Nassau County Board of County Commissioners Regular Session, August 12, 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.

<u>Staff Present:</u> Megan Diehl, Office of Management and Budget Director; Robert Companion, Interim County Engineer; and representing the Clerk's office Brenda Linville and Peggy Snyder, Deputy Clerks.

Official Agenda Summary:

<u>Audience Input: Non-Agenda Items</u> RS190812 - 6:01:30

None.

Audience Input: Agenda Items RS190812 - 6:01:52

None.

RESOLUTION(S):

RS190812 - 6:03:11 (Tab A) Approve a Resolution of the Board of County Commissioners proclaiming Nassau County's intention to submit practices to the Florida Department of Health for the 2019 Healthy Weight Community Champion Recognition Program.

Discussion: Dr. Eugenia Ngo-Seidel, Director of the Nassau County Health Department, came forward to accept the resolution.

Motion: Approve Tab A as stated above and authorize

Chairman to sign Resolution 2019-126 regarding

same.

Maker: Commissioner Bell Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Manager, Health Department

CONSENT ITEM(S):

6:06:37 Approve the following: RS190812 Application PL18-013, final plat for Crossroads, filed by Raydient LLC, dba Raydient Places + Properties, owner, and Jason Shearer and Jim Law, agents for owner, to divide 216 acres into fifteen [15] residential lots varying in size from three [3] acres to 41 acres. The property is zoned Open Rural [OR] with a Future Land Use of Agriculture. Property is located on the northwest corner of Middle Road and County Road 108, Hilliard area. (Tab C) Hoods to Heroes protective hoods for donation of valued authorize \$15,625.00; and the Chairman to sian the Additions to Inventory Form. (Tab D) Request from the Juvenile Diabetes Research Foundation to utilize the North End Boat Ramp as a Rest Stop on October 5, 2019 for the 2019 Ride to Cure Event. (Tab E) Schedule Ground Breaking Ceremony for September 27, 2019 at 10:00 a.m. celebration of the Nassau Crossing Park and Nassau Station Park. (Tab F) Authorization for the Chairman to sign the Federally-Funded Subaward and Grant Agreement, Contract No. CM2712, with the State of Florida, Division of Emergency Management, for Emergency Management Performance [EMPG] funds totaling \$64,921.00 for Federal Fiscal Year 19/20. Funding source: 01253525-334201 EM20. Authorization for the Chairman to sign the State-Funded Grant Agreement, Contract No. CM2704, with the State of Florida, Division of Emergency Management, for Emergency Management Preparedness and Assistance [EMPA] Base Grant funding totaling \$105,806.00 for Federal Fiscal Year 2019-2020. Funding source: 01253525-334201 EM20.

Motion: Approve consent items (Tabs B through G) as

stated above.

Maker: Commissioner Leeper Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Finance, OMB, County Manager, Sheriff's Office,
Facilities Maintenance, Planning and Economic
Opportunity, Fire Rescue, Grants

REGISTER:

The Chairman signed the register for the following warrants: Wire Transfer No. 1914587 dated 6-28-19 for a register total of \$91,210.29; Warrant Nos. 256032 thru 256109 dated 7-3-19 for a register total of \$191,508.09; Wire Transfer No. 1914590 dated 7-9-19 for a register total of \$9,631.34; Wire Transfer No. 1914591 dated 7-11-19 for a register total of \$129.27; Wire Transfer No. 1914588 thru 1914589 dated 7-18-19 for a register total of \$4,125.86; Warrant Nos. 256110 thru 256197 dated 7-26-19 for a register total of \$148,373.05; Warrant Nos. 256198 thru 256278 dated 7-30-19 for a register total of \$300,999.68; Wire Transfer No. 1915160 dated 7-30-19 for a register total of \$21,000.00; Wire Transfer No. 1915161 thru 1915163 dated 7-31-19 for a register total of \$13,112.39; Wire Transfer No. 1915164 thru 1915167 dated 8-1-19 for a register total of \$2,233,617.06; Warrant Nos. 256279 thru 256380 dated 8-2-19 for a register total of \$508,215.34; Wire Transfer Nos. 1915843 thru 1915245 dated 8-2-19 for a register total of \$77,132.67; Warrant Nos. 256381 thru 256423 dated 8-6-19 for a register total of \$2,247,595.51; Warrant Nos. 256424 thru 256507 dated 8-1-19 for a register total of \$935,573.70; Wire Transfer No. 1915457 dated 7-24-19 for a register total of \$4,335.85; and, Wire Transfer No. 1915458 dated 8-6-19 for a register total of \$6,250.00.

OLD BUSINESS:

RS190812 - 6:07:03 (Tab H) Continue discussion regarding the Stewardship District and House Bill 1075. No action taken.

RS190812 - 6:07:13 (Tab I) Discussion on the status of paving, design and right-of-way acquisition of Crawford Road. No action taken.

NEW BUSINESS:

RS190812 - 6:07:26 (Tab J) Receive Board direction regarding the closure of Crawford Road during the construction of the widening and resurfacing project.

Discussion: Mr. Companion reviewed the request.

Motion: Approve closure of Crawford Road during

construction of the widening and resurfacing

project.

Maker: Commissioner Ford Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Public Works, Engineering Services

RS190812 - 6:09:10 (Tab K) Consider a Resolution of the Board of County Commissioners of Nassau County, Florida, relating to a parking restriction on the cul-de-sac of Village Lane in Fernandina Beach, Florida, providing for findings by the Board of County Commissioners; providing for placement of "No Parking" signs; providing for penalties; and providing for an effective date.

Motion: Approve Tab K as stated above and authorize

Chairman to sign Resolution 2019-127 regarding

same.

Maker: Commissioner Leeper Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Engineering Services

RS190812 - 6:09:39 (Tab L) Approve and authorize the Chairman to sign a Memorandum of Understanding with JEA, Contract No. CM2716, for design and construction of the Pages Dairy Road Project Water Main from Felmor Road to Chester Road.

Motion: Approve Tab L as stated above.

Maker: Commissioner Edwards Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Finance, OMB, Engineering Services, Contract

Management

RS190812 - 6:10:09 (Tab M) Approve a Resolution authorizing the execution of the amendment agreement between the State of Florida, Department of Transportation, and the Board of County Commissioners of Nassau County, Florida, for traffic signal maintenance and compensation; and authorize the Chairman to sign Contract No. CM2302-A4.

Motion: Approve Tab M as stated above and authorize the Chairman to sign Resolution 2019-128 regarding

same.

Maker: Commissioner Leeper Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Finance, OMB, Engineering Services, Contract

Management

RS190812 - 6:10:48 (Tab N) Approve and authorize the Chairman to sign Change Order No. 4 to Florida Infrastructure, Inc., to add forty-one (41) days and a sum of \$95,138.81 for Plan Revisions including guardrail design. Funding source(s):63470541-563100 S14SR and 63000000-205500 S14SR.

Motion: Approve Tab N as stated above.

Maker: Commissioner Bell Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Finance, OMB, Engineering Services, Contract Management

RS190812 - 6:14:55 Commissioner Leeper advised that every day, the County is spending funds to resurface local County roads; however, the container trucks leaving the port are tearing up the local roads which are not designed to handle that weight and traffic. These trucks are supposed to stay on the Strategic Intermodal System (SIS) road which is SR 200 coming in and out of the Port.

Request: County Manager/County Attorney to draft a letter to the Port of Fernandina Beach demanding that Port traffic stay off the local County roads.

RS190812 - 6:16:28 (Tab O) Approve a Resolution authorizing and permitting roads within the Holly Point area as County roadways upon which a golf cart may be operated.

Motion: Approve Tab O and authorize the Chairman to sign

Resolution 2019-129 regarding same.

Maker: Commissioner Bell Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Engineering Services, Sheriff's Office

RS190812 - 6:16:54 (Tab P) Consider the following: (1) approve and authorize the Chairman to sign an agreement with the State of Florida, Division of Historical Resources, Contract No. CM2713, to accept grant award totaling \$50,000.00 for a Countywide Historical Resources Survey; and (2) authorize the Chairman to sign associated Budget Amendment.

Motion: Approve Tab P as stated above and authorize

Chairman to sign Resolution 2019-130 regarding

same.

Maker: Commissioner Edwards Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Finance, OMB, Planning and Economic Opportunity,

Contract Management

RS190812 - 6:17:26 (Tab Q) Discussion of the existing "Welcome to Yulee" located at the old Sheriff Administration Office on State Road 200.

Discussion: Doug Podiak, Public Works Director, reviewed the request and discussion followed.

Motion: Approve to remove and store the Chamber's "Welcome to Yulee" sign located at the old Sheriff's Administration Office on SR 200 and install a new sign with the language, "Welcome to Yulee Home of the 2016 Heisman Trophy Winner Derrick Henry" and relocate the Chamber signs to a location to be determined with the same language as the new sign.

Maker: Commissioner Edwards Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Manager, Facilities Maintenance

RS190812 - 6:19:37 (Tab R) Discuss/identify the County's top three Legislative Priorities to be considered during the 2020 Legislative Session.

Motion: Continue to August 21, 2019 at 9:00 a.m. consideration of Tab R as stated above in order

for the County's Lobbyist, Mark Anderson, to be

present.

Maker: Commissioner Bell Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Manager

NON-QUASI-JUDICIAL PUBLIC HEARING(S):

RS190812 - 6:22:41 (Tab S) Consider an Ordinance regarding public parks and recreational facilities; amending Section 29-46 of the Nassau County Code of Ordinances; Amending Section 23½-1 of the Nassau County Code Of Ordinances, providing definitions; creating a new Article IV, Chapter 23½ providing for dedication of parks for public uses; providing rules of construction; providing for enforcement; providing for exemptions; providing for applicability and severability; and providing an effective date.

Motion: Approve withdrawal of Tab S as stated above.

Maker: Commissioner Bell Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Planning and Economic Opportunity

RS190812 - 6:23:10 (Tab T) Consider an Ordinance of the Board of County Commissioners of Nassau County, Florida, designating Orange Avenue in Unincorporated Nassau County as a canopy/scenic road; providing an effective date.

Mr. Mullin read the legislative procedures.

Motion: Open the floor to public discussion.

Maker: Commissioner Ford Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Discussion: Sue Ann Alleger, Planner II, reviewed the request.

Public Input: Tom Durel, a citizen, came forward to address additional trees along Orange Avenue that can be included into the canopy ordinance.

Teresa Prince, attorney with Tomassetti and Prince, representing the Enclave Phase I Homeowners Association, came forward to state that her clients are in full agreement with the developer and are in support of the tenfoot setback on Orange Avenue. She requested that additional trees not protected by this ordinance become a part of the canopy tree designation as an amendment or adopted by a new ordinance.

Motion: Close the floor to public discussion.

Maker: Commissioner Bell Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Motion: Approve Tab S as stated above and authorize

Chairman to sign Ordinance 2019-24 regarding

same.

Maker: Commissioner Bell Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Planning and Economic Opportunity

RS190812 - 6:34:56 (Tab U) Approve a Resolution of the Board of County Commissioners of Nassau County, Florida, Closing Orange Avenue to Vehicular Traffic.

Motion: Open the floor to public discussion.

Maker: Commissioner Edwards Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Discussion: Mr. Pope advised that there were two items to be added to the record: (1) Technical Memorandum from Robert Companion, Interim County Engineer and Senior Transportation Engineer, dated July 9, 2019 and, (2) Technical Memorandum from Kailey Saver, Senior Planner, dated August 8, 2019. The request is to set the public hearing to close Orange Avenue to Vehicular Traffic to serve as a primary bicycle and pedestrian corridor.

Public Input: Bill Bokram, a citizen, came forward with comments in support of closing Orange Avenue to vehicular access and the future proposed Orange Avenue Preservation Park.

Tom Durel came forward to speak regarding the closure of Orange Avenue, is in support of this closure and hoped that the County could construct this quickly.

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 U as stated above and authorize

Chairman to sign Resolution 2019-131 regarding

same.

Maker: Commissioner Bell Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Attorney, Engineering Services

QUASI-JUDICIAL PUBLIC HEARING(S):

RS190812 - 6:42:49 (Tab V) Consider FD19-001, The Final Development Plan for the for the River Glen PUD Phases 2-5, filed by River Glen Holdings, LLC, owner; and Dunn & Associates, agent for owner. Property is located on the east side of Edwards Road, south of SR200/A1A, Yulee area.

Mr. Mullin read the quasi-judicial procedures applicable for Tabs V and W.

Waive Presentation:

RS190812 - 6:44:52 Vince Dunn, Dunn and Associates, agent for Tab V, River Glen Holdings, came forward to waive

presentation and rely on staff comments. Morgan Davis, agent for Tab W, Artesian Homes, also waived presentation.

Commissioners Ex-parte Communications:

RS190812 - 6:50:01

None.

RS190812 - 6:50:28 Documents submitted into the record: Approved Plan - 5 pages; Parcel Map - 1 page; and Staff Report - 3 pages.

Motion: Accept documents into the record as presented

above for Tab V.

Maker: Commissioner Edwards Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Motion: Open the floor to public discussion for Tabs V

and W.

Maker: Commissioner Edwards

Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Deputy Clerk swore in staff to provide testimony.

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

No public input.

Motion: Close the floor to public discussion for Tab V.

Maker: Commissioner Leeper Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Motion: Approve, based upon competent substantial

evidence in the record, Tab V as stated above.

Maker: Commissioner Edwards Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Planning and Economic Opportunity

Resolution constituting the twenty-first amendment to the Development Order for The Summer Beach Development of Regional Impact (DRI); specifically amending the Development Order to a previously approved Development of Regional Impact pursuant to a notification filed by Artisan Homes, LLC; providing for an amendment to Map H adopted for Parcel N-1; allowing detached single-family residential.

Commissioners Ex-parte Communications:

RS190812 - 6:55:30

None.

RS190812 - 6:55:59 Documents submitted into the record: Draft Resolution - 5 pages; Parcel Map - 1 page; Staff Report - 3 pages; and Application - 9 pages.

Motion: Accept documents into the record as presented

above.

Maker: Commissioner Bell

Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Deputy Clerk swore in staff to provide testimony.

Discussion: Mr. McDowell reviewed the request.

No public input.

Motion: Close the floor to public discussion.

Maker: Commissioner Ford Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Motion: Approve, based upon competent substantial evidence in the record, Tab W as stated above and

authorize Chairman to sign Resolution 2019-132

regarding same.

Maker: Commissioner Bell Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Planning and Economic Opportunity

COUNTY MANAGER BUSINESS:

RS190812 - 7:00:16 (Tab X) Approve and authorize the Chairman to authorize and sign the Proposal for Nassau County School Capacity Verification Proportionate Fair Share Analysis, the Concurrency Consultants Agreement with the Nassau County School Board, Contract No. CM2718, and associated Budget Transfer.

Discussion: Mr. Mullin reviewed the request.

Motion: Approve Tab X as stated above.

Maker: Commissioner Edwards Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Manager, Finance, OMB, Contract

Management

RS190812 - 7:00:55 (Tab Y) Review the Appraisal Report prepared by Colliers International Valuation and Advisory Services and determine whether to proceed with submitting an Unsolicited Offer to Rayonier Atlantic Timber Company for the 216-Acre Parcel on Ballpark Road in Callahan.

Discussion: Mr. Pope reviewed the request and a brief discussion followed.

Motion: Approve to not proceed forward with submittal of an Unsolicited Offer to Rayonier Atlantic Time

Company for the 216 acre parcel on Ballpark Road

in Callahan.

Maker: Commissioner Bell Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Manager

COUNTY ATTORNEY BUSINESS:

RS190812 - 6:20:06 (Tab Z) Approve and authorize the Chairman to sign the agreement with the Amelia Island Museum of History, Contract No. CM2689, transferring the County interest in property used by the Museum at 233 South 3rd Street, Fernandina Beach.

Discussion: Commissioner Leeper reviewed the request.

Public Input: Bill Tilson, Secretary of Board for the Museum, came forward to explain the reason for the request to remove the reverter clause in order to provide the Museum with the ability to act in the event of a sale. The Museum property is also on the National Register of Historic Places which will provide more protections if the building was sold.

Motion: Approve Tab Z as stated above.

Maker: Commissioner Leeper Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Attorney

INFORMATIONAL ITEM(S):

RS190812 - 7:24:35 (Tab AA) Informational only: authorized employee travel.

EXPANSION ITEMS:

RS190812 - 7:05:58 (1) Discuss/receive Board direction regarding a potential Joint Beach Habitat Conservation Plan with the City of Fernandina Beach. (2) Discussion of railroad crossing closures implemented by CSX Railroad; discussion of solutions, and authorize on-duty officers to assist students with crossing the railroads during the scheduled closures [not to exceed \$10,000.00].

Motion: Expand the meeting to consider two (2) items as

stated above.

Maker: Commissioner Bell Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Attorney

RS190812 - 7:06:05 Expansion Item #1: Discuss/receive Board direction regarding a potential Joint Beach Habitat Conservation Plan with the City of Fernandina Beach.

Discussion: Mr. Mullin reviewed the Incidental Take Permit (ITP) that the County must obtain due to two species of endangered turtles on the beaches. His recommendation is hiring a consultant to apply for the permit. The City of

Fernandina Beach's Attorney and City Manager have reached out regarding the potential of a joint approach to acquire the ITP.

Motion: Approve County Manager to continue discussion

with the City of Fernandina Beach regarding a potential joint Beach Habitat Conservation Plan

and bring back for the Board's consideration.

Maker: Commissioner Leeper Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Manager

RS190812 - 7:08:29 Expansion Item #2: Discussion of railroad crossing closures implemented by CSX Railroad; discussion of solutions, and authorize on-duty officers to assist students with crossing the railroads during the scheduled closures (not to exceed \$10,000.00).

Discussion: Mr. Mullin reviewed the upcoming railroad closures and he provided a copy of maps indicating the proposed railroad closures and a press release related to these closures. The Board members expressed their frustration with the timing and lack of detours.

Motion: Approve authorization for on-duty officers to assist students with crossing the railroads during the scheduled closures (not to exceed \$10,000.00) during the hours of 6:00 a.m. to 8:30 a.m. and 1:45 p.m. to 4:30 p.m.

Maker: Commissioner Bell Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: Finance, OMB, County Manager, Road Department,
Sheriff's Office, Emergency Management,
Engineering Services, Nassau County School
Board's Transportation Department

RS190812 - 7:24:42 Chairman Taylor received a telephone call yesterday from Dr. Burns, the Superintendent of Schools, regarding a joint workshop with the County Commissioners to discuss various issues. It was suggested that County Manager's office check the Commissioner's

calendars and coordinate dates with the Commissioners and then send to the School Board.

DISCUSSION ITEMS:

RS190812 - 7:26:22 Commissioner Edwards' Business:

• Thanked staff for all they do.

RS190812 - 7:22:46 Commissioner Bell's Business:

• He requested that the Board revisit the canopy road ordinance.

Motion: Schedule a workshop session for September 18, 2019 immediately following the regular session to review process issues regarding the canopy road

ordinance.

Maker: Commissioner Bell Second: Commissioner Leeper

Action: Aye: Commissioners Leeper, Bell, Edwards,

Ford, and Taylor

Follow Up: County Manager

RS190812 - 7:19:04 Commissioner Ford's Business:

RS190812 - 7:20:55 Commissioner Leeper's Business:

• Thanked staff for a job well done and the quick response to his pothole concerns.

RS190812 - 7:24:39 Commissioner Taylor's Business:

• Wished the students, teachers, administrators, and parents good luck this year.

There being no further business, the regular session of the Nassau County Board of County Commissioners adjourned at 7:29 p.m.

Justin	Tavlor.	Chairman	

Attest:

John A. Crawford, Ex-Officio Clerk