

Nassau County Board of County Commissioners
Executive Closed Session, April 26, 2021, 4:30 P.M.
Regular Session, April 26, 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, Jeff Gray, and Klynt A. Farmer

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:

ADDITIONAL MEETING(S) :

EC210426 5:00 (Tab C) Closed session regarding Case No. 2018-CA-467 and Case No. 2019-CA-54, Raydient, LLC. Vs. Nassau County; and Case No. 2019-CA-51, Raydient, LLC. Vs. Michael S. Mullin.

Noted: Executive closed session was canceled.

Audience Input:

RS210426 - 6:00:58 Mr. Mullin reviewed the procedures for attending the meeting in-person and remotely for **(Tab A)** Non-Agenda Items and **(Tab B)** Agenda Items.

RESOLUTION(S) :

RS210426 - 6:03:34 (Tab D) Approve a Resolution proclaiming May 9, 2021 through May 15, 2021 as National Law Enforcement Week and May 15, 2021 as Peace Officers Memorial Day in Nassau County, Florida.

Motion: Approve Tab D as stated above and authorize the Chairman to sign Resolution 2021-053 regarding same.

Maker: Commissioner Gray

Second: Commissioner Bell

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

Follow Up: County Manager, Sheriff's Office

RS210426 - 6:09:14 (Tab E) Consider a Resolution extending the Local State of Emergency in Nassau County, Florida due to COVID-19, from April 12, 2021 through April 19, 2021.

Discussion: Dr. Eugenia Ngo-Seidel, Director of the Nassau County Health Department, came forward to provide a public health updated related to the COVID-19 pandemic. She stated that there were 94 new cases last week, which increased the positivity percentage to 6.55. The statistics for vaccinations are above the state average for those over 65, but are below state average for those younger than 60. She addressed concerns regarding Johnson & Johnson, and Pfizer vaccines as it relates to blood clots. Individuals can contact the Health Department or go to the Center for Disease Control website. She stated that the onenassau.com website has a list of multiple vaccinations sites in Nassau County, as well as available sites in Jacksonville. The Health Department continues to encourage individuals to wear mask, wash hands, and stay apart.

Greg Foster, Director of Emergency Management, came forward stating that Emergency Management continues to provide messaging services for the Department of Health in reference to COVID-19 and the vaccination process along with continuing to provide scheduling and logistical support. He noted that they are transitioning from working vaccinations to preparing for the upcoming hurricane season.

Motion: Approve Tab E as stated above and authorize the Chairman to sign Resolution 2021-054 regarding same.

Maker: Commissioner Martin

Second: Commissioner Bell

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

Follow Up: County Manager, County Attorney, Emergency Management

CONSENT ITEM(S) :

RS210426 - 6:12:58 (Tab F) Approve Finance Package 2021-14 and associated Resolution.

Motion: Approve Tab F (Attachment "A").

Maker: Commissioner Gray

Second: Commissioner Bell

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

Follow Up: Finance, OMB

RS210426 - 6:13:17

Motion: Adjourn as the Board of County Commissioners and convene as the American Beach Water and Sewer District.

Maker: Commissioner Bell

Second: Commissioner Martin

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

RS210426 - 6:13:18 (Tab G) Approve and authorize the Chairman to sign a Resolution approving an application to the Florida Department of Environmental Protection (FDEP) for a State Revolving Fund forgivable fund for drinking water facilities.

Motion: Approve Tab G as stated above and authorize the Chairman to sign Resolution 2021-056 regarding same.

Maker: Commissioner Bell

Second: Commissioner Farmer

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

Follow Up: County Manager

RS210426 - 6:13:52

Motion: Adjourn as the American Beach Water and Sewer District and reconvene as the Board of County Commissioners.

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

REGISTER:

The Chairman signed the register for the following warrants: Wire Transfer Nos. 2109509 dated 4-21-21 for a register total of \$2,813.54; and, Warrant Nos. 272546 thru 272632 dated 4-23-21 for a register total of \$1,100,083.96.

NEW BUSINESS:

RS210426 - 6:14:35 (Tab H) Accept the Firehouse Subs Public Safety Foundation Grant for one 1660 connection boat [hard-bottom] with accessories and one R-One iSeries 430-RS-HD boat [inflatable] with accessories, in the amount of \$49,978.49.

Motion: Approve Tab H as stated above.
Maker: Commissioner Farmer
Second: Commissioner Gray
Action: Aye: Commissioners Martin, Bell, Gray, and Ford
Absent: Commissioner Farmer
Follow Up: Finance, OMB, Fire Rescue

RS210426 - 6:14:54 (Tab I) Approve and authorize the Chairman to sign the Certificate of Participation in the Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

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

RS210426 - 6:15:23 (Tab J) Approve and authorize the Chairman to sign a Resolution authorizing the execution of a Reimbursement Agreement between the State of Florida and Nassau County and Railroad Reimbursement Agreement, Contract No. CM2993.

Motion: Approve Tab J as stated above and authorize the Chairman to sign Resolution 2021-057 regarding same.

Maker: Commissioner Bell

Second: Commissioner Farmer

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

Absent: Commissioner Farmer

Follow Up: Road Department, Contract Management, OMB, Finance

RS210426 - 6:15:50 (Tab K) Approve the Local Housing Assistance Plan for Fiscal Year 2021-2024 and authorize the Chairman to sign the Certification to Florida Housing Finance Corporation and Resolution approving the Local Housing Assistance Plan.

Motion: Approve Tab K as stated above and authorize the Chairman to sign Resolution 2021-058 regarding same.

Maker: Commissioner Bell

Second: Commissioner Farmer

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

Absent: Commissioner Farmer

Follow Up: OMB, Finance, SHIP

RS210426 - 6:16:18 (Tab L) Schedule a Amelia Island Joint Local Planning Agency meeting for May 25, 2021 at 6:00 p.m. to be held at the Commissioner Chambers.

Discussion: The group discussed an alternative date.

Motion: Approve Tab L as stated above.

Maker: Commissioner Farmer

Second: Commissioner Martin

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

Absent: Commissioner Farmer

Follow Up: County Manager, County Attorney, Board, Clerk Staff

NON-QUASI JUDICIAL PUBLIC HEARING(S)

RS210426 - 6:17:30 (Tab M) Consider Land Development Code LDC21-002, an Ordinance amending Article 9A of the Land Development Code (LDC), Residential, Single-Family - American Beach: RS-2AB, specifically to clarify intent, add

a maximum lot width requirement, revise beachside front and side yard setbacks, correct a scrivener's error, reduce the maximum lot coverage requirement, establish a maximum garage door height, clarify parking requirements, delete duplicative lot coverage requirements; Amending Article 12A of the LDC, Residential, General 1 - American Beach: RG-1AB, specifically to clarify intent, clarify permitted uses and structures on Gregg Street, add a maximum lot width requirement, add front setback requirements for Gregg Street properties, reduce the maximum lot coverage requirement, establish a maximum garage door height, delete density requirements, clarify parking requirements, delete duplicative lot coverage requirements; providing for findings; providing for severability; and providing an effective date.

Mr. Mullin read the legislative procedures for Tabs M and N.

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

Discussion: Holly Coyle, Assistant Planning Director, reviewed the following four proposed revisions: (1) establish a maximum lot width of 110 feet discouraging individuals from purchasing numerous lots in order to combine them to create one large lot, and build a home that is significantly larger; (2) reduce the maximum lot coverage from 45 percent to 40 percent within both of the zoning districts. The average 50 feet by 100 feet lot at 45 percent yields a total of 2,250 square feet; (3) increase front yard setbacks for beachside lots in RS-2AB from five [5] feet to fifteen [15] feet; increase northern property setbacks for beachside properties from two [2] feet to eight [8] feet; and decrease southern setbacks for beachside properties from fifteen [15] feet to eight [8] feet. This would decrease the view corridor from seventeen [17] feet to sixteen [16] feet between each structure; (4) establish a maximum garage door height limit of eight [8] feet. These changes were presented at a community meeting at Burney Park, with no objections.

No public input.

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

Motion: Approve Tab M as stated above and authorize the Chairman to sign Ordinance 2021-05.
Maker: Commissioner Gray
Second: Commissioner Farmer
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: Planning Department

RS210426 - 6:23:23 (Tab N) Adoption hearing to consider Comprehensive Plan Amendment application CPA20-012, a Future Land Use Map (FLUM) amendment, to change the classification of 114.86 acres located on the south side of William Burgess Boulevard, between Harvester Street and I-95, from Agriculture (AGR) to Transect Districts defined in the William Burgess District Context and Connectivity Blueprint as T-3 Sub-urban Zone, and T-1 Conservation Zone for transmittal to State agencies for review. District 3)

Discussion: Ms. Coyle reviewed the request.

No public input.

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

Motion: Approve Tab N as stated above and authorize the Chairman to sign Ordinance 2021-06 regarding same.
Maker: Commissioner Gray
Second: Commissioner Bell
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

Follow Up: Planning Department

QUASI-JUDICIAL PUBLIC HEARING(S)

RS210426 - (Tab O) Consider Notice of Proposed Change NOPC21-001, a Resolution amending the Development Order for a Summer Beach Development of Regional Impact (DRI), specifically amending the Development Order pursuant to a notification filed by Artisan Homes, LLC.; waiving requirements for internal sidewalks in Parcel N-1 (Enclave at Summer Beach Phase 1). District 2

Noted: Application was withdrawn.

RS210426 - 6:28:39 (Tab P) Consider Rezoning application R20-013, the rezoning of 114.86 acres located on the south side of William Burgess Boulevard, between Harvester Street and I-95, from Open Rural (OR) to Transect District defined in the William Burgess District Context and Connectivity Blueprint as T-3 Suburban Zone and T-1 Conservation Zone. District 3.

Mr. Mullin inquired whether there was anyone to speak against the application, seeing none Mr. Mullin waived the reading for the Quasi-Judicial procedures.

Commissioners Ex-parte Communications:
None.

RS210426 - 6:29:53 Documents submitted for the Board's consideration include: Staff report - 7 pages, Ordinance and Exhibit A - Unified Development Plan - 37 pages, and Application for rezoning - 23 pages.

Motion: Accept documents into the record as presented.
Maker: Commissioner Gray
Second: Commissioner Bell
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer

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

Discussion: Ms. Coyle reviewed the request.

No public input.

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

Motion: Approve, based upon competent substantial evidence in the record, Tab P as stated above and authorize the Chairman to sign Ordinance 2021-07 regarding same.

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

Follow Up: Planning Department

RS210426 - 6:34:42 (Tab Q) Consider FD20-009, the Final Development Plan (FDP) for Phase 5 of the Woodbridge PUD; 55 single-family residential units and associated infrastructure on the east side of CR 107, approximately 1.2 miles south of SR200/A1A. Application filed by Woodbridge Nassau, LLC, owner; and McCranie & Associates, Inc., agent. District 2.

Motion: Continue to May 10, 2021 at 6:00 p.m., or soon thereafter as the matter may be heard, consideration of Tab Q, as stated above.

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

COUNTY MANAGER BUSINESS:

RS210426 - 6:35:19 (Tab R) Informational only: Board of County Commissioners Newsletter for March 2021.

COUNTY ATTORNEY'S BUSINESS:

RS210426 - 6:35:57 (Tab S) Review and approve a warranty deed between Nassau County and John H. Heard.

Discussion: Reviewed the request.

Motion: Approve Tab S as stated above.
Maker: Commissioner Farmer
Second: Commissioner Gray
Action: Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer
Follow Up: County Attorney

EXPANSION ITEMS: (1) Memorandum regarding a case addressing all aspects of quasi-judicial hearings. (2) Review Opioid Litigation Memorandum of Understanding [MOU] and authorize the County Attorney to attend scheduled calls from the Florida Attorney General's Office to discuss the MOU.

RS210426 - 6:36:36 Expansion Item #1 Memorandum regarding a case addressing all aspects of quasi-judicial hearings.

Discussion: Mr. Mullin distributed a memorandum for the Board's review and will bring back for discussion at the May 3, 2021 special meeting.

RS210426 - 6:36:36 Expansion Item #2: Review Opioid Litigation Memorandum of Understanding [MOU], and authorize the County Attorney to attend scheduled calls from the Florida Attorney General's Office to discuss the MOU.

Mr. Mullin briefly reviewed the request.

Motion: Authorization for the County Attorney to participate in the conference on May 7, 2021, with Florida Attorney General's Office to discuss the Memorandum of Understanding regarding opioid litigation and bring back a report regarding opioid abuse and what impact it has on Nassau County.

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

DISCUSSION ITEMS:

RS210426 - 6:37:55 Commissioner Bell's Business:

- Thanked Law Enforcement Officer's

- Congratulated Chief Hurley on his retirement.

RS210426 - 6:38:34 Commissioner Farmer's Business:

- Congratulated the West Nassau Cheerleaders and their coaches for winning the Junior High Non-Tumbling Game Day Category at the Universal Cheerleaders Association National High School Cheerleading Championship in Orlando, Florida.
- Commented on the Amelia Tree Conservancy "Volunteers Grove" dedication that was held on April 22, 2021 (Earth Day) in the City's Central Park.
- Commented on Governor Ron DeSantis' order to waive the work search requirement for unemployed Floridians that expired on April 24, 2021.
- Reminder that the Barnabas Mobile Food Assistance Program will be held on May 8, 2021 at 8:00 a.m. at 1200 Elm Street. Update on the soft opening of the new Barnabas resale store at 463146 State Road 200, in Yulee on May 26, 2021 between 5:30 p.m. and 7:00 p.m.
- Announced Nassau County Sheriff's Office has positions open for detention deputies and anyone interested can apply at nassauso.com.
- Recognized the Nassau County Sheriff's K-9 Team for locating a missing man last week.
- Congratulated Lieutenant Hank Martinez and Lieutenant Keith Whaley on their retirement and thanked them for their years of service with the Nassau County Sheriff's Office.
- Reminder that Animal Control Services will be holding an adoption event at Petco in Yulee on May 1, 2021.
- Thanked the County Manager's staff for their hard work on the Nassau County Newsletter.
- Directed citizens to go to the following websites: www.countyinsider.com and www.nassaufl.com for

valuable information and real time updates on Nassau County.

RS210426 - 6:41:54 Commissioner Martin's Business:

- Echoed all of Commissioner Farmer's comments especially to the law enforcement officers.
- Wished Chief Hurley well on his retirement.
- Noted that he and Commissioner Bell attended the Amelia Tree Conservancy "Volunteers Grove" dedication that was held on May 22, 2021.
- Addressed the cancellation of the closed session.

RS210426 - 6:44:25 Commissioner Gray's Business:

- Commented on the past "National Law Enforcement Week" Resolutions.
- Thanked Sheriff Leeper and Chief Hurley for being present to accept the Resolution.

RS210426 - 6:44:47 Commissioner Ford's Business:

- Appreciated all of Commissioner Farmer's comments.
- Thanked Sheriff Leeper and Chief Hurley for being present today to accept the "National Law Enforcement Week" Resolution.
- Congratulated Chief Hurley on his retirement and thanked him for his years of service.

There being no further business, the regular session of the Nassau County Board of County Commissioners adjourned at 6:45 p.m.

Thomas F. Ford, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk

ATTACHMENT "A"

Finance Package 2021-14

Resolutions:

Resolution 2021-055, regarding budget amendment in the Municipal Service Fund in the amount of \$3,730.00 for donations received by Nassau County Animal Services.

Budget Transfer(s)

1. In the General Fund in the amount of \$9,839.00 to fund Library Decision Personnel (Personnel Services Only).
2. In the Municipal Fund in the amount of \$98,194.00 to fund Fire Decision Personnel (Personnel Services and Operating Only).
3. In the Municipal Fund in the amount of \$112,678.00 to fund Rescue Decision Personnel (Personnel Services and Operating Only).
4. In the Municipal Fund in the amount of \$4,469.00 to fund Animal Services Decision Personnel (Operating Only).

Other Items for Consideration:

Approve signing authority for David Hearn, Road Department and Drainage, up to \$5,000.00 in the County Transportation - Road Department (Account Nos. 034005, 034045, 034065, 034915 and 034935) and up to \$5,000.00 in the County Transportation - Drainage (Account No. 034025).