

**Nassau County Board of County Commissioners
Regular Session, July 24, 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, Justin Taylor and George V. Spicer.

Other Officials Present: Michael S. Mullin, County Attorney; and Shanea Jones, County Manager.

Staff Present: Justin Stankiewicz, Assistant County Manager/Office of Management and Budget Director; 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:

RS170724 - 6:01:27 Brian Downey came forward to address concerns regarding the Professional Auditing Services bid.

PRESENTATION(S) :

RS170724 - (Tab A) Paulette Kirkland, Northeast Florida Fair Association re: update on capital funding project for renovation of facilities at the fairgrounds.

Note: This item was pulled from the agenda.

CONSENT ITEM(S) :

RS170724 - 6:05:59 Approve the following: **(Tab B)** Request from the Juvenile Diabetes Research Foundation to utilize the North End Boat Ramp on Saturday, October 7, 2017, for the 2017 Ride to Cure Diabetes Event, contingent upon receipt of a signed contract, Hold Harmless Agreement, and Certificate of Liability Insurance. **(Tab D)** Release of final retainage in the amount of \$121,861.01 to AshBritt Environmental for completion of debris removal services related to Hurricane Matthew. Funding sources: 01000000-205500 HMATT and 37000000-205500HMATT. **(Tab E)** Finance Package 2017-18 and associated Resolutions.

Note: Tab C and Tab F were pulled from the consent items to considered separately.

Motion: Approve consent agenda items (Tabs B, D, and E) as stated. (See Attachment "A" for Tab E)

Maker: Commissioner Edwards

Second: Commissioner Spicer

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

Follow Up: County Manager, OMB, Clerk, Public Works

RS170724 - 6:07:23 (Tab C) Authorize use of \$864,000.00 from Tourist Development Council Funds for the local match required by the U.S. Army Corps of Engineers for oversight and management of 2017 beach renourishment projects.

Discussion: Gill Langley, Tourist Development Council (TDC), came forward to provide an update on the special meeting held by the TDC regarding the beach renourishment project and discussion followed. He presented a check in the amount of \$864,000.00 for the beach renourishment program

Motion: Approve Tab C as stated above

Maker: Commissioner Edwards

Second: Commissioner Kelley

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

Follow Up: OMB, County Manager, Finance

RS170724 - 6:10:18 (Tab F) Approve a Resolution of the Board of County Commissioners of Nassau County, Florida, proclaiming the week of July 29 - August 6, 2017, as Gullah/Geechee Nation Appreciation Week.

Motion: Approve Tab F as stated above and authorize the Chairman to sign Resolution 2017-110 regarding same.

Maker: Commissioner Edwards

Second: Commissioner Kelley

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

Follow Up: County Manager, Clerk Staff

REGISTER:

The Chairman signed the register for the following warrants: Wire Transfer Nos. 1714059 thru 1714061 dated 7-14-17 for a register total of \$22,079.31; Wire Transfer No. 1714062 dated 7-18-17 for a register total of \$35,920.44; and Warrant Nos. 238528 thru 238617 dated 7-21-17 for a register total of \$223,944.12.

OLD BUSINESS:

RS170724 - 6:14:26 (Tab G) Continue discussion of offer from Woodbridge Nassau, LLC, concerning the conditions to obtain Right of Entry to construct a drainage ditch from Clements Road into Woodbridge Subdivision. Funding source: 03420541-531000.

Discussion: Mr. Mullin explained that staff had met with the concerned neighbors regarding drainage on Clements Road. Mr. Stankiewicz provided a brief history of the drainage issue and explained that staff proposes to run the drainage 1,500 feet into the marsh and possible funding sources to address the road conditions. Staff will be withdrawing the request as presented above. The concerned homeowners are in agreement with staff's proposal.

The following homeowners on Clements Road came forward to address the drainage issue on Clements Road and the borrow pit: Carl Freeman, Ferrell Burkett, and Tom VanBeek. Mr. Mullin commented that the borrow pit is now a Code Enforcement issue.

Dan McCranie, McCranie and Associates, came forward to address the drainage of the pond. Mr. Mullin interjected that the pond issue has to be heard by Code Enforcement and not the Board of County Commissioners. Mr. McCranie address the agenda request.

Note: Mr. Mullin advised that there was no action required by the Board at this time.

RS170724 - 6:28:02 (Tab H) Continue consideration of request to approve and authorize the Chairman to sign the Professional Auditing Services Agreement with Carr, Riggs & Ingram, Contract No. CM2444, for external auditing services for the period of July 10, 2017 through July 9, 2020.

Discussion: Mr. Stankiewicz reviewed the request and responded to Mr. Downey's concerns regarding the ranking and scoring for the bid being public record. He noted that the rankings and scorings of the firms and proposals are available for viewing. He will provide Mr. Downey with a copy of the procurement policy.

Motion: Approve Tab H as stated above.

Maker: Commissioner Edwards

Second: Commissioner Taylor

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

Follow Up: Finance, OMB, Clerk, Contract Management

RS170724 - 6:29:47 (Tab I) Continue consideration of a Resolution Amending Resolution No. 99-61, as amended, which established Procedures for Regular and Special Meetings of the Board of County Commissioners.

Discussion: Mr. Mullin reviewed the request.

Motion: Approve Tab I as stated above and authorize the Chairman to sign Resolution 2017-111 regarding same.

Maker: Commissioner Spicer

Second: Commissioner Taylor

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

Follow Up: County Manager, County Attorney, Clerk

NEW BUSINESS:

RS170724 - 6:30:34 (Tab J) Set tentative millage rates and date/time of first public hearing for the Fiscal Year 17/18 budget; and authorize OMB to electronically submit the DR-420s.

Discussion: Mr. Stankiewicz reviewed the request. He provided the dates of September 11, 2017 for the first public hearing and September 25, 2017 for the final public hearing. Discussion followed regarding the millage rate.

Audience input: The following citizens came forward to speak in opposition of raising the millage rate: Michelle Kling, Jeremy Jackson, and Kenny K. Farmer.

Motion: Approve to: (1) Keep the current millage rate the same. (2) Schedule the first public hearing for September 11, 2017 and the second public hearing for September 25, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard, for the Fiscal Year 17/18 budget. (3) Authorization for OMB to electronically submit the DR-420s.

Maker: Commissioner Spicer

Second: Commissioner Kelley

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

Nay: Commissioner Edwards

Follow Up: County Manager, OMB, Finance, Clerk

NON-QUASI-JUDICIAL PUBLIC HEARING(S) :

RS170724 - 6:05:04 (Tab K) 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 August 28, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard, consideration of Tab K.

Maker: Commissioner Spicer

Second: Commissioner Edwards

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

Follow Up: County Attorney

RS170724 - 6:05:28 (Tab L) Continue consideration of an Ordinance Board of County Commissioners of Nassau County, Florida, rescinding Ordinance No. 2012-07, which adopted the 2010 Florida Building Code with Amendments; providing an effective date.

Motion: Continue to August 14, 2017, at 6:00 p.m., or as soon thereafter as the matter may be heard, consideration of Tab L as stated above.

Maker: Commissioner Spicer

Second: Commissioner Edwards

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

Follow Up: Building Department, County Attorney

RS170724 - 6:05:28 (Tab M) Continue consideration of an Ordinance of the Board of County Commissioners of Nassau County, Florida, adopting the 5th Edition (2014) Florida Building Code; and providing an effective date.

Motion: Continue to August 14, 2017, at 6:00 p.m. or as soon thereafter as the matter may be heard, consideration of Tab M as stated above.

Maker: Commissioner Spicer

Second: Commissioner Edwards

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

Follow Up: Building Department, County Attorney

RS170724 - 6:05:28 (Tab N) Consideration of an Ordinance of the Board of County Commissioners of Nassau County, Florida, rescinding Ordinance No. 2011-14 which created certain exemptions to owners of single-family residences including manufactured residential homes, from permitting and code requirements of the Florida Building Code, Section 102.2.5, as amended, and Florida Statutes, Section 553.80(3), who perform their own construction of porches, decks, patios and storage sheds on their property; and providing an effective date.

Motion: Continue to August 14, 2017, at 6:00 p.m. or as soon thereafter as the matter may be heard, consideration of Tab N as stated above.

Maker: Commissioner Spicer

Second: Commissioner Edwards

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

Follow Up: Building Department, County Attorney

RS170724 - 6:48:30 (Tab O) Continue second 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.

Mr. Mullin read the legislative procedures for Tabs O and P.

Discussion: Mr. Pope reviewed the request.

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

No public input.

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

Motion: Approve Tab O as stated above and authorize the Chairman to sign Ordinance 2017-17 regarding same.
Maker: Commissioner Spicer
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards, Spicer, and Taylor
Follow Up: Department of Planning and Economic Opportunity, County Attorney, Clerk staff

RS170724 - 6:50:26 (Tab P) Second public hearing to consider an Ordinance of the Board of County Commissioners of Nassau County, Florida, amending Article 20 of the Land Development Code; Industrial Warehouse (IW) Zoning District, specifically Section 20.01, Permitted Uses and Structures, to add the use of RV and Boat Storage Facility as Permitted Use; amending Article 21 of the Land Development Code, Industrial Heavy (IH) Zoning District, specifically Section 21.03, Conditional Uses, to add the use of RV and Storage Facility as a Conditional Use; amending Article 28 of the Land Development Code, Supplementary Regulations, specifically creating Supplements Regulations for RV and Boat Storage Facility; amending Article 32 of the Land Development Code, Definitions, specifically creation Definition for RV and Boat Storage Facility.

Discussion: Mr. Pope reviewed the request.

Motion: Open the floor to public discussion.

Maker: Commissioner Spicer

Second: Commissioner Taylor

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

No public input.

Motion: Close the floor to public discussion.

Maker: Commissioner Taylor

Second: Commissioner Kelley

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

Motion: Approve Tab P as stated above and authorize the
Chairman to sign Ordinance 2017-18 regarding
same.

Maker: Commissioner Kelley

Second: Commissioner Taylor

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

Follow Up: Department of Planning and Economic Opportunity,
County Attorney, Clerk staff

EXPANSION ITEMS:

RS170724 - 6:04:07 Request that the Board of County Commissioners schedule a public hearing date of August 28, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard, to consider an appeal appealing the denial by the Conditional Use and Variance Board of Zoning Variance Application V16-002, a variance request seeking relief from Section 28.03 and 9.04(A) of the Land Development Code to reduce the minimum lot width from 90' to 73.44 feet within the Residential Single Family-1 (RS-1) zoning district. The property is located on the north side of Belleville Lane between Iris Lane and Chester River Road, Parcel No. 42-3N-28-000-0001-0000.

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

Maker: Commissioner Edwards

Second: Commissioner Taylor

Action: Aye: Commissioners Leeper, Kelley, Edwards,

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There being no further business, the regular session of the Nassau County Board of County Commissioners adjourned at 6:52 p.m.

Daniel B. Leeper, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk