

Nassau County Board of County Commissioners
Regular Session, July 8, 2019, 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; and 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 Melissa Lucey, Deputy Clerks.

Official Agenda Summary:

Audience Input: Non-Agenda Items

RS190708 - 6:01:07

None.

Audience Input: Agenda Items

RS190708 - 6:01:15

None.

CONSENT ITEM(S):

RS190708 - 6:02:05 Approve the following: **(Tab A)** Authorization for the use of \$1,252.00 from the Crime Prevention Trust Fund to be used to purchase neighborhood signs. Funding source: 01031521-549036 CRMPV; **(Tab B)** Finance Package 2019-23 and associated Resolutions; **(Tab C)** Finance Package 2019-24 and associated Resolutions; and **(Tab D)** For recording purposes only, consider the final plat for Musslewhite Estates, filed by Bennett Property Services, Inc., owner, and Peter King, agent for owner, to construct ten [10] lots on approximately 95.39 acres.

Property is located approximately one [1] mile northeast of U.S. Highway 1 in Callahan, Florida.

Motion: Approve Consent Items Tabs A, B, C and D (See Attachment "A" for Tab B and Attachment "B" for Tab C).

Maker: Commissioner Leeper

Second: Commissioner Bell

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

Follow Up: County Manager, Sheriff's Office, Finance, OMB, Planning and Economic Opportunity Department

RS190708 - 6:02:30

Motion: Adjourn as the Board of County Commissioners Board and convene as the SAISS MSBU Governing Board.

Maker: Commissioner Bell

Second: Commissioner Leeper

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

RS190708 - (Tab E) Approve a Resolution of the Board of County Commissioners of Nassau County, Florida to the South Amelia Island Shore Stabilization Maintenance Assessment Area; establishing the estimated maintenance cost for the beach renourishment improvements within the MSBU and subareas therein; confirming the method of assessment the maintenance cost against the properties that will be benefitted thereby; directing the Assessment Coordinator to prepare an updated Assessment Roll; establishing a public hearing to consider reimposition of the maintenance assessments and the collection of the assessments pursuant to the Uniform Collection Act; directing the provision of notice; and providing severability and an effective date.

Motion: Approve Tab E as stated above and authorize the Chairman to sign Resolution 2019-118 regarding same.

Maker: Commissioner Bell

Second: Commissioner Leeper

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

Follow Up: Finance, OMB, Bill Moore

RS190708 - 6:03:32

Motion: Adjourn as the SAISS MSBU Governing Board and convene as the Board of County Commissioners.
Maker: Commissioner Edwards
Second: Commissioner Ford
Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

REGISTER:

The Chairman signed the register for the following warrants: Wire Transfer No. 1913136 dated 6-21-19 for a register total of \$2,496.66; Wire Transfer Nos. 1913137 thru 1913139 dated 6-24-19 for a register total of \$15,360.43; Warrant Nos. 255409 thru 255462 dated 6-25-19 for a register total of \$94,603.57; Wire Transfer Nos. 1913656 dated 6-26-19 for a register total of \$2,985.48; Warrant Nos. 255463 thru 255548 dated 6-28-19 for a register total of \$154,510.86; Wire Transfer Nos. 1913365 thru 1913367 dated 6-28-19 for a register total of \$42,436.07; Wire Transfer Nos. 1913657 dated 6-28-19 for a register total of \$55.80; Wire Transfer No. 1913368 dated 6-28-19 for a register total of \$19,000.00; Wire Transfer Nos. 1913658 dated 7-1-19 for a register total of \$3,990.57; Wire Transfer Nos. 1913659 dated 7-1-19 for a register total of \$3,990.57; Wire Transfer Nos. 1913660 dated 7-1-19 for a register total of \$35,538.54; Warrant Nos. 255549 thru 255668 dated 7-3-19 for a register total of \$562,882.69; Wire Transfer Nos. 1913675 dated 7-3-19 for a register total of \$365.00; Wire Transfer Nos. 1913676 dated 7-3-19 for a register total of \$514,757.00; Wire Transfer Nos. 1913677 dated 7-3-19 for a register total of \$197,636.58; Wire Transfer Nos. 1913678 dated 7-3-19 for a register total of \$1,997,200.40; Wire Transfer Nos. 1913679 dated 7-3-19 for a register total of \$4,719.00; Wire Transfer Nos. 1913680 dated 7-3-19 for a register total of \$34,061.08; and Warrant Nos. 255669 thru 255681 dated 7-5-19 for a register total of \$231,955.83.

OLD BUSINESS:

RS190708 - 6:03:49 (Tab F) Continue discussion regarding the Stewardship District and House Bill 1075. No action taken.

RS190708 - 6:03:58 (Tab G) Discussion on the status of paving, design and right-of-way acquisitions of Crawford Road. No action taken.

Discussion: Mr. Companion advised that the draft language was approved by Norfolk Southern Railroad Company, and staff will be sending the finalized document with payment for their review.

NEW BUSINESS:

RS190708 - 6:04:24 (Tab H) Rescind Resolution Number 2019-117 approved on June 24, 2019 which contained an error in the current speed limit on County Road 115; and approve a new Resolution establishing a temporary 45 miles per hour (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 45 mph speed limit signs; providing for penalties; and providing for an effective date.

Motion: Approve Tab H as stated above and authorize the Chairman to sign Resolution 2019-119 regarding the same.

Maker: Commissioner Ford

Second: Commissioner Bell

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

Follow Up: County Manager, Engineering Services, Sheriff

RS190708 - 6:05:02 (Tab I) Release final retainage in the amount of \$24,500.00 to The Commercial Range of Amelia, LLC., for completion of the Nassau County Public Works Facility Phase 2 Project. Funding source: 63470541-563100 CLSS.

Motion: Approve Tab I as stated above.

Maker: Commissioner Leeper

Second: Commissioner Edwards

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

Follow Up: Contract Management, Road Department, OMB

RS190708 - 6:05:23 (Tab J) Consider request from North Florida Bicycle Club to utilize Burney Park on September 8, 2019, as a rest stop for the 2019 Endless Summer Watermelon Ride; and authorize placement of two (2) portables and additional trash receptables.

Discussion: Mr. Mullin responded to an inquiry that he would meet with staff regarding concerns with reserving 15 parking spots at Burney Park.

Motion: Approve Tab J as stated above.

Maker: Commissioner Leeper

Second: Commissioner Bell

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

Follow Up: County Manager

RS190708 - 6:06:34 (Tab K) Schedule a closed session on July 17, 2019 at 9:00 a.m., or as soon thereafter as the matter may be heard, to discuss the Labor Agreement with Nassau County Fire/Rescue Professionals, Local 3101; and appoint the negotiation team as recommended by the County Manager/County Attorney.

Discussion: Mr. Mullin advised that the negotiation team would consist of the County Manager; Assistant County Manager; Office of Management and Budget Director; Fire Chief; and Human Resource Director.

Motion: Approve Tab K as stated above and include negotiation team consisting of County Manager; Assistant County Manager; Office of Management and Budget Director; Fire Chief; and Human Resource Director.

Maker: Commissioner Edwards

Second: Commissioner Ford

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

Follow Up: County Manager, Fire Rescue, Human Resources, OMB

RS190708 - 6:07:19 (Tab L) Appoint a negotiation team as recommended by the County Manager/County Attorney for Local 630 contract negotiations.

Discussion: Mr. Mullin reviewed the request.

Motion: Appoint a negotiation team consisting of the County Manager; Assistant County Manager; Public Works Director; and Human Resource Director.

Maker: Commissioner Bell

Second: Commissioner Leeper

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

Follow Up: County Manager, Human Resources, Public Works

NON-QUASI-JUDICIAL PUBLIC HEARING(S) :

RS190708 - 6:09:5 (Tab M) Second public hearing to consider Comprehensive Plan Amendment application CPA19-002, an amendment to the Nassau County 2030 Comprehensive Plan amending Future Land Use Element Policy FL.02.05; amending the Future Land Use Map Series (FLUMS) Map FLUMS-10; amending the William Burgess Mixed Use Activity Center Overlay District.

Mr. Mullin read the legislative procedures for Tab M through Tab P.

Motion: Open the floor to public discussion for Tab M through Tab P.

Maker: Commissioner Bell

Second: Commissioner Edwards

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

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

Public Input: Greg Matovina, a residential community developer, came forward and provided a brief overview of one of the first Medium Density Residential (MDR) communities in Nassau County, known as Heron Isles. He applauded the Board of County Commissioners and the staff for the incredible job of planning.

Discussion: Mr. Mullin responded to an inquiry that Tabs M and N can be considered concurrently.

RS190708 - 6:17:16(Tab N) Second public hearing to consider LDC19-006, an Ordinance of the Board of County

Commissioners of Nassau County, Florida, amending Ordinance Number 97-19, as amended, known as the Nassau County Land Development Code (LDC); 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; providing for codification; providing for severability; and providing an effective date.

Discussion: Ms. Burke acknowledged the handout provided to the Board earlier regarding an e-mail from Chris Corr, Rayonier/Raydient, to Mr. Pope earlier today, stating their objections to the language in Section 4.1.2 of the William Burgess Book. She commented that staff's response to the e-mail was that the language is not treating the East Nassau Community Planning Area (ENCPA) differently from how they are treated today. Where the ENCPA approval is silent today they would default to the County LDC. It is exactly the same thing here; they are just defaulting to the William Burgess section of the LDC.

Motion: Close the floor to public discussion for Tab M and Tab N.

Maker: Commissioner Edwards

Second: Commissioner Ford

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

Motion: Approve Tab M as stated above and authorize the Chairman to sign Ordinance 2019-19 regarding same; and approve Tab N as stated above and authorize the Chairman to sign Ordinance 2019-20 regarding same.

Maker: Commissioner Edwards

Second: Commissioner Bell

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

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

RS190708 - 6:20:16 (Tab O) Consideration of LDC19-007, an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending Article 15, Commercial Neighborhood; amending Article 15-A, Commercial, Neighborhood-American Beach; amending Article 16,

Commercial General, General-American Beach; amending Article 17, Commercial Intensive; amending Article 19, Commercial Professional and Office; amending Article 22, Open Rural; and amending Article 32 of the Land Development Code (LDC), Definitions; allowing for adult day care centers in commercial districts; allowing for child care facilities as a permitted use in the Commercial, Neighborhood and Commercial, General districts; adding a definition for Assisted Living Facility. Staff recommends approval (second public hearing scheduled for July 22, 2019).

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

Public Input: Joyce Jefferson came forward to ask if there were any developers interested in the changes requested and what American Beach properties are affected. Mr. McDowell responded that there are no proposed changes to American Beach zoning district; staff was merely updating and clarifying the language regarding childcare facilities and private and non-public schools.

Motion: Close the floor to public discussion.

Maker: Commissioner Ford

Second: Commissioner Bell

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

Motion: Approve second public hearing for July 22, 2019 at 6:00 p.m., or as soon thereafter as the matter may be heard, to consider Tab O as stated above.

Maker: Commissioner Leeper

Second: Commissioner Bell

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

Follow Up: County Manager, Planning and Economic
Opportunity Department

RS190708 - 6:26:55 (Tab P) Consider LDC19-008, an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending Article 28, Supplementary Regulations, specifically amending Section 28.02, Erection of More than One Residential Dwelling Unit on a Lot or Parcel; and providing an effective date.

Discussion: Doug McDowell, Principal Planner, reviewed the request. Commissioner Bell advised that he had concerns with replacing more than one (1) mobile home on the property; and with the language in the proposed Ordinance that would change the date from October 9, 2017 to October 8, 1974 (the date first zoning code was adopted by Nassau County).

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

Discussion: Ms. Burke explained the reason for the change.

Motion: Direct staff to draft an Ordinance with the hardship family based conditional use and variance process.
Maker: Commissioner Bell
Action: Following discussion and suggested recommendation from the County Attorney, the motion was amended. See below motion.

Motion: Authorize the Planning and Economic Opportunity Department to take Tab P back to the Planning and Zoning Board for Tab P as stated above. It would then be up to the Planning and Zoning Board to direct staff to make changes to the Ordinance to address the Board of County Commissioners concerns or not make any changes to the Ordinance and send back to the Board of County Commissioners.
Maker: Commissioner Bell
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor
Follow Up: County Manager, Planning and Economic Opportunity Department

INFORMATIONAL ITEM(S):

RS190708 - 6:51:12 (Tab Q) Informational only: employee travel approved by the County Manager.

EXPANSION ITEMS:

RS190708 - 6:01:25 (1) Approve updated Impact Fee Rate Schedule, pursuant to Ordinance Number 2016-02, for the increase in accordance with the Consumer Price Index for all Urban Consumers for an effective date of October 10, 2019. (2) Authorization for the Chairman to sign a Budget transfer from Reserves to fund an Impact Fee Study. Funding source: from account 04999599-599001 [Reserves] to account 04247515-531000 [Professional Services]. (3) Discussion of the following: House Bill 1159, as it relates to private property rights and tree trimming; and House Bill 7103, as it relates to community development and housing. (4) Authorization for the Chairman to sign a letter of Support for the City of Jacksonville's 2019 Regional Catastrophic Preparedness Grant Program Application. Deadline is Monday, July 8, 2019.

Motion: Expand the meeting to consider four (4) items as stated above.

Maker: Commissioner Bell

Second: Commissioner Leeper

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

Follow Up: County Manager

RS190708 - 6:35:37 Expansion Item #1: Approve updated Impact Fee Rate Schedule, pursuant to Ordinance Number 2016-02, for the increase in accordance with the Consumer Price Index for all Urban Consumers for an effective date of October 10, 2019.

Discussion: Mr. Mullin reviewed the request.

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: County Manager, OMB, Planning and Economic Opportunity Department

RS190708 - 6:36:05 Expansion Item #2: Approve and authorize the Chairman to sign a budget transfer from Reserves to fund an Impact Fee Study. Funding source: From 04999599-

599001 (Reserves) to 04247515-531000 (Professional Services)

Discussion: Mr. Mullin reviewed the request.

Motion: Approve expansion item 2 as stated above.

Maker: Commissioner Edwards

Second: Commissioner Ford

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

Follow Up: County Manager, Finance, OMB

RS190708 - 6:36:30 Expansion Item #3: Discussion of the following: House Bill 1159, as it relates to private property rights and tree trimming; and House Bill 7103, as it relates to community development and housing.

Discussion: Mr. Mullin provided a brief summary of House Bill 1159, Section 163.045, tree pruning, trimming, or removal on residential property; and Section 70.002, Property Owner Bill of Rights. He also provided a brief summary of Committee Substitute for House Bill 7103, Section 125.01055, Affordable Housing; Section 125.022, development permits and orders, Section 163.3180, concurrency; Section 163.3215, standing to enforce local comprehensive plans through development orders; Section 166.033 development permits and orders; and Section 252.363, tolling and extension of permits and other authorizations.

RS190708 - 6:50:36 expansion item #4: Approve authorization for the Chairman to sign a Letter of Support for the City of Jacksonville's 2019 Regional Catastrophic Preparedness Grant Program Application. Deadline is Monday, July 8, 2019.

Discussion: Mr. Mullin reviewed the request.

Motion: Approve expansion item 4 as stated above.

Maker: Commissioner Bell

Second: Commissioner Ford

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

Follow Up: Sheriff's Office

DISCUSSION ITEMS:

RS190708 - 6:51:23 Commissioner Edwards' Business:
None.

RS190708 - 6:51:26 Commissioner Bell's Business:

- Expressed appreciation to Robert Bostick, Code Enforcement Officer; and the Road Department for assisting a constituent with repairing a mailbox and clearing out vegetation in order for them to safely exit their property.

RS190708 - 6:52:02 Commissioner Ford's Business:
None.

RS190708 - 6:52:04 Commissioner Leeper's Business:
None.

RS190708 - 6:52:06 Commissioner Taylor's Business:
None.

There being no further business, the special session of the Nassau County Board of County Commissioners adjourned at 6:52 p.m.

Justin Taylor, Chairman

Attest:

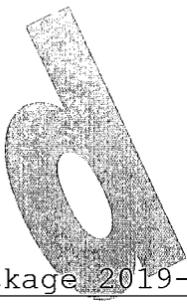
John A. Crawford, Ex-Officio Clerk

Attachment "A"

Finance Package 2019-23

Other Items:


1. Approve signing authority for Taco Pope, Assistant County Manager, up to \$100,000.00 to all funds/accounts.
2. Approve signing authority for Cameron Hansen, Road Department Director, up to \$5,000.00 in the County Transportation - Road Department (Account No. 034005; 034045; 034065; 034915; and 034935) and the County Transportation - Drainage (Account No. 034025).
3. Approve signing authority for Douglas Podiak, Public Works Director, up to \$5,000.00 in the General Fund - Facilities Maintenance (Account No. 010725; 010735; 010747; 010755; 010765; and 010775); General Fund - Solid Waste (Account No. 013405; 013445; 013575; 013615; 013625; 013635; 013645; and 013695); and the County Transportation - Road Department and Drainage (Account No. 034005; 034045; 034065; 034915; 034935; 034025; 03000000-115493).



Attachment "B"

Finance Package 2019-24

Budget Transfer(s)

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4. In the General Fund in the amount of \$54,439.00 for budget needed to replace Battalion Chief's aging vehicle. The vehicle is currently in the Fleet Replacement Plan (FRP) list for Fiscal Year 19/20; however, the current vehicles condition and operational needs warrant early replacement.