

**Nassau County Board of County Commissioners
Special Session, April 5, 2021, 4:30 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, Jeff Gray, and Klynt A. Farmer(arrived at 5:02 p.m.).

Other Officials Present: Michael S. Mullin, County Attorney, Taco Pope, County Manager, and Marshall Eyerman, Assistant County Manager.

Staff Present: Melissa Lucey and Tina Barnett, Deputy Clerks.

Official Agenda Summary:

Audience Input:

SS210405 - 4:31:43 Mr. Mullin reviewed the procedures for attending the meeting in-person and remotely for **(Tab A)** Non-Agenda Items and **(Tab B)** Agenda Items.

NEW BUSINESS:

SS210405 - 4:34:07 (Tab C) Consider a Resolution extending the Local State of Emergency in Nassau County, Florida due to COVID-19, from April 5, 2021 through April 12, 2021.

Discussion: Dr. Eugenia Ngo-Seidel, Director of the Nassau County Health Department, came forward to provide a public health update related to the COVID-19 pandemic. The COVID-19 case count for Nassau County is 8,005 of which 7,572 were Nassau residents. There are 254 active resident cases. The percent positivity from last week remains low at 3.28 percent. Dr. Seidel stated that there have been no new deaths since last week and the corrected case counts for Nassau residents deaths was lowered to 120. The next mobile testing event will be April 8, 2021 from 4:30 p.m. to 6:00 p.m. at the First Baptist Church in Callahan. Regarding COVID-19 vaccinations as of April 5, 2021, there have been

a total of 27,784 residents vaccinated. She noted that Florida State will be sponsoring a Johnson and Johnson COVID-19 vaccine special event on April 6, 2021 from 9:00 a.m. to 3:00 p.m. at the First Missionary Baptist Church in Fernandina Beach.

Greg Foster, Director of Emergency Management, came forward to provide a COVID-19 pandemic update. He stated that with the assistance of the Commissioners and County Manager's Office, Emergency Management had moved their vaccine site to the AMC Theater in Yulee. Last week, the vaccine site provided 200 vaccines per day for four days, and will provide 300 vaccines per day for five days this week. He advised that the following week, the vaccine site will increase to 400 vaccines per day for four days and Emergency Management will reevaluate the status of the vaccines based on the needs for the county.

Motion: Approve Tab C as stated above and authorize the Chairman to sign Resolution 2021-041 regarding same.

Maker: Commissioner Gray

Second: Commissioner Bell

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

Absent: Commissioner Farmer

Follow Up: County Manager, County Attorney, Emergency Management

SS210405 - 4:39:30 (Tab D) Consider the following: (1) Reject bids received in response to Invitation to Bid [ITB] to Bid No. NC21-007, County Wide Mowing Contract. (2) Authorize staff to revise the bid documents and re-advertise Bid No. NC21-007.

Discussion: Mr. Pope reviewed the request.

Motion: Approve Tab D as stated above.

Maker: Commissioner Bell

Second: Commissioner Martin

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

Absent: Commissioner Farmer

Follow Up: Contract Management, Road Department

SS210405 - 4:40:21 (Tab E) Approve and authorize the Chairman to sign Contract No. CM2987 with Barth Associates,

in the amount of \$175,000.00 to develop a plan for the American Beach Cultural Heritage Visitor Experience Enhancement Initiative.

Discussion: Mr. Pope reviewed the request.

Motion: Approve Tab E as stated above.

Maker: Commissioner Bell

Second: Commissioner Martin

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

Absent: Commissioner Farmer

Follow Up: Contract Management, Finance, OMB, County Manager

SS210405 - 4:42:33 (Tab F) Presentation and discussion by Doug Podiak, Public Works Director and S2Li Consultants regarding Nassau County Solid Waste.

Discussion: Mr. Podiak addressed the County's Solid Waste Management Plan (SWMP) and introduced Chas Jordan, Senior Consultant with Kessler Consulting, Inc., who provided a PowerPoint presentation related to the County's current and future system for solid waste. Mr. Jordan introduced his project team from S2Li, Kessler Consulting, and Gardner Bist, Attorneys. Mr. Jordan reviewed several reasons why the County should develop a SWMP including the lack of designated funding source, very little oversight and management to endure adequate services, and the ordinance must match current procedures to meet State requirements.

Mr. Jordan reviewed the County's current solid waste department and their duties. The current curbside collection service is provided through a private hauler permitting process. This permit is for a term of 25 years and cost \$500.00 for the six permit holders in the County. He added that by the year 2025, the County will have a population of approximately 100,459. Mr. Jordan reviewed the state mandates required with a population over 100,000 people. David Dee with Gardner Bist, Attorneys, reviewed the existing Nassau County Solid Waste Ordinance and provided recommendations.

Mr. Jordan provided three scenarios for the Board, these scenarios were developed by the project team as potential options for the future of Nassau County. In addition, these scenarios are based upon input from staff and a review of

current operations and are intended to help guide the process towards plans for the future. Each scenario was based upon the assumption that the County does not wish to return to opening landfills for disposal. Collections systems will be impacted by the growth projections. He added that the next steps would be to identify if these scenarios were an option for Nassau County; finalize scenarios and financial modeling; and project team to develop final recommendation with short and long term strategies.

EXPANSION ITEMS:

SS210405 - 4:33:17 (1) Review 2021 Legislative Bulletin from the Florida Association of Counties. (2) Review Federal Court Case No. 3:19-CV-186-J-32JBT, Peter Vigue v. David Shoar, St. Johns County Sheriff.

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

Maker: Commissioner Bell

Second: Commissioner Gray

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

Absent: Commissioner Farmer

Follow Up: County Attorney

SS210405 - 5:18:30 Expansion Item #1: Review 2021 Legislative Bulletin from the Florida Association of Counties.

Discussion: Mr. Pope provided a brief review of the following 2021 Legislative update: House Bill (HB) 7047, Emergency Management Plan; HB 945, Emergency Management Powers of Political Subdivisions; HB 1113, Traffic and Pedestrian Safety; HB 53, Public Works projects; Senate Bill (SB) 266, preemption of local occupational licensing; SB 102, matters of great governmental concern; SB 1788, construction permits; SB 1878, relief from burdens on real property rights; SB 694, waste management; HB 1601, farming operations; SB 750 and HB 337, Impact Fees; and HB 1429, Tourist and Convention Development Taxes. He commented that a previous update was sent to Representative Cord Byrd and Senator Aaron Bean regarding these legislative bills. Mr. Mullin stated that additional information would be brought back to the Board as it pertains to these legislative bills. He will be requesting for a workshop session at a

future meeting to discuss SB 1876 and the impacts to the County.

SS210405 - 5:25:58 Expansion Item #2: Review Federal Court Case No. 3:19-CV-186-J-32JBT, Peter Vigue v. David Shoar, St. Johns County Sheriff.

Discussion: Mr. Mullin provided a memorandum regarding this case as it relates to *Florida Statutes 316.2045* and *337.406*. He explained that this case was heard by Judge Timothy Corrigan, who serves in the same district as Nassau County and would be binding to the eastern counties in Florida. He advised that there are two statutes that address 5013(c) organizations; however, one of the statutes allows for the ability to solicit for contributions on a street corner or intersection of a right-of-way. Mr. Mullin explained that the Supreme Court of the United States, along with the Gilbert Case had changed regulations that signs could not be judged based upon content. He stated that it was the ruling of Judge Corrigan that *Florida Statutes 316.2045* and *337.406* are unconstitutional; therefore, not enforceable. He clarified that the court ruling clarified that Florida Highway Patrol (FHP) and local Sheriff's Office have the right to control solicitation if it impedes traffic or the normal use of the road.

DISCUSSION ITEMS:

SS210405 - 5:29:53 Commissioner Bell's Business:
None.

SS210405 - 5:29:58 Commissioner Farmer's Business:

- Thanked staff for the repairs done on River Road and Old Dixie Highway.
- Announced that Katelyn's Ride for Autism will be held at Pirate's Wood Clubhouse and on April 17, 2021 at 10:00 a.m.

SS210405 - 5:30:43 Commissioner Martin's Business:

- Thank Fire Chief Brady Rigdon for the tour of various Fire Stations.
- Expressed appreciation to Nassau County's First Responders, Firefighters and Sheriff's Department for their hard work.

SS210405 - 5:32:05 Commissioner Gray's Business:

- Echoed Commissioner Farmer's comment regarding Katelyn's Ride for Autism and noted that anyone wishing to participate can register online.
- Announced that there will be a one day special event for the Johnson and Johnson COVID-19 vaccine on April 6, 2021 at the First Missionary Baptist Church in Fernandina Beach at 9:00 a.m. to 3:00 p.m.
- Thanked the Public Works Director and Road Department for their hard work.

SS210405 - 5:33:12 Commissioner Ford's Business:

- Concurred with the Commissioners comment regarding the Public Works Director and the Road Department.

There being no further business, the special session of the Nassau County Board of County Commissioners adjourned at 5:33 p.m.

Thomas F. Ford, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk