junior" Boatright building. He thanked RPM Lumber for their contribution of the signage and Doug Podiak, Facilities Maintenance Director, for the installation.

There being no further business, the regular session of the Nassau County Board of County Commissioners adjourned at 8:07 p.m.

Justin Taylor, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk