



BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

March 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 2:01 P.M.

INVOCATION

Commissioner Cella

PLEDGE

Commissioner Hendry

ROLL CALL

Chairman Bolla

Present: Commissioner District 2 Chairman Wayne Bolla
Commissioner District 3 Vice-Chairman Diane Hutchings
Commissioner District 1 Commissioner Mike Cella
Commissioner District 4 Commissioner Gavin Rollins
Commissioner District 5 Commissioner Gayward Hendry

Absent: None

Staff Present: County Manager S. C. Kopelousos
County Attorney Courtney K. Grimm
Commission Auditor Mike Price
Chief Assistant County Attorney Fran Moss

A MOMENT IN HISTORY

Commissioner Hendry presented "A Moment in History". He shared historical

information regarding the Boston Tea Party of 1773 in which an entire shipment of taxed tea was dumped into the Boston Harbor. This was done in defiance of the Tea Act passed by the British Parliament in 1773. Three years later the War of Independence began.

ARTWORK

Lakeside Jr. High

Artwork was presented from Lakeside Junior High School where Sandra Wiggains is the Art Teacher. The participating artists were Angela Lee, Brianna Jones, Christopher Brown, Emily Boehmer, Elizabeth Kotz, Emma York, Ila Gapinski, Libby Pittman, Kane Bumpers, Lexi Price, Meghan Bullard, Lexi Beall, Rose Trely, Sailey Jones, Preences Arguelles and Vi Pham.

PET ADOPTIONS

Gail Flakes, Animal Care and Control Volunteer, presented pets for adoption. The dog presented was named Cookie and the cat presented was named Malibu.

SPECIAL STAFF RECOGNITION

Lorin Mock, Fire Chief, recognized Richard Knoff for his service with the Clay County Fire and Rescue Department. He stated that Mr. Knoff has been an institution in the area of fire service and praised his level of commitment and work history. Mr. Knoff commented that it has been his pleasure to serve after which he was presented with a retirement plaque. The Board and the County Manager both expressed their appreciation for Mr. Knoff and thanked him for his service.

PRESENTATIONS

None

PROCLAMATIONS/RESOLUTIONS

1. Sexual Assault Awareness Month

Commissioner Cella presented the Proclamation for the Board's consideration.

After discussion, Vice-Chair Hutchings moved, seconded by Chairman Bolla, and carried 5-0, to approve the Proclamation declaring April as Sexual Assault Awareness Month.

Peggy Payne, Chief Executive Officer of the Quigley House, accepted the

Proclamation.

2. Florida Bicycle Month

Commissioner Rollins presented the Proclamation for the Board's consideration.

After discussion, Vice-Chair Hutchings moved, seconded by Chairman Bolla, and carried 5-0, to approve the Proclamation declaring the month of March as Bicycle Month in Clay County.

APPROVAL OF MINUTES

After discussion, Commissioner Rollins moved, seconded by Vice-Chair Hutchings, and carried 5-0, to approve the February 21, 2017 BCC Workshop Minutes and the March 14, 2017 BCC Meeting Minutes as presented.

3. February 21, 2017 BCC Workshop Minutes

4. March 14, 2017 BCC Meeting Minutes

PUBLIC COMMENTS

James Otto, 2910 Highway 21, Middleburg, Florida, commented regarding the negative impacts of football, that the Fair Association should receive more donations and not be given County funds, that the County does not have money for parks and that he was disappointed with an earlier public housing decision.

Richard Klinzman, Middleburg, Florida, spoke on the explosive uncontrolled growth that the County is not prepared for, that the County was snookered with the Outer Beltway project as it will not alleviate traffic, cited problems with the water aquifer and stated that he would like to see a building moratorium for a few years.

Randy Harris, with the Clay County Historical Preservation Board, spoke about the Buddington House Preservation project and cited the associated problems facing the preservation efforts. He is seeking assistance with the feral cat issue that is hindering progress of the project efforts.

CONSENT AGENDA

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

5. 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.

6. Finance & Audit Committee Business

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

OLD BUSINESS

7. Presentation of Three County Deeds for approval and delivery contingent upon receipt of sales proceeds from Govdeals.com (for escheated property) (parcels located at: 6130 Harvard Road, 7141 Wesleyan Road and 5870 Indian Trail, all in Keystone Heights, FL)
At its meeting of February 14, 2017, the Board gave its approval to sell these properties on www.Govdeals.com. The three deeds are attached.

Holly Coyle, Economic and Development Services Director, presented the item for the Board's consideration, as all of the properties have been sold.

James Otto, 2910 Highway 21, Middleburg, Florida, commented that he disagrees with taking citizens' houses and selling them to build the budget. He also accused the Board of making fun of the people who loss the properties and stated that the money should be donated to the Quigley House.

Vice-Chair Hutchings shared that these are all properties the County has received by default and that no one on the Board has made light of anyone loosing a home.

After discussion, Commissioner Rollins moved, seconded by Vice-Chair Hutchings, and carried 5-0, to approve the three County deeds as presented.

PLANNING AND ZONING

8. Final Public Hearing to Consider CPA 2016-11, Removal of Greenbelt within Lake Asbury Master Plan (PC and BCC voted unanimously to transmit amendment.)

Public Hearing to consider adoption of CPA 2016-11 amending the Lake Asbury Master Plan.

Carolyn Morgan, Chief Planner, presented the item for the Board's consideration and stated that the Planning Commission recommended approval by a vote of 5-0. She shared that the Ordinance had been modified slightly from the date of its transmittal to illustrate that the underlying Master Plan Community designation would remain in place.

Chairman Bolla asked what does removing the greenbelt mean and what will be done with the property after it is removed. Ms. Morgan explained that the greenbelt has two purposes; one of which is to create a boundary around the village center and secondly to create a connection between the wetland systems. However, the greenbelt going across the property did not actually connect the wetland systems. The wetlands will still receive protection via the St. Johns River Water Management District.

Commissioner Hendry asked if there was an agricultural downside should this Ordinance pass. Ms. Morgan replied that she was not aware of any.

The Chairman opened the public comment period.

James Otto, 2910 Highway 21, Middleburg, Florida, stated that he was trying to figure out what this means. He then commented regarding on and off ramps of the expressway and shared that he was not really sure what this item was for. He closed by commenting that he thinks Lake Asbury is trying to not get the off ramp from the expressway.

There being no other speakers, the public hearing was closed.

After discussion, Commissioner Hendry moved, seconded by Vice-Chair Hutchings, and carried 5-0, to approve CPA2016-11 as presented.

9. Final Public Hearing to Consider Rezoning Application PCD-17-01 BA to PCD Corner of CR 220 & Plantation Drive (PC Vote: 5-1 to Approve)

Chad Williams, Zoning Chief, presented the item for the Board's consideration. He presented the proposed site plan, staff's recommendation for approval and the fact that the Planning Commission voted 5-1 for approval.

The applicant, via representation by Rogers-Towers, spoke in support of the project and requested the opportunity for rebuttal should the need arise.

The Chairman opened the public comment period.

James Otto, 2910 Highway 21, Middleburg, Florida, commented that his concern was that a car wash takes a lot of water.

There being no other speakers, the public comment period was closed.

Chairman Bolla asked if there was going to be any type of recycling system on site. The project engineer commented that the car wash facility will have a closed loop system which recycles 80% of the water.

Commissioner Cella asked if there were similar units in operation and the reply was no. He then inquired as to whether stacking of the vehicles would impact Plantation

Drive travel corridor and the project engineer replied he doesn't anticipate that happening. Lastly, Commissioner Cella inquired as to the type of buffering that will be used and the project engineer replied that they will work to follow the development code in that regard. The project engineer also added that a construction fence typically surrounds the property for safety and that pedestrian access will be maintained at all times.

Commissioner Hendry asked Ed Lehman, Planning Director, to explain his non-favorable position regarding the project. Mr. Lehman, explained that he was in favor and that the dissenting vote came from Planning Commissioner Puckhaber.

Chairman Bolla asked Mr. Lehman to explain the Planned Commercial Development District "PCD" and Neighborhood Business District "BA" issue. Mr. Lehman explained that Mr. Puckhaber's position was that he did not think the "PCD" should continue to allow the "BA" uses.

Commissioner Rollins commented that he liked the limited hours of operation and the fact that personnel would be on site.

After discussion, Commissioner Hendry moved, seconded by Commissioner Cella, and carried 5-0, to approve PCD-17-01 as presented.

10. Recommendation to TPO for a U.S. 17 Highway Safety Study to be added to the UPWP

The North Florida TPO is requesting that its constituent local governments submit candidate projects for possible inclusion in the second year of the TPO's Unified Planning Work Program FY 16/17 - 17/18. Staff is recommending that a U.S. 17 Safety Study be a project for inclusion in the UPWP.

Ed Lehman, Planning Director, presented the item for the Board's consideration and stated that staff is recommending the U.S.17 Highway Safety Study for inclusion into the North Florida Transportation Planning Organization's (TPO) Unified Planning Work Program FY16/17-17/18.

James Otto, 2910 Highway 21, Middleburg, Florida, commented that this action is a little late, asked why are things being voted on that the constituents have said no too and implied that there has to be some kind of kick-back or something regarding the Board's actions.

Commissioner Cella commented with regard to James Otto continuously berating the Board with accusations and inaccurate facts, such as the Board basically being accused of taking kick-backs, and he shared that this cannot be ignored any longer. He shared that the citizens of Clay County have entrusted a specific responsibility with the Board to do what they are doing. Furthermore, this is not a Town Hall Meeting but a Board meeting to conduct the business of the County and that implying that the Board is taking kick-backs is not appreciated. Commissioner Cella closed by stating that he fully supports the U.S. 17 Highway Safety Study and that it should be presented to the TPO

in a strong sense that it is needed.

After discussion, Commissioner Cella moved, seconded by Vice-Chair Hutchings, (Commissioner Rollins interjected that the study is needed, it is an emotional matter and that Mr. Otto was totally out of line and disrespectful.), and carried 5-0, to approve the recommendation of the U.S. 17 Highway Safety Study to the North Florida TPO.

NEW BUSINESS

11. Forest Hammock Unit 3

Approve acceptance of maintenance of the streets and drainage for the Forest Hammock Unit 3 Subdivision which includes drainage within easement along the side-yard of lots 5 & 6, 19 & 20, 30 & 31 and excludes stormwater management facility (pond), outfall structure, any conveyance system outside county easements and any conveyance system within jurisdictional wetlands as established on the final engineering plan.

Dale Smith, Engineering and Public Works Director, presented the item for the Board's consideration.

After discussion, Commissioner Hendry moved, seconded by Vice-Chair Hutchings, and carried 5-0, to approve the acceptance of maintenance of the streets and drainage for Forest Hammock Unit 3 Subdivision as presented.

12. Final Plat Reserve at Eagle Harbor

Acceptance of final plat reserve at Eagle Harbor. (H. Coyle)

Chad Williams, Zoning Chief, presented the item for the Board's consideration and recommended approval.

James Otto, 2910 Highway 21, Middleburg, Florida, commented that he appreciates being able to speak on each agenda item and that he never said the Board was taking kick-backs but it sure looks like it.

After discussion, Commissioner Cella moved, seconded by Commissioner Rollins, and carried 5-0, to approve the final plat Reserve at Eagle Harbor as presented.

13. Discussion Regarding Sandridge Road Box Culvert/Bridge

Dale Smith, Engineering and Public Works Director, presented the item for the Board's consideration. He shared the results of the comparison between the cost of a box culvert or a bridge replacement, which revealed that the box culvert replacement will be approximately \$100,000.00 cheaper and the preferred method. He also shared that if the road could be closed (35 days to build the box culvert or 90 days to build the bridge), it would save the County approximately \$700,000.00 in construction costs.

Commissioner Hendry asked if the road shut-down would include the bike path or sidewalk. Mr. Smith replied that the sidewalk is maintained by the subdivision and is located outside of the right-of-way.

Commissioner Rollins commented that he doesn't see how the County could justify not shutting the road down for a \$700,000.00 savings. However, a very specific step by step communication process should be prepared for the shut-down.

County Manager Kopelousos recommended that the Board let staff start the outreach efforts now, if they are comfortable with the road shut-down concept. Commissioner Hendry requested that Russell Baptist Church and Russell Rest Haven be included in the outreach effort. Commissioner Cella suggested that a couple of community meetings be held and to use all means of communication possible to distribute the information.

After discussion, Commissioner Hendry moved, seconded by Commissioner Rollins, to approve the box culvert method and give a consensus with regard to shutting down the road. Discussions then continued with regard to other box culvert locations and cast-in-place versus precast box culverts. James Otto, 2910 Highway 21, Middleburg, Florida, asked if a study had been done on this and asked the Board to look at a way to close the road permanently and have the subdivisions exit another way. The earlier motion by Commissioner Hendry, seconded by Commissioner Rollins was carried 5-0.

County Manager Kopelousos stated that she would bring back information regarding the possibility of offering a bonus should the contractor be able to complete the box culvert replacement in a shorter time frame. Chairman Bolla agreed that time is of the essence.

14. Discussion Regarding BCC Staff Salaries

Chairman Bolla shared that there are three employees working directly for the Board, i.e. the County Manager who is not seeking a raise this year, the County Attorney who was just hired, and the County Auditor. He stated that he was open to suggestions regarding the County Auditor's salary.

Commissioner Cella stated that the County should follow the mechanism established in the County Auditor's contract to handle his pay raise situation.

Vice-Chairman Hutchings stated that she had no comment other than to follow the provisions of his contract.

The consensus of the Board was to follow the provisions of the County Auditor's contract.

15. Discussion Regarding Request for Letter of Support for City of Keystone Heights TPO Projects

County Manager Kopelousos presented the item for Board's consideration.

Scott Kornegay, Keystone Heights City Manager, presented the two Keystone Heights Transportation Planning Organization (TPO) projects which are 1) the Lawrence Boulevard Streetscape 2020 Vision and 2) the Palatka to Lake Butler Trailhead project. He requested a letter of support from the Board to accompany his submittal to the TPO.

Chairman Bolla, Vice-Chair Hutchings and Commissioner Rollins spoke in support of the Keystone Heights projects.

James Otto, 2910 Highway 21, Middleburg, Florida, commented that he thinks this will be a good project and used a lot.

The consensus of the Board was to provide the requested letter of support for the two Keystone Heights TPO projects.

COUNTY MANAGER/CLERK OF THE BOARD

16. Discussion Regarding Parks & Recreation Plan

County Manager Kopelousos presented various Parks and Recreational items and the Board came to a consensus to move forward with the items which included: providing cost for safety netting baseball fields; following-up with the cost of a Master Plan for the fairgrounds; discussing the possibility of some shared use of the fields and indoor recreational facilities with the School District; following-up with the Department of Interior with relation to Thunderbolt Park; a recommendation for changing the CIP by taking the \$72,770.00 matching funds for the Fleming Island Multi-purpose fields and combine it with the \$745,000.00 in a separate line item of the CIP; moving forward with the Omega Park concession building and bathroom project which will be brought back as a CIP amendment; looking at the County's rules and regulations as they relate to parking lots and confirming if the Oakleaf bid is still good for building phase 1 of the Oakleaf parking lot (which will not complete the project); determining if any additional funds are needed to complete Moody Park; looking at the possibility of acquiring property to add onto Van Zant Park and looking into the costs for the RV Park concept. Also discussed was the matter of looking into the costs related to the drainage issues of the Eagle Harbor Soccer Complex and Armstrong Park; along with field lighting at Omega-Twin Lakes-Thunderbolt and Oakleaf Parks. Commissioner Hendry stated that he will not support any new parks until we know there is sufficient funding to maintain what we already have, to which the Chairman agreed.

James Otto, 2910 Highway 21, Middleburg, Florida, commented that the County should not build any new parks as the monies should be spent on roads and that jailers should not be working at the parks.

County Manager Kopelousos also gave a legislative update and shared that one of the other needs in our community is a Veterans Clinic. The Board reached a consensus for the County Manager to send a letter to Congressman Yoho regarding support for a Veterans Clinic.

COUNTY ATTORNEY

No Business

TIME CERTAINS

17. 2:00 p.m., or as soon thereafter, Public Hearing to consider an Ordinance imposing the levy of the First, Second, Third, Fourth and Fifth Cents of the Local Option Fuel Tax authorized under Section 336.025(1)(b), Florida Statutes

A copy of a proposed ordinance is attached that, if adopted, would impose the levy of all of the 1-cent, 2-cent, 3-cent, 4-cent and 5-cent Local Option Fuel Tax for a duration of 24 years to commence on January 1, 2018 and expire December 31, 2041. A memorandum is also attached with additional information.

County Manager Kopelousos presented the item for the Board's consideration. She commented that one of our challenges is transportation infrastructure and that this will be money for actual transportation projects. She also shared that this item would require a super majority vote by the Board to pass.

James Otto, 2910 Highway 21, Middleburg, Florida, spoke of certain auction item thefts, that voters should be able to look at this item, that gas rates should be kept the same and that the ad valorem should remain the same.

Van Royal, Green Cove City Councilman, spoke in support of the item as a significant part of the budget goes to safety and transportation. He cited that connectivity and the gas tax are important to our future as we don't have a hub.

William Schaefer, 4348 Southpoint Boulevard, Jacksonville, Florida, spoke on behalf of the Northeast Florida Builder's Association, stating that this is not really a large tax from an individual standpoint and it will help the community. He supports this broad base tax.

Bill Garrison, Clay County Economic Development Corporation, reported that his Board of Directors voted unanimously to support the levy of a five cents per gallon gas tax to help pay for transportation projects that will help expand the capacity of our roadway network. This will create a new revenue stream, broaden the base of payers, improve the transportation system and support new projects. He also provided a handout regarding the County's population trend.

Richard Klinzman, Middleburg, Florida, commented that he has mixed emotions about this as he doesn't want to subsidized out of control growth and that the citizens said lets diversify not find ten new taxes.

County Manager Kopelousos shared that the TPO transportation needs study revealed a one-half billion dollar transportation need.

Commissioner Cella spoke of the road and road safety needs he was presented with during his campaign and that in order to address those needs funds will need to be appropriated. He thinks that it is a fair tax and spoke in support of it.

Commissioner Rollins commented that he understands the challenges with regard to the County's infrastructure needs, however he can't support an additional gas tax.

Vice-Chair Hutchings commented that we need to be looking down the road to address the County's future growth needs. Logically she doesn't see how this can be a negative and supports the measure.

Commissioner Hendry supports the measure as he doesn't see any other choice if we want to fix these problems. The center piece of this is the user fee aspect, i.e. the more you use the road the more you pay.

Chairman Bolla, commented that the referendum was done and the people voted to diversify revenue. He doesn't like raising taxing but doesn't see anywhere else to get the money for the roads at this time. He stated that he supports the measure.

After discussion, Vice-Chair Hutchings moved, seconded by Commissioner Cella, (Interjection by Commissioner Hendry: When will this take effect if it passes? The reply was January 1st of 2018.), and carried 4-1, with Commissioner Rollins dissenting, to approve the Ordinance as presented.

LETTERS FOR ACTION

None

LETTERS OF DOCUMENTATION

18. Draft Planning Commission Minutes for March 7, 2017

19. Florida Public Service Commission Notice

COMMISSIONERS' COMMENTS

Commissioner Hendry commented that there is a need for a review and plan of action for the Buddington House in Middleburg. He also stated that there is a need for a review and status report on the maintenance of the Old Courthouse and Jail.

Commissioner Rollins spoke in support of the regional impact plan which has local benefits regarding the aquifer recharge, drainage and the Keystone Heights chain of lakes. He thanked the Board for its support of the Keystone Heights Lakes efforts. He also asked that the County's website be modified to reflect "Road Improvements Plan" in lieu of the existing heading of "Infrastructure" as he feels that this change would make it easier for the public to access the information they are looking for.

Commissioner Cella agreed with Commissioner Rollins website change suggestion, updated the Board regarding the recent Tourism meetings and also noted that Commissioners are residents and will be paying the gas tax. In closing he offered, as a suggestion, that the Board return to its earlier public comment policy of not speaking after every BCC agenda item.

Chairman Bolla commented that he strongly feels that input from the public is best received during the specific discussion and that he will give it one more meeting. The next Workshop will address Animal Control and will be held on May 2nd after the Finance and Audit Committee meeting. He also shared that the Bronze Bike Level Agreement is being worked on by the County Manager, we need to get our share of the doc stamp water money and that discussion(s) will be held with the folks at Reynolds Industrial Park about what can be done in that area.

The Chairman adjourned the meeting at 5:19 P.M.

Attest:

Clerk of the Board

Chairman or Vice-Chairman