

**BCC MEETING AGENDA**  
**TUESDAY, DECEMBER 9, 2008, 2:00 p.m.**

**CALL TO ORDER**

Chairman Wendell Davis

**INVOCATION**

Commissioner Travis Cummings

**PLEDGE OF ALLEGIANCE**

Commissioner Ronnie Robinson

**ROLL CALL**

**APPROVAL OF MINUTES**

1. BCC Meeting of November 25, 2008
2. BCC/Planning Commission Workshop of November 25, 2008

**ARTWORK**

Fleming Island High School

**CONSENT AGENDA**

3. Approval of change order request from E.F. Johnson concerning the multi net re-banding contract. It should be noted that these items were found during the inventory process that will change the amount Sprint Nextel will pay to EF Johnson. This change order will serve as a third party confirmation to the items listed. Sprint Nextel requires that the county verify these items before they will agree to pay EF Johnson. There is no cost to the county for this transaction.
4. Approval of Finance Department business. (Backup is in the Reading File)  
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), Fl. St.: 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.
5. Approval of report and recommendation regarding civil action against Clay County (*Midfirst Bank v. Yvonne D. Futch, et al.*, Clay County Circuit Court Case No. 08-2241-CA) (Scruby)
6. Approval of report and recommendation regarding civil action against Clay County (*Universal Mortgage Corporation v. Mark A. McNeely, et al.*, Clay County Circuit Court Case No. 08-643-CA) (Scruby)
7. Approval of report and recommendation regarding civil action against Clay County (*American Banking Company d/b/a Ameris v. Olando A. Ellis, Sr., et al.*, Clay County Circuit Court Case No. 08-2651-CA) (Scruby)
8. Approval to reclassify the Public Safety Receptionist position to a communications specialist position. Increased alarm volume necessitates realignment of job functions. Reduction in overtime costs will absorb the difference in pay between the two positions.
9. Approval of a Settlement and Release Agreement with Waste Services of Florida, Inc. (WSI). WSI operated a franchise container services in Clay County

under agreement No. 98/99-20, which required WSI to make payment of certain franchise fees to the county. After a recent audit, it was determined that WSI incorrectly calculated this payment and additional fees are due the county. WSI has a balance in their prepay account for tipping fees and a payment bond on file. Upon execution of this agreement those funds will be released to WSI. By entering into this settlement agreement, WSI shall pay the sum of \$81,080.88 to the county and the county shall make payment to WSI in the amount of \$16,133.35. This agreement shall act as a full settlement of all claims.

10. Approval of modification #1 to Clay County Agreement 06/07-178, which is a Federally Funded Sub-Grant with the Division of Emergency Management (CERT). This modification will extend the expiration date of the grant funds to March 31, 2009, and increase the grant amount by \$1,500.00. The original amount of the grant was \$10,000.00.
11. Approval of contract with the City of Jacksonville for Medical Examiner services for Clay County for the period of October 1, 2008 through September 30, 2011. The Duval County Medical Examiner is appointed by the Governor to serve Nassau, Clay and Duval counties and this agreement is the Clay County portion of those services. Page 2 of the contract specifies the amount charged for the various medical examiner services.
12. Approval of advance payment for pre-paid postage in the amount of \$13,000 to Robertson Press for the postage expense for the Clay County Solid Waste & Recycling Newsletter. Goods and services necessary for the county to perform its statutory responsibilities are available only if advance payment is made. The funding source is: 401-3820-541200.
13. Approval of Agreement with Loblolly Mitigation Preserve, LLC for the purchase of mitigation credits for the Loch Ran Storm water Pond improvements in the amount of \$134,550.00. Also, approval of advance payment in the amount of \$13,455.00 (10%), and approval of sole source. Goods and services necessary for the county to perform its statutory responsibilities are available only if advance payment is made. Funding source: 305-14-563000
14. Approval to post notice of intent and to award Bid No. 08/09-2, and contract, for Project #109A, to the best/and or lowest bidder Michael Thomas Contracting, Inc. in the amount of \$16,420.00, immediately following the 72-hour posting period provided no protest is filed.
15. Approval to post notice of intent and to award Bid No. 08/09-2, and contract, for Project #109B, to the best/and or lowest bidder Yahweh Construction, Inc. in the amount of \$27,435.00, immediately following the 72-hour posting period provided no protest is filed.
16. Approval to post notice of intent and to award Bid No. 08/09-2, and contract, for Project #109C, to the best/and or lowest bidder Chad Whilwhite Construction, Inc. in the amount of \$8,770.00, immediately following the 72-hour posting period provided no protest is filed.
17. Approval to post notice of intent and to award Bid No. 08/09-2, and contract, for Project #109D, to the best/and or lowest bidder Chad Whilwhite Construction, Inc. in the amount of \$16,460.00, immediately following the 72-hour posting period provided no protest is filed.

18. Approval to post notice of intent and to award Bid No. 08/09-2, and contract, for Project #109E, to the best/and or lowest bidder Carter Builders in the amount of \$24,995.00, immediately following the 72-hour posting period provided no protest is filed.

### **TIME CERTAIN**

19. **3:00** Jim Ryan, Re: Affordable Housing Advisory Committee Report  
In July 2007, the Florida Legislature passed HB 1375 requiring cities and counties receiving SHIP funds to appoint an 11 member "Affordable Housing Advisory Committee" (AHAC). The Board adopted Resolution 07/08 - 42 on March 11, 2008 appointing 11 members and one alternate to the AHAC. The purpose of the committee was to evaluate and report to the Board on established policies, procedures, ordinances, land development regulations, and to review the comprehensive plan with regard to affordable housing matters and recommend specific actions or initiatives to encourage or facilitate affordable housing. The AHAC convened 12 times and discussed the 11 issues as required. The recommendations of the AHAC are attached.

20. **OLD BUSINESS** – No Business

### **NEW BUSINESS**

21. Discussion on Code Enforcement Liens (T. George)  
The Board will consider two lien reductions.
22. Discussion on reappointments to the Board of Adjustments  
The Board of Adjustments will have four terms expiring on January 1, 2009. Those expirations have been posted on our website. Two citizen applications for reappointment have been received to date and are submitted for the Board's consideration.
23. Discussion on appointments/reappointments to the Planning Commission.  
The Planning Commission will have four members' terms expiring on January 1, 2009. Those expirations have been posted on our website. Six applications have been received and are submitted for the Board's consideration.
24. Approval of amendment to Animal Control Advisory Committee Resolution No. 08/09-5, reducing the number of members to five.
25. Discussion on appointments to the Animal Control Advisory Committee.

26. **COUNTY MANAGER/CLERK OF THE BOARD** – No Business

27. **COUNTY ATTORNEY** – No Business

### **LETTERS FOR ACTION**

28. Richard Bebout, Re: Resignation from the North Florida Transportation Planning Organization, Citizens Advisory Committee

**LETTERS/DOCUMENTATION (For Information/For the Record)**

- 29. Affordable Housing Advisory Committee Minutes of November 5, 2008 and Public Hearing of November 13, 2008
- 30. Public Service Commission, Re: Order Approving Underground Conversion Tariff Revisions
- 31. Bid Opening Tabulations for December 2, 2008:
  - A. RFP No. 08/09-3 Park and Playground Equipment
  - B. Bid No. 08/09-5 Skid Steer Loader & Vibrating Roller

**PUBLIC COMMENTS**

**COMMISSIONER'S COMMENTS**

Note: If any person decides to appeal any decision made by the County Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286-0105). Individuals with disabilities needing assistance to participate in any of these proceedings should contact the County Manager at least three (3) working days in advance of the meeting date and time at (904) 284-6347.