

**Nassau County Board of County Commissioners
Regular Session, June 12, 2017, 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 Daniel B. Leeper, Commissioners Steve W. Kelley, Pat Edwards, George V. Spicer, and Justin Taylor.

Other Officials Present: Michael S. Mullin, County Attorney.

Staff Present: Justin Stankiewicz, Office of Management and Budget Director/Assistant County Manager; Scott Herring, Public Works Director; Taco Pope, Planning and Economic Opportunity Director; and representing the Clerk's office Brenda Linville and Peggy Snyder, Deputy Clerks.

Official Agenda Summary:

Audience Input:

RS170612 - 6:01:12 Christine Clark came forward to speak in favor of Tab M, final plat for Wildlight Phase 1a, as it would provide a cross easement which will prevent her property located on Harper Chapel Road from being land-locked.

CONSENT ITEM(S):

RS170612 - 6:05:20 Approve the following: [Tab B] Consideration of the following: (1) Evaluation Committee's scoring and ranking of the Request for Qualifications received in response to Bid No. NC17-007 for the Design Criteria Professional Services for the Nassau County Sheriff Vehicle Storage Garage Design-Build Project; and (2) Authorization for the committee to begin negotiations with the top ranked firm, CRA Architects, and to bring back a contract for final approval. [Tab C] Consideration of the following: (1) Authorization for the Chairman to sign the Fiscal Year 2016-2017 Small County Consolidated Solid Waste

Agreement with the Florida Department of Environmental Protection, Contract No. CM2430, for grant award in the amount of \$90,909.00; and (2) Authorization for the County Manager to act as the Grant Manager. **[Tab D]** Consideration of the following: (1) Evaluation Committee's scoring and ranking of the Request for Qualifications (RFQs) received in response to Bid No. NC16-033, Continuing Contract for Miscellaneous Services for Nassau Amelia Utilities; and (2) authorization for staff to begin contract negotiations with the top ranked firm, GAI Consultants, Inc. **[Tab E]** Authorization for the Chairman to sign the following Continuing Contracts for Construction Engineering Inspection [CEI] Services for Bid No. NC16-029: (1) Contract No. CM2418 with CDM Smith, Inc., (2) Contract No. CM2419 with WSP USA, Inc.; and (3) Contract No. CM2420 with England-Thims & Miller, Inc. **[Tab F]** Consideration of the following: (1) Awarding Bid No. NC16-034 to Insituform Technologies, LLC, in the amount of \$295,949.00 for Storm Drain Repairs [various locations]; and (2) authorization for the Chairman to sign associated Requisition. Funding source: 03402541-546510 SDCR. **[Tab H]** For recording purposes only, consider the final plat for Clear Lake Estates, Unit 2, filed by Kenneth Greene, owner, to construct 77 single family lots on approximately 107.81 acres. Property is zoned as Open Rural with Future Land Use of Agriculture. Property is located off Lem Turner Road, Callahan area. **[Tab I]** For recording purposes only, consider the final plat for Horseshoe Ridge filed by TerraPointe, LLC, owner, and Raydient, Inc., agent for owner, to establish four (4) single family lots on approximately 21.09 acres. Property is zoned as Open Rural (OR) and designated as Agriculture on the Future Land Use Map (FLUM). Property is located off Lake Hampton Road, between Pigeon Creek Road and Penny Haddock Road, Hilliard area. **[Tab K]** Finance Package 2017-15 and associated Resolutions. **[Tab L]** Board minutes from the regular sessions held on February 13, February 15, February 27, March 13, March 15, March 27, April 10, and April 24, 2017; the regular and special sessions held on April 19, 2017; and the special sessions held on March 31, April 7, April 13, and May 1, 2017.

Motion: Approve to move Tabs A, G, and J to new business.
Maker: Commissioner Spicer
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor

Motion: Approve consent agenda items (Tabs B, C, D, E, F, H, I, K and L) as stated above. (See Attachment "A" for Tab K)

Amend: To pull Tabs A, G, and J from the Consent Items

Maker: Commissioner Spicer

Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor

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

REGISTER:

The Chairman signed the register for the following warrants: Wire Transfer No. 1711429 dated 5-19-17 for a register total of \$631.22; Warrant Nos. 236940 thru 237020 dated 5-23-17 for a register total of \$241,496.49; Warrant Nos. 237021 thru 237129 dated 5-26-17 for a register total of 420,658.74; Warrant Nos. 237130 thru 237174 dated 5-30-17 for a register total of \$642,148.32; Warrant Nos. 237175 thru 237286 dated 6-02-17 for a register total of \$1,212,902.11; Warrant Nos. 237287 thru 237328 dated 6-6-17 for a register total of \$112,029.69; Wire Transfer No. 1711637 dated 5-30-17 for a register total of \$30,191.86; Wire Transfer No. 1711638 dated 5-31-17 for a register total of \$1,433.61; Wire Transfer Nos. 1711639 thru 1711643 dated 6-2-17 for a register total of \$1,808,806.32; Wire Transfer No. 1711644 dated 6-5-17 for a register total of \$4,998.00; Wire Transfer No. 1711830 dated 6-7-17 for a register total of \$5,000.00; Wire Transfer No. 1711831 dated 5-24-17 for a register total of \$1,479.30; and, Warrant Nos. 237329 thru 237438 dated 6-9-17 for a register total of \$657,774.33.

OLD BUSINESS:

RS170612 - 6:08:09 (Tab M) For recording purposes only, consider the final plat for Wildlight Phase 1a filed by TerraPoint, LLC/Wildlight, LLC, owner, and Gillette & Associates, Inc., agent for owner, to construct commercial tracts, multi-use and multi-family tracts, amounting to 34.07 acres of land, and 84 single family homes, about one (1) mile east of I-95, north of SR 200/A1A, within the Market Street PDP.

Discussion: Mr. Herring reviewed the request.

Motion: Approve Tab M as stated above.
Maker: Commissioner Edwards
Second: Commissioner Spicer
Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor
Follow Up: Planning and Economic Opportunity, Public Works

NEW BUSINESS:

RS170612 - 6:06:35 (Tab A) Consider request from Set Up Events and the Amelia Island Tourist Development Council to hold a U.S. Open Fat Bike Beach Championship on the beach on Saturday, October 14, 2017 and to utilize Peters Point Beach Front Park for participant and spectator parking and for access to restrooms.

Discussion: Mr. Mullin reviewed the request and his recommendation.

Motion: Approve Tab A as stated above, subject to approval of an agreement between Set Up Events, Tourist Development Council, and Board of County Commissioners coming back to the Board.
Amend: Includes all handicap parking spaces and ten (10) regular parking space be available and access road to remain open at all times.
Maker: Commissioner Kelley
Second: Commissioner Spicer
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor
Follow Up: Facilities Maintenance, Sheriff, County Manager

RS170612 - 6:09:39 (Tab G) Authorize staff to negotiate a Memorandum of Understanding with Terrapointe to create the ENCPA Civic Facilities Study.

Discussion: Mr. Mullin reviewed the request.

Motion: Authorize the County Manager and her designees and the County Attorney to negotiate a Memorandum of Understanding with Radiant/TerraPointe to create an ENCPA Civic Facilities Study Plan and bring back to the Board.
Maker: Commissioner Edwards
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards,

Spicer, and Taylor
Follow Up: County Attorney, County Manager

RS170612 - 6:11:38 (Tab J) Consider the following: (1) approve the Evaluation Committee's scoring and ranking for Request for Proposals received in response to Bid No. NC17-008, Professional Auditing Services; and (2) appoint the specific members to the negotiation committee and authorize negotiation committee to begin contract negotiations with the top ranked firm, Carr Riggs and Ingram, to be brought back to the Board for final approval.

Discussion: Mr. Mullin and Mr. Stankiewicz reviewed the request.

Motion: Approve Evaluation Committee's scoring and ranking for Request for Proposals received in response to Bid No. NC17-008, Professional Auditing Services; and appoint Mr. Stankiewicz and Mr. Mullin to the negotiation committee and authorize negotiation committee to begin contract negotiations with the top ranked firm, Carr Riggs and Ingram, to be brought back to the Board for final approval.

Maker: Commissioner Edwards

Second: Commissioner Taylor

Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor

Follow Up: County Manager, OMB, County Attorney

RS170612 - 6:12:52 (Tab N) Set public hearing date for amendment to various building code Ordinances to remain consistent with Florida Building Code Amendments.

Motion: Set public hearing for July 10, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard, to consider Tab N as stated above.

Maker: Commissioner Edwards

Second: Commissioner Taylor

Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor

Follow Up: County Attorney, Building Department

APPOINTMENT(S) :

RS170612 - 6:13:33 (Tab O) Consider appointment of Mimi Vitale as the District Four representative to the Code Enforcement Board for a three year term ending 2020.

Motion: Approve Tab O as stated above.

Maker: Commissioner Spicer

Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor

Follow Up: Code Enforcement, Building Department, County Manager

RS170612 - 6:14:03 (Tab P) Consider reappointment of Sarah Bell as a District 2 representative and Christine Connery as a District 3 representative to the Code Enforcement Board for a three-year term ending 2020.

Motion: Approve Tab P as stated above.

Maker: Commissioner Edwards

Second: Commissioner Taylor

Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor

Follow Up: Code Enforcement, Building Department, County Manager

NON-QUASI-JUDICIAL PUBLIC HEARING(S) :

RS170612 - 6:16:29 (Tab Q) Second public hearing for consideration of an Ordinance of the Board of County Commissioners of Nassau County, Florida amending Ordinance No. 2016-15, which imposed moratorium on the establishment of Medical Marijuana Dispensing Facilities and acceptance and processing of applications in the unincorporated areas of Nassau County for a period of 180 days; specifically amending Section 5, Imposition of a Temporary Moratorium to extend the moratorium for an additional ninety (90) days on the establishment of Medical Marijuana Dispensing Facilities and acceptance and processing of applications in the unincorporated areas of Nassau County; and providing an effective date.

Mr. Mullin read the legislative procedures for Tabs Q, R, S, T, and U.

Motion: Open floor to public discussion.
Maker: Commissioner Spicer
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor.

Discussion: Mr. Mullin reviewed the request.

No public input.

Motion: Close floor to public discussion.
Maker: Commissioner Edwards
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor.

Motion: Approve Tab Q as stated above and authorize the
Chairman to sign Ordinance 2017-13 regarding
same.

Maker: Commissioner Edwards
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor.

Follow Up: Planning and Economic Opportunity, County
Attorney

RS170612 - 6:18:03 (Tab R) Consider an Ordinance amending
Ordinance No. 2012-32, as amended, which established the
Economic Development Grant Program; specifically amending
Section 4, Procedures for Application; providing an
effective date.

Motion: Continue to July 24, 2017 at 6:00 p.m., or as
soon thereafter as the matter may be heard,
consideration of Tab R as stated above.

Maker: Commissioner Spicer
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor.

Follow Up: County Manager, County Attorney, Nassau County
Economic Development Board

RS170612 - 6:18:31 (Tab S) Consider an Ordinance of the
Board of County Commissioners of Nassau County, Florida,
amending the Land Development Code; specifically Article

28, Supplementary Regulations, specifically Section 28.03, Lot to Have Access; and providing an effective date.

Motion: Open floor to public discussion.
Maker: Commissioner Kelley
Second: Commissioner Spicer
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor.

Discussion: Mr. Mullin review the request.

No public input.

Motion: Close floor to public discussion.
Maker: Commissioner Edwards
Second: Commissioner Kelley
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor.

Motion: Approve Tab S as stated above and authorize the Chairman to sign Ordinance 2017-14 regarding same.

Maker: Commissioner Spicer
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor.

Follow Up: Planning and Economic Opportunity, County Attorney

RS170612 - 6:20:10 (Tab T) First public hearing to consider an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending Ordinance No. 97-19, as amended, known as the Nassau County Zoning Code; specifically amending Article 22; Section 22.04, Minimum Lot Requirements; amending Section 22.06, Building Restrictions; rescinding Section 22.07, Density Requirements; and providing an effective date.

Discussion: Mr. Mullin reviewed the request.

Motion: Open floor to public discussion.
Maker: Commissioner Edwards
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor.

No public input.

Motion: Close floor to public discussion.
Maker: Commissioner Edwards
Second: Commissioner Spicer
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor.

Motion: Second public hearing scheduled for July 10, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard, consideration of Tab T as stated above.

Maker: Commissioner Edwards
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor.

Follow Up: Planning and Economic Opportunity, County Attorney

RS170612 - 6:22:49 (Tab U) Consider an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending Ordinance No. 99-18, as amended, known as the Nassau County Development Review Regulations Ordinance; specifically amending Section 2, Definitions; amending Section 3, Development That Does Not Require Platting; adding Section 3.1.5, Open Rural Homestead Land Split Exemption; adding Section 3.1.6, Petition for Relief From Family Hardship; providing severability; and providing an effective date.

Motion: Open floor to public discussion.
Maker: Commissioner Edwards
Second: Commissioner Spicer
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor.

Discussion: Mr. Mullin reviewed the request.

No public discussion.

Motion: Close floor to public discussion.
Maker: Commissioner Taylor
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Kelley, Edwards,

Spicer, and Taylor.

Motion: Approve Tab U as stated above and authorize the Chairman to sign Ordinance 2017-15 regarding same.

Maker: Commissioner Spicer

Second: Commissioner Taylor

Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor.

Follow Up: Planning and Economic Opportunity, County Attorney

COUNTY MANAGER BUSINESS:

RS170612 - 6:24:43 Mr. Stankiewicz noted that his department would be providing copies of the Capital Improvement Plan (CIP) as submitted by department heads to the Commissioners for their review prior to the budget meeting on June 21, 2017.

COUNTY ATTORNEY BUSINESS:

RS170612 - 6:25:10 (Tab V) Consider request to authorize county staff to obtain a survey for a portion of Parcel No. 38-2N-27-1270-000J-0000, obtain an appraisal and, once the appraisal is obtained, to go out for bid pursuant to Section 125.35, Florida Statutes.

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

Motion: Continue consideration of Tab V in order for staff to review entrance access from another road (St. Paul Road) other than A1A and bring back to the Board.

Maker: Commissioner Edwards

Second: Commissioner Taylor

Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor

Follow Up: County Attorney, Public Works

INFORMATIONAL ITEM(S):

RS170612 - 6:33:46 (Tab W) Informational only: authorized employee travel.

EXPANSION ITEMS:

RS170612 - 6:04:36 Discuss adopted Senate Bill regarding medical use of marijuana.

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

Maker: Commissioner Taylor

Second: Commissioner Kelley

Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor

Follow Up: County Attorney

RS170612 - 6:29:47 Expansion Item #1: Discuss adopted Senate Bill regarding medical use of marijuana.

Discussion: Mr. Mullin reviewed the Senate Bill as it relates to local government control regarding medical marijuana dispensing facilities. Brief discussion followed.

DISCUSSION ITEMS:

RS170612 - 6:34:05 Commissioner Kelley's Business:
None.

RS170612 - 6:34:11 Commissioner Spicer's Business:
None.

RS170612 - 6:34:16 Commissioner Taylor's Business:

- Thanked staff for grading dirt roads on the west side that were affected by the recent rain storms.

RS170612 - 6:34:55 Commissioner Edwards' Business:

- Suggested creating a Capital budget in the future indicating what the County should be spending for paving of roads and capital projects.

RS170612 - 6:36:44 Chairman Leeper's Business:

- Recognized Sheriff Bill Leeper in the audience.
- Thanked Mike Bell and Rayonier for the tour of their new facility at Wildlight.

There being no further business, the regular session of the Nassau County Board of County Commissioners adjourned at 6:37 p.m.

Daniel B. Leeper, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk