

**Nassau County Board of County Commissioners
Regular Session, August 14, 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, 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:

RS170814 - 6:01:43 Jim Kauffman came forward requesting an update regarding the drainage issues on Clements Road.

Noted: Staff to contact Mr. Kauffman and provide him with an update.

CONSENT ITEM(S) :

RS170814 - 6:07:19 Approve the following: **(Tab A)** Resolution setting the time and place for public hearing on the closing, vacating, and abandoning of those certain rights of ways or the renouncing and disclaiming of any right or interest of said Nassau County, Florida, and the public in said rights of way or alleys for September 11, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard. {Hirth Road} **(Tab B)** Authorization for the Chairman to sign the State-Funded Grant Agreement with the State of Florida, Division of Emergency Management, Contract No. CM2450, for grant funding in the amount of

\$105,806.00. **(Tab C)** Authorization for the Chairman to sign the Federally Funded Subaward and Grant Agreement with the State of Florida, Division of Emergency Management, Contract No. CM2451 for grant funding in the amount of \$64,241.00. **(Tab D)** Release of final retainage in the amount of \$54,394.33 to Rowell Contracting, Inc., for completion of the Lift Station No. 1 and No. 3 Replacement Project. Funding source: 71000000-205500 WWLS. **(Tab E)** Finance Package 2017-20 and associated Resolutions. **(Tab F)** For recording purposes only, consider the Final Plat for Villas at Oyster Bay Harbours, filed by OB Island Homes, LLC., owner, and Prospectus, LLC., agent for owner, to construct 53 single family home sites on approximately 81.71 acres. Property is located north of 200/A1A off Barnwell Road/Oyster Bay Drive, Yulee area.

Motion: Approve consent agenda items (Tabs A thru F) as stated above and authorize the Chairman to sign Resolution 2017-113 regarding Tab A. (See Attachment "A" for Tab E)

Maker: Commissioner Spicer

Second: Commissioner Edwards

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

Follow Up: Finance, OMB, County Manager

NEW BUSINESS:

RS170814 - 6:07:50 Tab G) Discussion of Raydient's request for use of Wildlight as the domestic name for designation within the United States Geological Survey (US G S) Geographical Names Information System (GNIS); and consider authorizing the Chairman to sign two no objection letters for use of the domestic name for the Central and Southern Planning areas within the Detailed Area Specific Plan #1 of the East Nassau Community Planning Area.

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

Motion: Approve Tab G as stated above.

Maker: Commissioner Edwards

Second: Commissioner Kelley

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

Follow Up: County Manager, County Attorney, Clerk Staff

RS170814 - 6:10:42 (Tab H) Set public hearing date of September 11, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard to consider an Ordinance of the Board of County Commissioners, further amending Ordinance No. 2009-09, as amended, known as the Purchasing Policy for Nassau County, Florida; amending Section 9, Compliance with 2 Code of Federal Regulations (C.F.R.) Part 200.317 through 2 C.F.R. 200.326 for all Federal Awards; extending compliance waiver through December 25, 2017.

Motion: Approve Tab H as stated above.

Maker: Commissioner Spicer

Second: Commissioner Taylor

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

Follow Up: Finance, OMB, County Manager, County Attorney

REGISTER:

The Chairman signed the register for the following warrants: Warrant Nos. 238618 thru 238688 dated 7-18-17 for a register total of \$233,302.57, Warrant Nos. 238689 thru 238772 dated 7-18-17 for a register total of \$1,830,001.00; Wire Transfer No. 1714454 dated 7-20-17 for a register total of \$1,153.73; Wire Transfer No. 1714455 dated 7-24-17 for a register total of \$9,957.95; Wire Transfer No. 1714456 dated 7-25-17 for a register total of \$108.00; Wire Transfer No. 1714457 dated 7-25-17 for a register total of \$5,671.72; Warrant Nos. 238773 thru 238840 dated 8-1-17 for a register total of \$192,949.24; Wire Transfer No. 1714961 dated 7-26-17 for a register total of \$275.72; Wire Transfer No. 1714962 dated 7-27-17 for a register total of \$227.73; Wire Transfer Nos. 1714963 thru 1714966 dated 8-2-17 for a register total of \$1,744,978.23; Wire Transfer Nos. 1714967 thru 1714968 dated 8-3-17 for a register total of \$24,881.74; Warrant Nos. 238841 thru 238953 dated 8-7-17 for a register total of \$276,450.97; Warrant Nos. 238954 thru 239065 dated 8-8-17 for a register total of \$168,479.96; Warrant Nos. 239066 thru 239203 dated 8-11-17 for a register total of \$981,886.07; Wire Transfer Nos. 1715389 dated 8-11-17 for a register total of \$65,705.20; and, Wire Transfer Nos. 1715390 dated 8-11-17 for a register total of \$825.00.

NON-QUASI-JUDICIAL PUBLIC HEARING(S) :

RS170814 - 6:10:42 (Tab I) Consider an Ordinance of the Board of County Commissioners of Nassau County, Florida, establishing an Art in Public Places Program, providing for purpose; providing for definitions; providing for establishing committee roles and responsibilities; providing for ownership and maintenance; providing for severability; and providing for an effective date.

Motion: Continue until August 28, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard, consideration of Tab I as stated above in order for the County Attorney to meet with the County Manager.

Maker: Commissioner Spicer

Second: Commissioner Edwards

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

Follow Up: County Attorney, County Manager

RS170814 - 6:13:05 (Tab J) 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. **(Tab K)** 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. **(Tab L)** 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.

Mr. Mullin read the legislative procedures for Tab J, K, and L.

Discussion: Mr. Mullin advised the Board that he and staff have consolidated Tabs J, K, and L into one ordinance. He reviewed the requests.

Motion: Open the floor to public discussion.

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

No public input.

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

Discussion: The group briefly discussed the authority of the Building Official or his assistance to check buildings periodic upon a complaint, and possible liability for the county.

Motion: Approve Tabs J, K, and L as stated above and authorize the Chairman to sign Ordinance 2017-19 regarding same.
Maker: Commissioner Spicer
Second: Commissioner Edwards
Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor
Follow Up: County Attorney, County Manager, Department of Planning and Economic Opportunity, Building Official

RS170814 - 6:11:47 (Tab M) 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 Land Development Code, specifically amending Article 33, Distance Restrictions for Certain Land Uses; Section 33.01, Vendors of Alcoholic/Intoxicating Beverages and Bottle Clubs, specifically Section 33.01(A), Section 33.01 (D), Section 33.01(E) and Section 33.01(F); providing for findings; providing for severability; providing for codification; and providing an effective date.

Discussion: Mr. Mullin provided a brief background on the alcohol ordinances.

Motion: Continue until September 25, 2017, at 6:00 p.m. or as soon thereafter as the matter may be heard, consideration of Tab M.

Maker: Commissioner Edwards
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor
Follow Up: County Attorney, Department of Planning and
Economic Opportunity

QUASI-JUDICIAL PUBLIC HEARING(S) :

RS170814 - 6:25:41 (Tab N) Consideration of Final Development Plan for Crane Island, Phase II, filed by The Range at Crane Island, LLC, owner, and Michael Coffey, R S&H, agent for owner, to construct 66 single family lots on approximately 34.39 acres. Property is located on a small island off the west of Amelia Island, approximately 1 mile south of the Shave Bridge. **(Tab O)** Consideration of the Final Development Plan to Phase III of the Lumber Creek Planned Unit Development, filed by TRGCFG Project I, LLC, owner, and Gillette and Associates, agent for owner, for construction of 160 single-family lots on approximately 59.04 acres. Property is located south of State Road 200, off Harts Road, Yulee area.

Mr. Mullin advised that the applicants for Tabs N and O have waived the quasi-judicial proceedings. He noted that if someone from the audience came forward to speak against either of the applications; that item would be continued and the applicant would have to be notified.

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

Discussion: Mr. Pope reviewed Tab N and Tab O.

No public input.

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

Motion: Approve Tabs N and O as stated above.

Maker: Commissioner Taylor

Second: Commissioner Spicer

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

Follow Up: Department of Planning and Economic Opportunity

COUNTY ATTORNEY BUSINESS:

RS170814 - 6:33:25

Informational: Mr. Mullin advised that one of the victims of the Bryceville fire will be coming before the Board to request that the Board waive the building permit fee of \$500.00 due to damages caused by the fire. He noted that there is currently no resolution that addresses this; therefore, Mr. Mullin and the County Manager will bring this item back for consideration on August 16, 2017.

Informational: The Amelia Island Tree Ordinance Subcommittee has been working with the Tree Conservancy and will be bringing forward a revision to the tree ordinance that will apply only to Amelia Island. The Planning and Zoning Board will begin hearings soon and Board members should expect telephone calls and emails from interested citizens.

EXPANSION ITEMS:

RS170814 - 6:06:31

The Planning and Zoning Board has voted to recommend that the Board of County Commissioners conduct public hearings for the consideration of an ordinance that would include medical marijuana treatment center dispensing facilities as a permitted use within those zoning districts that allow pharmacies and to provide for distance restrictions. Recommended dates are August 28, 2017 and September 11, 2017, at 6:00 p.m., or as soon thereafter as the matter may be heard.

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

Maker: Commissioner Taylor

Second: Commissioner Edwards

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

Follow Up: County Attorney

RS170814 - 6:30:38 Expansion Item #1: The Planning and Zoning Board has voted to recommend that the Board of County Commissioners conduct public hearings for the consideration of an ordinance that would include medical marijuana treatment center dispensing facilities as a permitted use within those zoning districts that allow pharmacies and to provide for distance restrictions. Recommended dates are August 28, 2017 and September 11, 2017, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Discussion: Mr. Mullin reviewed the request.

Motion: Approve to schedule two public hearing for August 28, 2017 and September 11, 2017 at 6:00 p.m., or as soon thereafter as the matter may be heard, to consider an Ordinance that would include medical marijuana facilities as a permitted use within those zoning districts that allow pharmacies and to provide for distance restrictions.

Maker: Commissioner Edwards

Second: Commissioner Taylor

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

Follow Up: County Attorney, Planning and Economic Opportunity

DISCUSSION ITEMS:

RS170814 - 6:36:16 Commissioner Kelley's Business:

- He received several telephone calls from citizens affected by the Bryceville fire regarding heavy equipment used to fight the fire on their property had caused damage to their culverts. Board Member Spicer advised that Mr. Herring had already addressed this issue.

RS170814 - 6:35:33 Commissioner Spicer's Business:

- Advised that he could pay the building permit fee for the Bryceville fire victim as discussed earlier.
- Thanked the Road and Bridge Department for their work on Hicks Road

RS170814 - 6:36:08 Commissioner Taylor's Business:
None

RS170814 - 6:36:11 Commissioner Edwards' Business:
None

RS170814 - 6:36:16 Chairman Leeper's Business:
None

RS170814 - 6:37:38 Mr. Pope advised that staff is kicking off the Telecommunications Master Plan for the County with three public outreach meetings to be held at 7:00 p.m. on August 15, 2017 during the Planning and Zoning Board meeting, 6:00 p.m. on August 16, 2017 at the American Beach Community Center, and 6:00 p.m. on August 17, 2017 at the Multi-Purpose Building in Callahan.

There being no further business, the regular session of the Nassau County Board of County Commissioners adjourned at 6:38 p.m.

Daniel B. Leeper, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk

ATTACHMENT "A"

Finance Package 2017-20:

Resoluton(s):

1. Resolution 2017-114, regarding budget amendment I the General Fund in the amount of \$328.00 which has received payment for lost/damaged materials, as well as donations, to the Nassau County Library System.
2. Resolution 2017-115, regarding budget amendment in the General Fund in the amount of \$1,525.00 which has received proceeds from the sale of a vehicle involved in an accident.
3. Resolution 2017-116, regarding budget amendment in the General Fund in the amount of \$2,386.00 to increase budget for 1st quarter EMPA grant.
4. Resolution 2017-117, regarding budget amendment in the EMS County Award Fund in the amount of \$14.00 that has earned interest.
5. Resolution 2017-118, regarding budget amendment in the Capital Projects - Transportation Fund in the amount of \$98,794.00 that is to receive SCRAP funds from FDOT for resurfacing Middle/Griffin Road from Colby Drive to CR108.

Other Item(s):

Approve signing authority for Brady Rigdon, Fire Rescue, as follows: Public Safety not to exceed \$4,999.99; Rescue not to exceed \$4,999.99; Fire Inspector not to exceed \$4,999.99; Rescue not to exceed \$4,999.99; and Fire not to exceed \$4,999.99; Rescue not to exceed \$4,999.99.