

**Nassau County Board of County Commissioners
Regular Session, September 18, 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; and Shanea Jones, County Manager.

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:

RS170918 - 6:01:57 Barry Shuman, Golf Course Superintendent at the Yacht Club of Amelia Island and Ritz Carlton, came forward to inquire about hurricane debris removal.

Noted: Mr. Herring and Ms. Jones to contact the Florida Department of Transportation regarding debris pickup at the Yacht Club of Amelia Island and Ritz Carlton and notify Mr. Shuman.

RS170918 - 6:07:51 Wynn Fendig came forward to express concern with debris cleanup within Homeowners' Associations. Mr. Herring explained that a Homeowners' Association has insurance which should cover debris removal and street repairs. Mr. Fendig inquired if there was any funds within the budget to clean up the debris scenario he had mentioned. Mr. Mullin advised that the County cannot go onto private property to spend public money, especially based upon FEMA regulations.

Noted: County Attorney, County Manager and Assistant County Manager to meet with Mr. Fendig in order to go through the budget.

PRESENTATION(S) :

RS170918 - 6:16:17 (Tab A) Paulette Kirkland, Northeast Florida Fair Association re: update on capital funding project for renovation of facilities at the fairgrounds.

Discussion: Keith Wingate discussed their efforts in obtaining State funding to improve and expand the fairgrounds, but in order for the Fair Association to continue to request State funding, they need a letter from the Board of County Commissioners acknowledging that Northeast Florida Fair Association benefits the community by providing other services besides the annual agricultural fair.

Motion: Authorize the Chairman to sign a letter indicating that the Board of County Commissioners acknowledges that the North East Florida Fair Association provides other services benefiting the community.

Maker: Commissioner Spicer

Second: Commissioner Taylor

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

Follow Up: County Attorney

CONSENT ITEM(S) :

RS170918 - 6:23:04 Approve the following: **(Tab B)** Authorization for the Chairman to sign the Littleberry Lane Maintenance Map; and authorize staff to record the maintenance map in the public records of Nassau County. **(Tab C)** Resolution of the Board of County Commissioners extending the State of Emergency in Nassau County, Florida, due to Hurricane Irma.

Motion: Approve consent agenda items (Tabs B and C) as stated above and authorize the Chairman to sign Resolution 2017-130 regarding Tab C.

Maker: Commissioner Edwards

Second: Commissioner Taylor

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

**Follow Up: Finance, OMB, County Attorney, County Manager,
Emergency Management Director**

REGISTER:

The Chairman signed the register for the following warrants: Warrant Nos. 239606 thru 239661 dated 8-29-17 for a register total of \$373,974.14; Wire Transfer No. 1716092 dated 8-17-17 for a register total of \$379.15; Wire Transfer Nos. 1716093 thru 1716074 dated 8-21-17 for a register total of \$7,886.16; Wire Transfer Nos. 1716095 thru 1716096 dated 8-23-17 for a register total of \$1,966.26; Wire Transfer No. 1716097 dated 8-24-17 for a register total of \$5,104.54; Warrant Nos. 239662 thru 239759 dated 9-11-17 for a register total of \$142,911.95; Wire Transfer No. 1716471 dated 8-25-17 for a register total of \$12,390.63; Wire Transfer No. 1716472 dated 8-28-17 for a register total of \$3,109.54; Wire Transfer No. 1716473 dated 8-30-17 for a register total of \$3,884.10; Warrant Nos. 239760 thru 239791 dated 9-5-17 for a register total of \$664,028.37; Wire Transfer No. 1716745 dated 9-5-17 for a register total of \$731.72; Wire Transfer No. 1716746 dated 9-5-17 for a register total of \$4,503.50; Wire Transfer No. 1716747 dated 9-5-17 for a register total of \$19,856.60; Wire Transfer No. 1716748 dated 9-5-17 for a register total of \$25,470.33; Wire Transfer No. 1716749 dated 9-5-17 for a register total of \$31,044.34; Wire Transfer No. 1716750 dated 9-5-17 for a register total of \$167,575.08; Wire Transfer No. 1716751 dated 9-5-17 for a register total of \$1,547,429.32; Wire Transfer No. 1716752 dated 9-5-17 for a register total of \$65,705.20; Wire Transfer No. 1716753 dated 9-6-17 for a register total of \$4,034.61; and, Warrant Nos. 239792 thru 239879 dated 9-7-17 for a register total of \$241,341.73.

NEW BUSINESS:

RS170918 - 6:16:01 (Tab D) Discussion of recreation activities for the East Nassau Community Planning Area (ENCPA) and Wildlight.

Motion: Continue to September 20, 2017 discussion of Tab D as stated above.

Maker: Commissioner Spicer

Second: Commissioner Taylor

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

Follow Up: Planning and Economic Opportunity

RS170918 - 6:23:41 (Tab E) Discuss/identify the County's top three Legislative Priorities to be considered during this year's Legislative Session.

Discussion: Ms. Jones reviewed the request. The Board identified the following top Legislative Priorities to be considered at this year's Legislative Session: Water and sewer for American Beach; Westside Regional Park Phase I; Public Safety Training Facility; Nassau Oaks Subdivision Roadway Improvements; Roundabout at the Fernandina Beach Airport; and Chester Road and Pages Dairy Intersection Improvements.

RS170918 - 6:30:50 Mr. Stankiewicz recommended adding the following projects: William Burgess Extension to Miner Road and Edwards Road and Three Rivers PUD. Following discussion there was consensus of the Board to add the two projects as recommended by Mr. Stankiewicz.

Noted: County Manager to email a list to the Board members of all the priorities in order for the Board to decide the top three priorities at the September 20, 2017 meeting.

RS170918 - 6:28:22 (Tab F) Discussion of the annual employment evaluation for Nassau County Attorney, Michael S. Mullin.

Discussion: Ashley Metz, County HR Director, reviewed the request.

Noted: Mr. Mullin waived the salary increase provision as outlined in his contract.

APPOINTMENT(S) :

RS170918 - 6:31:19 (Tab G) Appointment of a District 4 At-Large representative for the Planning & Zoning Board.

Motion: Approve to reappoint Charles "Billy" Rogers to the Planning and Zoning Board as District Two representative. (Term expires December 2020)

Maker: Commissioner Kelley

Second: Commissioner Spicer

Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor
Follow Up: Planning and Economic Opportunity, County
Manager, County Attorney

Motion: Approve to appoint Ronald Green to the Planning
and Zoning Board as District Four At-Large representative,
replacing Patricia Quaille who resigned as of August 2017.
(Term expires December 2019)

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

RS170918 - 6:32:53 (Tab H) Consider appointment of Ashanta
Albury to the Northeast Florida Community Action Agency's
Board of Directors.

Motion: Approve Tab H as stated above.
Maker: Commissioner Edwards
Second: Commissioner Taylor
Action: Aye: Commissioners Leeper, Kelley, Edwards,
Spicer, and Taylor
Follow Up: County Manager

NON-QUASI-JUDICIAL PUBLIC HEARING(S) :

RS170918 - 6:33:15 (Tab I) Approve a Resolution closing,
vacating, and abandoning of those certain rights of way 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. (Hirth Road)

Mr. Mullin read the legislative hearing procedures for Tabs
I, J, and K.

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

Discussion: Mr. Herring reviewed the request. Thomas McKeel, local attorney for the applicant, came forward commenting that the abandonment would enhance the commercial value of the property.

No public input.

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

Motion: Approve Tab I as stated above and authorize Chairman to sign Resolution 2007-131 regarding same.

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

Follow Up: Public Works, Road and Bridge, Property Appraiser

RS170918 - (Tab J) Second public hearing for the consideration of an ordinance amending Article 15, Commercial, Neighborhood (CN), Article 15-A, Commercial, Neighborhood-American Beach (CN-AB), Article 16, Commercial, General (CG), Article 16-A, Commercial, General-American Beach (CG-AB), Article 17, Commercial Intensive (CI), Article 26, Commercial, Judicial (CJ), to amend the zoning districts to include Medical Marijuana Treatment Center Dispensing Facilities as a permitted use, and to provide for distance restrictions, and amending Article 32, Definitions, to include a definition for Medical Marijuana Treatment Center Dispensing Facility.

Discussion: Mr. Mullin reviewed the request and mentioned the limited options available for local government as the State controls the hours of operation, licensing, employees, storefronts, and the number of dispensaries. He explained these facilities would not be permitted within the confines of American Beach.

Motion: Open floor to public discussion.
Maker: Commissioner Kelley

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

Public Input: Rebecca McCarthy came forward to recommend approval of the medical marijuana dispensary facilities.

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

Motion: Approve Tab J as stated above and authorize the Chairman to sign Ordinance No. 2017-23 regarding same.

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

Nay: Commissioner Kelley

Follow Up: Planning and Economic Opportunity, County
Manager, County Attorney

RS170918 - 6:47:27 (Tab K) Consider an Ordinance 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. Part 200.326, for all Federal Awards, extending Compliance Waiver through December 25, 2017.

Discussion: Mr. Stankiewicz reviewed the request.

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

No public input.

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

Spicer, and Taylor.

Motion: To approve Tab K as stated above and authorize Chairman to sign Ordinance No. 2017-24 regarding same.

Maker: Commissioner Edwards

Second: Commissioner Taylor

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

Follow Up: County Manager, OMB, Finance

QUASI-JUDICIAL PUBLIC HEARING(S) :

RS170918 - 6:22:31 (Tab L) Consideration of Rezoning application R17-003, filed by Debbie Holland, to rezone approximately 1.03 acres from Commercial General (CG) to Commercial Intensive (CI). Property is located on the south side of Commercial Park Drive between Harts Road and US 17 South, Yulee area.

RS170313 - 6:22:31 Debbie Holland, applicant, came forward to waive the Quasi-Judicial hearing procedures.

Discussion: Mr. Pope 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 Taylor

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

Motion: Approve, Tab L as stated above and authorize the Chairman to sign Ordinance 2017-25 regarding same.

Maker: Commissioner Edwards

Second: Commissioner Spicer

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

Follow Up: Planning and Economic Opportunity Department,

Property Appraiser, OMB

INFORMATIONAL ITEM(S) :

RS170918 - 6:48:09 (Tab M) Informational only: emergency purchase for Road & Bridge.

DISCUSSION ITEMS:

RS170918 - 6:48:11 Commissioner Kelley's Business:
None

RS170918 - 6:48:12 Commissioner Spicer's Business:

- Thanked the volunteers that helped during the Hurricane Irma.

RS170918 - 6:48:13 Commissioner Taylor's Business:

- Inquired if there was a way to better improve the Thomas Creek area to prevent flooding. Mr. Herring explained that the County has not received assistance from FEMA. He will research if there is anything else that the County can apply for to help with the Thomas Creek flooding. Commissioner Spicer suggested the Army Corps of Engineers.

RS170918 - 6:50:02 Commissioner Edwards' Business:

- Reminder that any State funds that the County apply for will require matching funds and no matching funds have been set aside.
- Advised that Dave Edwards at Sandhill Recycling has received a 60-day burn permit for people with yard debris.
- Thanked the emergency responders for their help during the storm. He stated that the County must plan for the next storm.

RS170918 - 6:54:20 Chairman Leeper's Business:

- Thanked the County personnel, emergency responders and the Emergency Management Director for all the

planning, preparation, response, and recovery with Hurricane Irma.

Discussion: Billy Estep, Emergency Management Director, provided an update on the recovery process. He lauded the County Manager's leadership during the Hurricane.

There being no further business, the regular session of the Nassau County Board of County Commissioners adjourned at 7:01 p.m.

Daniel B. Leeper, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk