

**Nassau County Board of County Commissioners
Regular Session, January 25, 2021, 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 Thomas R. Ford, Commissioners John F. Martin, Aaron C. Bell, Klynt A. Farmer, and Jeff Gray.

Other Officials Present via Zoom Meeting: Michael S. Mullin, County Attorney; and Taco Pope, County Manager.

Staff Present: Brenda Linville and Melissa Lucey, Deputy Clerks.

Official Agenda Summary:

Audience Input:

RS210125 - 6:01:59 Chairman Ford reviewed the procedures for attending the meeting in-person or remotely for **(Tab A)** Agenda Items and **(Tab B)** Non-Agenda Items.

RESOLUTIONS(S):

RS210125 - 6:04:23 (Tab C) Approve a Resolution of the Board of County Commissioners of Nassau County, Florida, proclaiming the 31st of January, 2021 as "American Beach Day".

Motion: Approve Tab C as stated above and authorize the Chairman to sign Resolution 2021-008 regarding same.

Maker: Commissioner Martin

Second: Commissioner Bell

Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: County Manager

PRESENTATION(S):

RS210125 - 6:07:22 (Tab D) Presentation on the County's proposed Parks and Recreation Master Plan by David Barth, Barth Associates.

Noted: Tab D moved in order to be heard directly prior to Tab J. (See 6:42:59)

RS210125 - 6:07:40

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

Maker: Commissioner Farmer

Second: Commissioner Bell

Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

RS210125 - 6:07:59 (Tab E) Consider a Resolution of the Board of County Commissioners of Nassau County, Florida, relating to the South Amelia Island Shore Stabilization Municipal Services Benefit Unit and the funding and construction of a beach renourishment local improvement; declaring that the project costs of said local improvement shall be paid by special assessments levied against real property specially benefited by said local improvement; describing the assessment area and subareas therein; determining the estimated total project cost of the beach renourishment local improvement; establishing the terms and conditions of proposed special assessments to fund the proposed special assessments to fund the project cost of the beach renourishment local improvement; providing for collection of the special assessments pursuant to the Uniform Method of Collection; establishing a public hearing; authorizing and directing mailing and publication of notice of the public hearing; and providing an effective date.

Discussion: Mr. Mullin stated that the purpose of the proposed Resolution is to schedule a public hearing that would be held on April 12, 2021 at 6:00 p.m., or as soon thereafter as the matter may be heard. Individuals can address the Resolution and funding of the project at that time. He explained that each property owner that is subject to the assessment will receive notification of the public hearing and it would be published in the newspaper. Mr. Mullin addressed the permit application that has been submitted by South Amelia Island Shore Stabilization Association (SAISSA). He stated that any property owner that did not receive the notification regarding the public

hearing may contact either the County Manager Office or County Attorney Office for a copy of the notice.

Public Input:

- Drew Wallace, President of Olsen Associates, Inc., came forward to advise that he was available to answer any questions. He responded to an inquiry that the last beach renourishment took place ten years ago and that this beach renourishment would be the fourth. He addressed the difference in this permit versus the prior three permits. He clarified that the beach renourishment would only be necessary when the beach sand reaches a certain diminished level. Mr. Wallace provided a brief history of the timeframe of the prior beach renourishments.
- Albert Browder, Principle Engineer of Olsen Associates, Inc., came forward to address the past cycles of renourishment efforts. He advised that if Florida Department of Environmental Protection (FDEP) approves the permit it would be a one-time permit effective for 15 years. This permit contains a condition that only one nourishment element will be allotted with the requirement of being monitored and submittal for review to complete the beach renourishment. He noted that there is the ability to apply for a major modification to that permit down the road if needed.
- Dr. Christopher Cates, SAISSA Board Member, came forward to speak in opposition. He provided his professional background. Dr. Cates expressed concerns that SAISSA consultants would greatly benefit financially if the capital assessment was approved. He also addressed his concerns with irregularities as it relates to the beach renourishment process.
- William Moore, SAISSA Project Manager, came forward stating that tonight's meeting is to schedule a public hearing and he would provide rebuttal to Dr. Cates' comments at that time.

Motion: Approve Tab E as stated above and authorize the Chairman to sign Resolution 2021-009 regarding same.

Maker: Commissioner Gray

Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer
Follow Up: Bill Moore, County Attorney

RS210125 - 6:26:28

Motion: Adjourn as the SAISS MSBU Governing Board and convene as the Board of County Commissioners.
Maker: Commissioner Bell
Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

REGISTER:

The Chairman signed the register for the following warrants: Wire Transfer Nos. 2104704 dated 12-17-20 for a register total of \$3,000.00; Warrant Nos. 270471 thru 270521 dated 1-20-21 for a register total of \$1,277,315.52; Wire Transfer Nos. 2104705 thru 2104714 dated 1-20-21 for a register total of \$208,307.64; and, Warrant Nos. 270522 thru 270586 dated 1-22-21 for a register total of \$234,860.82.

NEW BUSINESS:

SS210125 - 6:26:44 (Tab F) Consider a Resolution extending the local State of Emergency in Nassau County, Florida due to Coronavirus Disease 2019 (COVID-19), from January 25, 2021 through February 1, 2021.

Discussion: Greg Foster, Emergency Management Director, provided a brief update regarding the vaccination process for COVID-19. He stated that by 5:00 p.m. on January 26, 2021, 975 citizens will have been vaccinated. The next allotted 975 vaccinations scheduling started today with a quarter of the appointments currently filled. He anticipates vaccinations to begin on January 27, 2021. Discussion followed.

Dr. Eugenia Ngo-Seidel, Nassau County Health Department, appeared via "Zoom" to provide a health update related to COVID-19 pandemic. As of January 25, 2021, Nassau County had a case count of 6,682 of which 6,296 are residents and 386 are non-residents. There have been 394 new cases since

the previous week and currently 1,097 active resident cases. The percent positivity for the past week decreased from 15.7 percent to 14.6 percent. The next mobile testing event will be held on January 26, 2021, at the First Baptist Church of Fernandina Beach from 3:30 p.m. to 5:00 p.m. and January 28, 2021, at the Journey Church in Yulee from 9:30 a.m. to 11:00 a.m. She stated that 7,040 residents have received their first dose of vaccine and 569 residents have completed their second series of vaccinations.

Motion: Approve Tab F as stated above and authorize the Chairman to sign Resolution 2021-010 regarding same.

Maker: Commissioner Farmer

Second: Commissioner Gray

Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: County Manager, County Attorney, Emergency Management

SS210125 - 6:33:59 (Tab G) Approve and authorize the Chairman to sign Contract No. CM2775-A5 with CDM Smith, Inc. for the CR115 Construction Engineering Inspector (CEI) Services for an increase of \$128,276.28 and extending completion to March 30, 2021.

Discussion: Robert Companion, County Engineer, came forward to review the request.

Noted: Mr. Companion to bring back the State Law fee for daily cost of liquidated damages.

Motion: Approve Tab G as stated above.

Maker: Commissioner Martin

Second: Commissioner Bell

Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

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

SS210125 - 6:40:29 (Tab H) Approve the transfer of \$216,928.00 from the Equitable Sharing Treasury Fund to the Nassau County Sheriff's Office for the purchase of body worn camera equipment and information technology equipment.

Motion: Approve Tab H as stated above.
Maker: Commissioner Farmer
Second: Commissioner Bell
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer
Follow Up: Sheriff's Office, OMB, Finance

NON-QUASI JUDICIAL PUBLIC HEARING(S)

RS210125 - 6:42:19 (Tab I) Consider Comprehensive Plan Amendment application CPA20-08, a Future Land Use Map (FLUM) amendment, to change the classification of 22.73 acres located on the east side of U.S. Highway 17 between SR200 and Green Acres Apartments access, from Medium Density Residential (MDR) and Commercial (COM) to High Density Residential (HDR) for transmittal to state agencies for review, pursuant to *Chapter 163, Florida Statutes*.

Mr. Mullin read the legislative procedures for Tabs J and K.

Motion: Continue to March 8, 2021 at 6:00 p.m., or as soon thereafter as the matter may be heard, consideration of Tab I as stated above.
Maker: Commissioner Bell
Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer
Follow Up: Planning Department

RS210125 - 6:42:59 (Tab J) Consider a Resolution of the Board of County Commissioners of Nassau County, Florida, adopting the Nassau County Parks, Recreation, and Open Space Master Plan; providing for certain legislative findings; providing for application; directing the County Administrator to develop and provide implementing legislative; and providing an effective date.

Motion: Open the floor to public discussion.
Maker: Commissioner Bell
Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Discussion: Dr. Barth appeared via "Zoom" to provide a PowerPoint presentation outlining the Parks, Recreation,

and Open Space Master Plan. He explained the purpose of the plan. He reviewed the processes; (1) Needs Assessment Findings - top priorities for activities/programs, top priorities for amenities, needs assessment priorities. (2) Long-Range Vision - no standards, vision framework, department mission, guiding principles, park classifications, regional parks, community parks, and subsystems. (3) Preliminary Implementation Strategy - available funding, top priority needs, and other implementation strategies besides capital improvements.

Mr. Pope explained that the Parks, Recreation, and Open Space Master Plan will be divided into short term goals and strategies with the overall implementation to take place over decades. He stated that there are specific actions in the Resolution that allows staff 180 days to bring back to the Board an update to the Comprehensive Plan and Land Development Code (LDC). He pointed out that the previous board approved funds to be placed in the budget to hire a new Parks and Recreation Director. Mr. Pope responded to an inquiry stating that he does not know the salary for the new director, but the Public Works Director has already conducted the first round of interviews with the second round of interviews to be held next week. Discussion followed.

Noted: County Manager to bring back to the Board the salary for the new director and also research at what point other counties in the State of Florida hire a director and whether it is based upon population.

No public input.

Motion: Close the floor to public discussion.

Maker: Commissioner Martin

Second: Commissioner Bell

Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Motion: Approve Tab J as stated above and authorize the Chairman to sign Resolution 2021-011 regarding same.

Maker: Commissioner Bell

Second: Commissioner Martin

Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: Planning Department, County Manager

RS210125 - 7:26:59 (Tab K) Consider an Ordinance establishing Nassau County Conservation Lands Acquisition and Management (CLAM) Program; providing for goals and objectives, findings, purpose and intent, and definitions; providing for the adoption of the Conservation Land Acquisition Manual; providing for the creation of the Nassau County Land Acquisition Management Trust Fund; providing a process for nominating, ranking and negotiating the acquisition of conservation properties; providing for the formation, duties and composition of an advisory board; providing for conflict and severability; providing for inclusion in Code of Laws and Ordinances; and providing for an effective date.

Motion: Open the floor to public discussion for Tab J.
Maker: Commissioner Martin
Second: Commissioner Bell
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Discussion: Thad Crowe, Planning Director, came forward to provide a PowerPoint presentation. He provided an overview of the timeline of the project. He advised that the CLAM Program is grounded into the Vision 2032, Comprehensive, and Western Nassau Heritage Preservation Vision Plans. These plans will provide natural habitat protection; passive parks, open space; and publically accessible conservation lands. He noted that these plans work together with the goal to improve the quality of life and so many other things that would benefit Nassau County.

Rebecca Perry, North Florida Land Trust (NFLT) Director of Real Estate and Community Conservation, appeared via "Zoom" to provide an overview of the CLAM Program PowerPoint presentation. Ms. Perry provided a brief background regarding NFLT. She addressed the process for creating a CLAM Committee, as well as the Committee's responsibilities. Ms. Perry provided an overview of the application process to nominate land; negotiations; and final review process by the CLAM Committee. She explained that once the acquisition is approved by the Board of County Commissioners additional due diligence would still be obtained to ensure that it meets the needs of the County. She provided a brief overview of the finalization of the acquisition and management plan for each property.

Mr. Pope responded to an inquiry that it will take a full year before the CLAM Committee would start negotiating properties. He stated that if the CLAM Program Ordinance is approved, NFLT and County staff will work on advertisement and seeking applications. He recommended a window of 30 days for applications to be submitted and to bring back to the Board. He felt that a CLAM Committee could be formed within 60 days.

Next, Ms. Perry addressed the conservation ranking tool, which is where the CLAM score will come from. It will help the County decide where to apply funding. She explained that there was a foundational document review where all the different County plans were reviewed to assess what was already stated as being important. In addition, NFLT researched various environmental issues and opportunities within the County and developed categories that include the four data layers: water issues; working lands; species and habitat protection; and outdoor recreation/quality of life. Ms. Perry stated that the previous Board was requested to rank and score each resource category and data layers to determine what was most important to them. Ms. Perry briefly commented on the Subject Matter Experts and Public Polling. She provided a brief overview of the CLAM Resource Ranking Map which displays the data layers of the final ranking of the natural resources within Nassau County. She noted that the ranking map was available to the public on the Nassau County Property Appraiser website. She reviews the property score calculator.

Public Input:

- Chadd Charland came forward to speak in support of the adoption and implementation of the CLAM program. He stressed the importance for Nassau County to increase protected land for conservation and improving quality of life.
- Margaret Kirkland, Amelia Island Tree Conservancy, appeared via "Zoom" and thanking the Board of County Commissioners, staff and NFLT for the CLAM Program Resolution. She advised that the Amelia Island Tree Conservancy is available to assist with supporting the CLAM Program.

Motion: Close the floor to public discussion.
Maker: Commissioner Martin
Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Motion: Approve Tab K as stated above and authorize the Chairman to sign Ordinance 2021-02 regarding same.

Maker: Commissioner Martin
Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: Planning Department, County Manager

EXPANSION ITEMS:

RS210125 - 6:03:45 Approve the release of retainage to Petticoat-Schmitt Civil Contractors in the amount of \$36,637.49 for completion of the Nassau Amelia Utilities (NAU) Lift Station No. 10 and No. 29 Rehabilitation, Contract No. CM2816.

Motion: Expand the meeting to consider one (1) item as stated above.

Maker: Commissioner Bell
Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: County Manager

RS210125 - 7:54:48 Expansion Item #1: Approve the release of retainage to Petticoat-Schmitt Civil Contractors in the amount of \$36,637.49 for completion of the Nassau Amelia Utilities (NAU) Lift Station No. 10 and No. 29 Rehabilitation, Contract No. CM2816.

Discussion: Mr. Pope reviewed the request.

Motion: Approve expansion item 1 as stated above.
Maker: Commissioner Bell
Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: County Manager, NAU, Finance, OMB

DISCUSSION ITEMS:

RS210125 - 7:56:46 Commissioner Bell's Business:

- Thanked his fellow Commissioners for voting to approve the Nassau County CLAM Program Ordinance and the Parks and Recreation Master Plan Resolution.

RS210125 - 7:57:09 Commissioner Farmer's Business:

- Encouraged everyone to remain diligent as the COVID-19 positivity percent rates are decreasing by practicing pandemic mitigation procedures.
- Thanked Director Foster and Emergency of Management (EOC) staff for their hard work.

RS210125 - 7:57:52 Commissioner Martin's Business:

- Echoed Commissioners Farmer and Bell's comments regarding Director Foster and passing the Nassau County CLAM Program Ordinance and the Parks and Recreation Master Plan Resolution.
- Requested that any individuals interested in serving on the Conditional Use and Variance Board or the CLAM Committee as a District 1 representative please contact the County Manager's Office.

RS210125 - 7:59:26 Commissioner Gray's Business:

- Echoed his fellow commissioners' comments regarding the Nassau County CLAM Program Ordinance and Parks and Recreation Master Plan Resolution.
- Requested that everyone stay safe.
- Excited that the COVID-19 positivity percentages are down.
- Thanked Director Foster for his hard work

- Advised the Board that the Nassau County Council of Aging will be holding their annual meeting on January 26, 2021 at 11:00 a.m. virtually. For additional information contact the Nassau County on Aging.

RS210125 - 8:00:36 Commissioner Ford's Business:

- Echoed his fellow Commissioners' comments.
- Expressed appreciation to County staff and Dr. Barth for their hard work.
- Thanked Director Foster and Dr. Seidel.

Motion: Schedule a special meeting for February 1, 2021 at 10:00 a.m. to consider a Resolution extending the local State of Emergency in Nassau County due to COVID-19.

Maker: Commissioner Farmer

Second: Commissioner Gray

Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: County Manager

There being no further business, regular session of the Nassau County Board of County Commissioners adjourned at 8:03 p.m.

Thomas R. Ford, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk