

**Nassau County Board of County Commissioners**  
**Regular Session, June 28, 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:** Michael S. Mullin, County Attorney; Taco Pope, County Manager; and Marshall Eyerman, Assistant County Manager.

**Staff Present:** Heather Nazworth, Deputy Clerk, and Jennifer Marlatt, Recording Secretary.

**Official Agenda Summary:**

**Audience Input:**

**RS210628 - 6:01:11** Mr. Mullin reviewed the procedures for attending the meeting in-person or remotely for **(Tab A)** Agenda Items and **(Tab B)** Non-Agenda Items.

**RS210628 - 6:02:48** Robert Ploehn appeared via "Zoom" to express his concerns regarding noise and the vibration to his home caused by using a steam roller by the Public Works working at Peter's Point Park.

**RS210628 - 6:05:51** Olivia Hoblit came forward to express her appreciation for allowing her to serve on the Tourist Development Council Board and expressed her desire to continue to serve on the Board.

**RS210628- 6:07:35** Dr. Prince Danso-Odei, Nassau County Health Director, provided a COVID-19 update for Nassau County. He stated that between June 18 through June 24, 2021, there were 87 new Nassau County resident cases. He advised that the positivity rate is higher this week at 8.6 percent and that 49 percent of Nassau County residents have received at least one dose of the COVID-19 vaccine. The next Department of Health COVID-19 testing event is June

29, 2021, from 9:30 a.m. to 11:00 a.m. at the First Baptist Church in Fernandina Beach.

**RESOLUTION(S) :**

**RS210628 - 6:08:52 (Tab C)** Approve a Resolution proclaiming the week of July 31 through August 8, 2021 as Gullah/Geechee Nation Week in Nassau County, Florida.

**Noted:** Vice Mayor Len Kreger, City of Fernandina Beach, presented the City's proclamation to Queen Quet, Chieftess of Gullah-Geechee Nation.

**Motion:** Approve Tab C as stated above and authorize the Chairman to sign Resolution 2021-142 regarding same.

**Maker:** Commissioner Bell

**Second:** Commissioner Farmer

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

**Follow Up:** County Manager

**CONSENT ITEM(S) :**

**RS210628 - 6:19:52 (Tab D)** Final plat for the Southern Pines subdivision filed by LGI Homes-Florida LLC, owner, and Melrose Survey and Mapping, Inc., agent, to subdivide 242 acres into 141 one-acre plus home sites and eight tracts. The property is zoned Open Rural [OR] with a future land use of Agriculture [AGR] and is located on the east side of US1 just south of Mizell Tract Road, approximately one mile south of the Town of Hilliard;

**Motion:** Approve Tab D as stated above.

**Maker:** Commissioner Gray

**Second:** Commissioner Martin

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

**Follow Up:** Planning Department

**REGISTER:**

The Chairman signed the register for the following warrants: Wire Transfer Nos. 2111100 thru 2111104 dated 06-16-21 for a register total of \$714,560.19; Warrant Nos. 2111105 dated 06-17-21 for a register total of \$6,455.54; Warrant Nos. 273700 thru 273871 dated 6-18-21 for a register total of \$879,876.14; Warrant Nos. 273872 dated 6-

21-21 for a register total of \$662.50; Warrant Nos. 2111222 dated 06-22-21 for a register total of \$2,750.00; Warrant Nos. 273873 thru 273934 dated 6-22-21 for a register total of \$188,315.76; Warrant Nos. 2111342 dated 06-25-21 for a register total of \$34,255.35; Warrant Nos. 2111343 dated 06-25-21 for a register total of \$434.01; Warrant Nos. 273935 thru 274086 dated 6-25-21 for a register total of \$512,105.22; and, Warrant Nos. 2111337 thru 2111341 dated 06-25-21 for a register total of \$237.45.

**RS210628 - 6:20:17**

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

**Maker:** Commissioner Martin

**Second:** Commissioner Farmer

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

**RS210628 - 6:20:35 (Tab E)** Approve and authorize the Office of Management and Budget Director to sign the Annual Financial Report for the American Beach Water and Sewer District electronically on behalf of the Chairman.

**Discussion:** Megan Diehl, Office of Management and Budget Director, reviewed the request.

**Motion:** Approve Tab E as stated above.

**Maker:** Commissioner Bell

**Second:** Commissioner Farmer

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

**Follow Up:** Finance, OMB

**RS210628 - 6:22:05**

**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

**NEW BUSINESS:**

**RS210628 - 6:22:23 (Tab F)** Consider re-appointment of Ms. Cathy Gladden to represent District 3 on the Code Enforcement Board for an additional three-year term ending June 2024.

**Motion:** Approve Tab F as stated above.

**Maker:** Commissioner Gray

**Second:** Commissioner Bell

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

**Follow Up:** Code Enforcement

**RS210628 - 6:22:46 (Tab G)** Discuss and approve projects to be included in the Fiscal Year 2022-2026 Capital Improvement Plan (CIP).

**Discussion:** Mr. Eyerman reviewed the request.

Commissioner Martin expressed his concerns regarding projects or plans that are based upon a budget with a recommended flat millage rate. He stated there needs to be direction provided by the Board. Further discussion ensued.

**Motion:** Approve Tab G as stated above.

**Maker:** Commissioner Bell

**Second:** Commissioner Gray

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

**Follow Up:** OMB, Engineering Services, Public Works, Road Department, County Manager

**NON-QUASI JUDICIAL PUBLIC HEARING(S)**

**RS210628 - 6:47:48 (Tab H)** Consider an Ordinance amending Ordinance No. 2020-055, Section 18-11, Electric Bicycle Restriction Ordinance, specifically amending Section 18-11(C), creating a sub-paragraph to allow Class I/Personal Assist Electric Bicycles, Class II/Personal Assist Electric Bicycles, and Class III/Personal Assistant Electric Bicycles, adding a speed limit and creating a section to provide for a criminal penalty; providing an effective date.

Mr. Mullin read the legislative procedures.

**Discussion:** Mr. Mullin reviewed the request.

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

The following individuals provided public input: Mike Pikula, Christine Platel, and Rosalyn Pusey expressing concern and providing information regarding the speed, enforcement, and health benefits.

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

**Discussion:** The group discussed bicycle lanes, paths, trails, and speed restrictions for all bicycles. Commissioner Bell referenced his previous request to restrict motor vehicles on the trail located on the east side of First Coast Highway. Mr. Mullin responded that this issue is separate, but signage can be utilized to restrict motor vehicles; however, there is an area in question regarding the bike path and an easement. He stated that staff can do further research and bring back at a later date.

**Motion:** Approve amendment to the Ordinance: (1) strike on page 2, Restrictions, references to "bicycle paths." (2) Add on page 2, Restrictions [1] regular bicycles.  
**Maker:** Commissioner Martin  
**Second:** Commissioner Gray  
**Action:** Aye: Commissioners Martin, Bell, Gray, Ford, and Farmer  
**Follow Up:** County Attorney

**Motion:** Approve Tab H as stated above to include amended changes as approved and authorize the Chairman to sign Ordinance 2021-09 regarding same.

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

**Follow Up:** County Attorney, Planning Department

**RS210628 - 7:10:37 (Tab I)** Consideration of a Resolution of the Board of County Commissioners of Nassau County, Florida, abandoning a Right-of-Way located at Deerfield Country Club Road.

**Discussion:** Robert Companion, County Engineer, reviewed the request.

**Motion:** Close the floor to public discussion.

**Maker:** Commissioner Farmer

**Second:** Commissioner Bell

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

**Motion:** Approve Tab I stated above and authorize the Chairman to sign Resolution 2021-143, regarding same.

**Maker:** Commissioner Farmer

**Second:** Commissioner Bell

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

**Follow Up:** Engineering Services

**RS210628 - 7:12:27 (Tab J)** Consider an Ordinance establishing the Liberty Cove Community Development District pursuant to Chapter 190, *Florida Statutes*; naming the District; describing the external boundaries of the District; describing functions and powers of the District; designating persons to serve as the initial members of the District's Board of Supervisors; providing a severability clause; and providing an effective date.

**Discussion:** Mr. Mullin reviewed the request.

**Public input:** Wes Habor, attorney with Hopping, Green, and Sams P.A., representing the petitioner, provided a brief overview of the request.

**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 J as stated above and authorize the Chairman to sign Ordinance 2021-10, regarding same.

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

**Follow Up:** County Attorney

**RS210628 - 7:15:25 (Tab K)** Public hearing on an Ordinance amending Article 5, Section 5.07(B), of the Land Development Code, Site Development Plan Review, Development Review Committee. Staff requests continuance to July 12, 2021.

**Noted:** Continued to July 12, 2021, at 6:00 p.m. or soon thereafter as the matter may be heard, consideration of Tab K, as stated above.

**COUNTY MANAGER'S BUSINESS:**

**RS210628 - 7:15:41 (Tab L)** Consider setting a workshop on July 19, 2021, immediately following the Mobility Plan workshop, for an interactive discussion with the Planning Department staff; Heather Encinosa, attorney with Nabors, Giblin and Nickerson, PA; Dr. David Barth, Barth Associates, LLC; and Frances Marino, Femme by Design, LLC, to review the concepts proposed in the draft legislation to implement the Parks, Recreation, and Open Space Systems Master Plan adopted via Resolution 2021-011 on January 25, 2021.

**Discussion:** Mr. Pope reviewed the request.

**Motion:** Schedule a workshop for July 19, 2021, immediately after the Mobility Plan workshop, to discuss Tab L as stated above.

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

**Follow Up: County Manager**

**COUNTY ATTORNEY BUSINESS:**

**RS210628 - 7:17:23 (Tab M)** Schedule a workshop for presentation by the County Attorney and discussion on Bert Harris Statutory Private Property Rights.

**Discussion:** Mr. Mullin reviewed the request and discussion followed.

**Motion:** Schedule a workshop session for August 9, 2021, at 4:30 p.m. to discuss Tab M as stated above.

**Maker:** Commissioner Bell

**Second:** Commissioner Farmer

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

**Follow Up: County Attorney**

**INFORMATIONAL ITEMS:**

**RS210628 - 7:20:29 (Tab N)** Informational only: Board of County Commissioners Newsletter for May 2021.

**DISCUSSION ITEMS:**

**RS210628 - 7:20:36** Commissioner Bell's Business:

- Congratulated staff on the County Newsletter.

**RS210628 - 7:20:49** Commissioner Farmer's Business:

- Echoed Commissioner Bell's comment on the County Newsletter.
- Thanked the Clerk of Courts for the Assessment of Finances Booklet.
- Prayers for residents of the South Carolina and Georgia Coasts in preparation for Tropical Storm Danny.

**Discussion:** Commissioner Farmer addressed the re-appointment of Olivia Hoblit to Tourist Development Council Board. Further discussion ensued.



**RS210628 - 7:27:10**

**Motion:** Re-appoint Olivia Hoblit to the Tourist Development Council Board.

**Maker:** Commissioner Martin

**Action:** After further discussion, the motion was withdrawn.

**Motion:** (1)Authorize the County Manager's Office to advertise a vacancy on the Tourist Development Council Board. (2) Contact the Towns of Callahan and Hilliard to see if any of their council members are interested in serving on the Tourist Development Council Board.

**Maker:** Commissioner Bell

**Second:** Commissioner Gray

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

**Follow Up:** County Manager

**RS210628 - 7:34:06** Dale Dees came forward to address his concerns regarding a safety barrier located across his home located on South 14<sup>th</sup> Street in Fernandina Beach. He stated that the safety barrier makes it impossible to cross over to the sidewalk, creating a safety hazard.

Mr. Pope responded that Peters and Yaffee, County-Contracted Engineering Firm, completed an assessment of that segment of 14th Street and prepared a Technical Memorandum of the different options and costs. He and the County Engineer have reviewed the Technical Memorandum and have questions related to the cost aspect. He explained that once the Technical Memorandum is final, there will be a copy provided to Mr. Dees and to the Board for consideration to add this project to next year's CIP.

**RS210628 - 7:45:47** Commissioner Martin's Business:

- Encouraged citizens to get vaccinated for COVID-19.

**RS210628 - 7:47:38** Commissioner Gray's Business:

- Echoed Commissioner Martin's comments regarding the COVID-19 vaccination.

**RS210628 - 7:48:19** Commissioner Ford's Business:

- Expressed appreciation to staff for their dedication and efforts on the Dedication Ceremony for Fire Station 71.

There being no further business, the regular session of the Nassau County Board of County Commissioners adjourned at 7:49 p.m.

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Thomas R. Ford, Chairman

Attest:

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John A. Crawford, Ex-Officio Clerk