



BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

February 28, 2017
Administration Building,
4th Floor, BCC Meeting Room, 477 Houston
Street,
Green Cove Springs, FL 32043
2:00 PM

CALL TO ORDER

Chairman Bolla called the meeting to order at 2:02 p.m.

INVOCATION

Commissioner Cella

PLEDGE

Commissioner Hendry

ROLL CALL

Present:

Commissioner District 2 Chairman Wayne Bolla
Commissioner District 3 Vice-Chair Diane Hutchings
Commissioner District 1 Commissioner Mike Cella
Commissioner District 4 Commissioner Burney (joined the meeting at 2:08 p.m.)
Commissioner District 5 Commissioner Gayward Hendry

Absent: None

Staff Present: County Manager S.C. Kopelousos
County Attorney Courtney Grimm
County Auditor Mike Price

ARTWORK

Orange Park Junior High

Ann Mitchell, County Manager's Office, presented fifteen pieces of artwork from Abbie Shipe's eighth grade art class at Orange Park Junior High School. The participating art students were Hannah Merrill, Bailey Guthrie, Maggie Lin, Brooke Pucak, Tristan Manley, Jonathan Alcineus, Alicia Dissmore, Itzel Mora, Savannah Lyons, Ariana Sanchez, Jenna

Hiers, Elisabeth Godwin and Ryley Barnett.

PET ADOPTIONS

Gail Flakes, a Volunteer with Clay County Animal Care and Control, introduced a dog named Lady and a cat named Boo.

SPECIAL STAFF RECOGNITION

None

PRESENTATIONS

Joe Stephenson, Executive Director of the Regional Transportation Commission

Joe Stephenson, Executive Director of the Northeast Florida Regional Transportation Commission (RTC), updated the Board on the mission and background of the RTC.

Mr. Stephenson stated that the RTC's mission is "to improve mobility and expand multimodal transportation options for persons and freight within the six counties in the region which includes Nassau, Baker, Duval, Clay, St. Johns and Putnam".

Mr. Stephenson commented that today's presentation was the last of six public hearings seeking input on their plan.

Mr. Stephenson stated that the RTC's main roles were to provide regional leadership, partnering and advocacy. He showed the top six projects in their plan which include coordinated regional transit services, the First Coast Expressway, Future Corridor Study from Jacksonville to Tampa, the St. Johns River/ Mayport Ferry; North Rail Freight Corridor and Northeast Florida Loop Trail.

Commissioner Hutchings thanked Mr. Stephenson for his presentation and for defining the RTC's role.

PROCLAMATIONS/RESOLUTIONS

1. Robert James Head, Jr. Resolution

Fran Moss, Chief Assistant County Attorney, presented the resolution in honor of the life of Robert James Head, Jr. The resolution was accepted by Mr. Head's wife, Elizabeth, and daughter.

After discussion, Chairman Bolla moved, seconded by Commissioner Hutchings, and

carried 5-0, to approve the Resolution as presented.

APPROVAL OF MINUTES

2. January 24, 2017 BCC Meeting Minutes
3. February 7, 2017 BCC Workshop Meeting Minutes
4. February 14, 2017 BCC Meeting Minutes

After discussion, Commissioner Hutchings moved, seconded by Commissioner Hendry, and carried 5-0 to approve the January 24, 2017 BCC Meeting Minutes, the February 7, 2017 BCC Workshop Meeting Minutes and the February 14, 2017 BCC Meeting Minutes as presented.

PUBLIC COMMENTS

Frank Gerwe, 1552 Silver Bell Lane, Fleming Island, Florida, spoke about the responsibilities of the Clay County Utility Authority and the authority's tax history.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, spoke about the height of his commercial building, marijuana dispensaries and the location of adult businesses.

Ginny Fonvielle, 6750 Mt. Vernon Drive, Melrose, Florida, thanked the Board members for their time and stated that she wanted to publicly thank Commissioner Burney for representing the residents of District 4 well and his support and compassion during the public discussions of the Rural Event Center Ordinance.

CONSENT AGENDA

5. Finance & Audit Committee Business

Approval of Finance & Audit Committee Minutes of February 21, 2017.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, thanked Chairman Bolla for calling into the last meeting and suggested that if a Commissioner can not make a meeting they should do the same thing and call in.

6. Finance Business

The Finance Department business is submitted to request approval and ratification by the Board for various warrants and disbursements in order to meet the requirements of Ch. 136.06 (1), FI Statute. Acceptance and disposal of various Board property and various documents are submitted for the Board's information. At times, approval is requested for various finance related issues.

After discussion, Commissioner Hutchings moved, seconded by Commissioner Cella, and carried 5-0, to approve the Consent Agenda as presented.

OLD BUSINESS

PLANNING AND ZONING

7. Final public hearing to consider adoption of small scale amendment CPA 2017-01 (PC Vote: 4-0 Approval)

Public hearing to consider small scale land use amendment of 4.5 acres from Industrial to Agriculture, located on Warner Road, Green Cove Springs Planning District, Commission District 1, Mr. Cella. The Planning Commission voted to recommend approval 4-0 at a public hearing on February 7, 2017.

Carolyn Morgan, Chief Planner, presented the background on this small scale land use amendment request.

Chairman Bolla opened the Public Hearing.

Seeing no one wanting to speak, the Chairman closed the Public Hearing and brought the discussion back to the Board.

After discussion, Commissioner Hendry moved, seconded by Commissioner Cella, and carried 5-0, to approve CPA 2017-01 as presented.

8. Proposed Change to Land Development Code Regarding Community Gardens

Staff is looking for direction regarding a revision to the land development code to allow for community gardens with accessory structures within the PS-2 zoning district.

Chad Williams, Zoning Chief, presented the background on this proposed change to the Land Development Code regarding community gardens within the PS-2 zoning district. Mr. Williams stated that staff is looking for direction from the Board concerning this request to allow an accessory structure on the property.

Terri Sapp, Seeds of Grace, Keystone Heights, Florida, spoke about the history of this community garden in the High Ridge Estates area of Keystone Heights and how it has been beneficial to the children in the area and asked for the Board's support of this request.

Following a discussion by the Board on the type of accessory structure being proposed and its uses, the Board, by consensus, requested that staff proceed with this proposed change to allow a community garden in PS2 to have an accessory structure.

Mr. Williams assured the Board that this request would be brought back to them for further review and discussion at a later date.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, commented that this is a great thing for Keystone Heights. Mr. Otto also spoke about pole barns, septic tanks and the use of generators.

Tina Bullock, Keystone Heights, commented on the wonderful work being done by Terri Sapp and spoke in support of this variance that will make a difference in a lot of people's lives.

Chairman Bolla brought the discussion back to the Board.

Commissioner Hendry asked about the timing of this proposed change.

County Manager Kopelousos clarified that this change would allow a community garden in PS-2 to have an accessory structure and that Mr. Williams would bring this item back in April.

9. Final Public Hearing to Consider Rezoning Application Z-17-01 from PS-1 to BB-3, 1150 Blanding (PC Vote: 4-0 Approval)

Applicant is requesting a change in zoning from PS-1 to BB-3 for RV sales and service.

Chad Williams, Zoning Chief, presented the background on this rezoning application and stated that staff recommends approval.

Chairman Bolla opened the Final Public Hearing.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, spoke about commercial properties and back taxes.

Seeing no one else wanting to speak, Chairman Bolla closed the Public Hearing and brought the discussion back to the Board.

After discussion, Commissioner Burney moved, seconded by Commissioner Hendry, and carried 5-0, to accept rezoning application Z-17-01 as presented.

NEW BUSINESS

10. Budget Resolution for Non-CIE Portion of CIP

Approval of a Resolution to update the Non-CIE portion of the Capital Improvement Program and implementing budget transfers. This includes a transfer from CIP Reserves for Contingency in the amount of \$3,411,920.00 into the Road Resurfacing Project. Funding Sources: Various CIP Accounts & 305-9900-599100 (CIP Fund Reserve for Contingency) (C. Meng)

Clayton Meng, Finance Director, presented the background of this Resolution to update the Non-CIE portion of the Capital Improvement Program and associated budget transfers.

Chairman Bolla allowed Public Comments on this item.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, spoke about Sandridge Road, impact fees, bridges, and transgender restrooms.

Chairman Bolla brought the discussion back to the Board.

After discussion, Commissioner Hutchings moved, seconded by Commissioner Cella, and carried 5-0, to approve the item as presented.

11. Approval of State Funding Agreement with Department of Juvenile Justice for the Youth Intervention/SWEAT Program

Approval of State Funding Agreement with Department of Juvenile Justice for the Youth Intervention/SWEAT Program in the amount of \$87,546.00. The term of this agreement is four months, ending June 30, 2017.

Further approval of Budget Resolution recording the unanticipated grant revenue. Funding Source: 001-001-334718 (General Fund Revenue - SWEAT Program)

Karen Thomas, Director of Administrative and Contractual Services, presented the background on this four month funding agreement for \$87,546.00 with the Department of Juvenile Justice for Clay County's Youth Intervention/SWEAT Program.

County Manager Kopelousos thanked Judge Collins, Judge Mobley and Karen Thomas for their work in bringing this agreement to fruition.

Chairman Bolla allowed Public Comments on this item.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, spoke about a murder in Clay

County where a grandmother was killed by a family member, a new jail for juveniles, domestic violence issues and taking football out of public schools.

Seeing no one else wanting to speak, Chairman Bolla brought the discussion back to the Board.

Commissioner Burney thanked Judge Collins for his efforts on this program.

Judge Collins thanked Karen Thomas, County Manager Kopelousos, County Attorney Grimm and Senator Bradley for their support of this program.

After discussion, Commissioner Hutchings moved, seconded by Commissioner Cella, and carried 5-0, to approve the agreement as presented.

12. Approval of Professional Services Agreement with William Rick Curtis - Program Director of the Youth Intervention Program

Approval of Professional Services Agreement with William Rick Curtis - Program Director of the Youth Intervention Program. Mr. Curtis will oversee all aspects of the Program and will be reimbursed for his services at \$50.00/hr not to exceed 100 hours per month. The term of this agreement is 4 months. Funding Source: 001-4110-531000 (General Fund-SWEAT Program-Professional Services)

Karen Thomas, Director of Administrative and Contractual Services, presented the background on the Professional Services Agreement with William Rick Curtis as Program Director of the Youth Intervention Program for a period of four months.

After discussion, Commissioner Cella moved, seconded by Commissioner Hendry, and carried 5-0, to approve the agreement as presented.

13. Approval of Service Agreement with Bright Minds Youth Development, Inc. - Mentoring and Tutoring Services related to the Youth Intervention Program

Request approval to accept staff's ranking and award RFP 16/17-6, Tutoring and Mentoring Services to Bright Minds Youth Development, Inc. Further approval of the Service Agreement for Mentoring and Tutoring Services related to the Youth Intervention Program at the hourly rates specified within the agreement. The term of the agreement is four months. Funding Source: 001-4110-531000 (General Fund-SWEAT Program-Professional Services)

Karen Thomas, Director of Administrative and Contractual Services, presented the background on this Service Agreement for mentoring and tutoring services related to the Youth Intervention Program.

After discussion, Commissioner Cella moved, seconded by Commissioner Hendry, and carried 5-0, to approve the staff's ranking and award RFP 16/17-6 to Bright Minds Youth Development and approve the hourly rates specified within the agreement for a period of four months.

14. Approval of a release of a portion of drainage easement on the Spring Creek at Eagle Harbor Plat

Dale Smith, Director of Engineering and Public Works, presented the background on this request to release a portion of a drainage easement.

After discussion, Commissioner Cella moved, seconded by Commissioner Hutchings, and carried 5-0, to approve the drainage easement release as presented.

COUNTY MANAGER/CLERK OF THE BOARD

15. Discussion regarding salary compensation

County Manager Kopelousos presented her recommendations on implementation of the salary survey which compared private sector positions within the region to equivalent staff positions.

Ms. Kopelousos commented that this implementation applied only to non-union employees. Her recommendation for FY 2016/17 would be that employees making less than \$50,000.00 per year be brought up to 80% of Market. Employees with an annual salary above \$50,000.00 would be brought up to 75% of Market and employees already at Market would have \$550.00 added, one time, to their base. Additionally, the Market adjustments would be retroactive to January 1, 2017.

Ms. Kopelousos stated that year two of the implementation would be reviewed during the upcoming budget process for FY 2017/18.

Commissioner Hutchings stated that she appreciated the amount of time spent on implementation of the salary survey by the County Manager and by Jennifer Bethelmy, Director of Human Resources.

Chairman Bolla commented that over the past few years staff had been reduced by 140 employees and that folks who had stuck with the County through this reduction, often taking on additional job responsibilities, should also be rewarded.

Chairman Bolla stated that the three staff members who report directly to the Board, i.e. County Manager, Commission Auditor, and County Attorney should be reviewed and discussed separately.

County Manager Kopelousos requested the ability to implement Phase One as discussed.

By consensus, the Board approved the County Manager's implementation of Phase One.

Commissioner Hendry asked the County Manager when these changes would show up in the employee checks.

County Manager Kopelousos stated that staff will get this done as soon as possible, hopefully in March.

Human Resources Director, Jennifer Bethelmy, presented a brief status update on union negotiations to the Board.

16. Discussion regarding revenue options discussed at the February 21, 2017 Workshop

County Manager Kopelousos reviewed the two revenue options that had been discussed at the February 21, 2017 BCC Workshop concerning the County's Gas Tax and Public Services Tax.

Ms. Kopelousos stated that the Board had the ability to add a one to five cents per gallon increase to the Gas Tax. If the Board chooses to proceed, advertising of the Ordinance can be placed to allow a vote as soon as the March 28, 2017 BCC Meeting. Ms. Kopelousos noted that this would require a super majority vote. She stated that October 1, 2017 is the deadline to levy the tax which would have an effective date of January 1, 2018.

Ms. Kopelousos commented that she is still looking into the details of the Public Services Tax and will bring back more information on this tax to the March 14, 2017 BCC Meeting. She noted that this tax can be implemented quarterly and updated the Board on a timeline that would allow them to vote on the implementation of the tax by the last Board meeting in May. A notice would then be sent at the beginning of June to the Department of Revenue and the change would become effective on October 1, 2017.

Commissioner Hendry commented that he would like to take a small bite out of all these options.

Commissioner Hutchings and Commissioner Burney agreed with Commissioner Hendry's comment.

Commissioner Burney stated that he felt this approach is fair to everyone.

Commissioner Cella commented that he wasn't originally in favor of increasing the gas tax but has changed his mind somewhat and that he would like to see the Board move forward. He added that he would be fine with going up to 5 cents per gallon.

Chairman Bolla stated that the County needs to fix dirt roads and raising the Gas Tax will supply money for dirt road projects. He added that he didn't see a big difference between an increase of 3 and 5 cents.

Chairman Bolla allowed Public Comment.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, stated that he hoped money would not be taken from Quigley House and the parks.

County Manager Kopelousos stated that she had two more Board updates.

She advised the Board that they would shortly be receiving a letter from the City of Green Cove Springs requesting a re-evaluation of the distribution of the current Gas Tax.

The second update was a new item seeking the Board's approval of two additional Standard Property Lease Agreements with Crowder-Gulf, LLC for the Shands boat ramp and Governor's Creek boat ramp for debris clean-up.

After discussion, Commissioner Hutchings moved, seconded by Commissioner Cella, and carried 5-0, to approve the agreements as presented.

COUNTY ATTORNEY

No comments were made.

TIME CERTAINS

17. 2:00 p.m., or as soon thereafter, Public Hearing on Petition to Establish the Wilford Preserve Community Development District

Dream Finders Homes, LLC (Dream Finders), has submitted to the Board a petition (the Petition) to establish the Wilford Preserve Community Development District (the WPCDD) within a 256-acre tract situated solely within unincorporated Clay County.

Based upon the evidence offered by Dream Finders and any other evidence that may be offered by staff or interested third parties, the Board will make the determination whether to grant the petition. If the Board grants the petition, then the second step is to consider an ordinance the effect of which will be to create the WPCDD. A public hearing to consider the adoption of such an ordinance has been scheduled immediately following the hearing on the Petition.

See attached documentation for additional information.

Fran Moss, Chief Assistant County Attorney, presented an overview on the process required to create a new community development district with the County.

Wes Haber, representing D.R. Horton, Inc. and Dream Finder Homes, LLC, presented background information on the request by Dream Finders Home, LLC to establish the Wilford Preserve Community Development District and the request by D.R. Horton, Inc. to establish the Cross Creek North Community Development District (CDD).

Commissioner Cella, spoke about CDDs and commented that he has been involved for several years with the Fleming Island Plantation Community Development District and asked Mr. Haber if a dollar amount for the facilities had been established.

Dave McGraw, Dream Finder Homes, commented that planned amenities at Wilford Preserve would include a clubhouse, pool, playgrounds, dog park and indoor community space. Mr. McGraw said that target total costs are estimated at \$1,800.00 to \$2,000.00 per year per resident.

Commissioner Cella noted that it is important for the public to understand that the residents of these developments will be paying for their own amenities and roads not taxpayers.

Chairman Bolla opened the Public Hearing.

Richard Klinzman, 1985 Timucua Trail, Middleburg, Florida, spoke in opposition to the Board granting approval to all of these new developments and the County's decision to have a moratorium on medical marijuana.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, agreed with Mr. Klinzman's comments. Mr. Otto also spoke about impact fees and developers pushing to get things approved before the impact fee study is completed. He asked the Board to look at the roads in the County and start doing the right thing.

Chairman Bolla closed the Public Hearing and brought the discussion back to the Board.

After discussion, Commissioner Hutchings moved, seconded by Commissioner Cella, and carried 5-0, to approve the petition to establish the Wilford Preserve Community Development District.

18. 2:00 p.m., or as soon thereafter, Public Hearing for consideration of an Ordinance creating the Wilford Preserve Community Development District

A copy of a proposed ordinance is attached that, if adopted, would establish the Wilford Preserve Community Development District. This public hearing on the ordinance will immediately follow the hearing scheduled on the petition filed by Dream Finders Homes, LLC, to establish the CDD.

See attached documentation for additional information.

Chairman Bolla opened the Public Hearing on consideration of the Ordinance creating the Wilford Preserve Community Development District.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, spoke about roads especially SR16 and Blanding. He commented that the Board's main job is the safety of the County.

Seeing no one else wanting to speak, Chairman Bolla closed the Public Hearing and brought the discussion back to the Board.

After discussion, Commissioner Hutchings moved, seconded by Commissioner Cella, and carried 5-0, to approve the Ordinance as presented.

19. 2:00 p.m., or as soon thereafter, Public Hearing on Petition to Establish the Cross Creek North Community Development District

D.R. Horton, Inc. – Jacksonville (Horton) has submitted to the Board a petition (the Petition) to establish the Cross Creek North Community Development District (the CCNCDD) within a 970.12-acre tract situated solely within unincorporated Clay County.

Based upon the evidence offered by Horton and any other evidence that may be offered by staff or interested third parties, the Board will make the determination whether to grant the petition. If the Board grants the petition, then the second step is to consider an ordinance the effect of which will be to create the CCNCDD. A public hearing to consider the adoption of such an ordinance has been scheduled immediately following the hearing on the Petition.

See attached documentation for additional information.

Bob Porter, representing D.R. Horton, Inc., spoke about the request to establish the Cross Creek North Community Development District.

Commissioner Cella asked about the timing of the facilities development.

Mr. Porter responded that the amenity center is in the design process.

Chairman Bolla opened the Public Hearing.

James Otto, 2908 Blanding Blvd, Middleburg, Florida, asked citizens to watch these meetings and contact their Commissioner if they disagree with the decisions being made.

Seeing no one else wanting to speak, Chairman Bolla closed the Public Hearing and brought the discussion back to the Board.

After discussion, Commissioner Hendry moved, seconded by Commissioner Hutchings, and carried 5-0, to approve the establishment of the Cross Creek North Community Development District as presented.

20. 2:00 p.m., or as soon thereafter, Public Hearing for consideration of an Ordinance creating the Cross Creek North Community Development District

A copy of the proposed ordinance is attached that, if adopted, would establish the Cross Creek North Community Development District. This public hearing on the ordinance will immediately follow the hearing scheduled on the petition filed by D.R. Horton, Inc. - Jacksonville, to establish the CDD.

See attached documentation for additional information.

Chairman Bolla opened the Public Hearing on the Ordinance creating the Cross Creek North Community Development District.

Seeing no one wanting to speak, the Chairman closed the Public Hearing and brought the discussion back to the Board.

After discussion, Commissioner Hendry moved, seconded by Commissioner Hutchings, and carried 5-0, to approve the Ordinance as presented.

LETTERS FOR ACTION

None

LETTERS OF DOCUMENTATION

21. Draft Planning Commission Minutes for February 7, 2017

22. Bid Openings for February, 2017

Bid Opening Tabulations for February 7, 2017:

- A. RFP #16/17-12, Clay County Branding and Logo Development Project

Bid Opening Tabulations for February 14, 2017:

- A. Bid #16/17-9, Access Control Installation/Upgrade

COMMISSIONERS' COMMENTS

Commissioner Hendry asked John Ward, Director of Emergency Management, to come up to the podium. The Commissioner commented that he had received numerous phone calls from residents along Black Creek that debris being picked up was not hurricane related.

John Ward commented that he had spoken to the Department of Environmental Protection who informed him that the company hired to conduct the debris clean up had

been authorized by the State to pick up everything which was producing a significant amount of debris.

County Manager Kopelousos apologized for any inconvenience the debris clean up may be causing residents using the County's boat ramps.

Commissioner Hutchings recognized John Ward for the excellent job he did at the post-hurricane meeting held earlier today. Commissioner Hutchings commented that she had also been mulling over the Regional Transportation Commission presentation earlier in the meeting and spending \$40,000.00 for being primarily an advocate.

County Manager Kopelousos suggested that a dialogue with Doug Conkey, Clay Chamber President, might be useful as Mr. Conkey is the County's representative on the Board of the Regional Transportation Commission.

Commissioner Burney commented that he enjoyed being a part of this group, that they are sharp people and that their heart is to do the right thing.

Commissioner Cella recognized the great job Commissioner Burney has done representing District 4 in Commissioner Rollins' absence.

Chairman Bolla stated that he concurred with Commissioner Hutchings comments on the Regional Transportation Commission, recognized Commission Auditor Price for the work he does and commented that the Park Plan will be available March 1st.

Chairman Bolla stated that the next BCC Workshop will be a Parks Workshop on March 21, 2017 at 8 a.m.

The Chairman adjourned the meeting at 4:48 p.m.

Attest:

Clerk of the Board

Chairman or Vice-Chairman