

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER, 18, 2008
(9:00 A.M.)**

Proceedings of a special meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Present were: Cyndi Stevenson, District 1, Chair
 Ron Sanchez, District 2
 Ben Rich, District 3
 James Bryant, District 5
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Terry Bulla, Deputy Clerk

Proof of publication of a special meeting of the St. Johns County Board of County Commissioners was received, having been published in the *St. Augustine Record* on November 12, 2008.

(11/18/08 - 1 - 9:04 a.m.)
CALL TO ORDER OF SPECIAL MEETING

Stevenson called the meeting to order.

(11/18/08 - 1 - 9:04 a.m.)
ROLL CALL

Stevenson reported that all four commissioners were present.

(11/18/08 - 1 - 9:04 a.m.)
Bryant gave the Invocation and Rich led the Pledge of Allegiance.

(11/18/08 - 1 - 9:06 a.m.)
1. MOTION TO APPROVE THE PUBLIC OFFICIAL BONDS FOR COMMISSIONER CYNDI STEVENSON, COMMISSIONER-ELECT MARK P. MINER, AND COMMISSIONER-ELECT KEN BRYAN

Motion by Sanchez, seconded by Rich, carried 4/0, to approve the Public Official Bonds for Commissioner Cyndi Stevenson, Commissioner-Elect Mark P. Miner and Commissioner-Elect Ken Bryan.

(11/18/08 - 1 - 9:06 a.m.)
2. PRESENTATION RECOGNIZING THE OUTGOING COMMISSIONERS BY COUNTY ADMINISTRATOR MICHAEL D. WANCHICK:

- Commissioner Ben Rich, District 3
- Commissioner James E. Bryant, District 5

County Administrator, Michael Wanchick, gave a presentation on the outgoing Commissioners. He made brief comments about Rich, noting the legacy he has left including his service as Chairman of the Board in 2007, his championing of the Neighborhood Bill of Rights, which had given enhanced standing to residents throughout

the County in planning and development decisions, his avid support of veterans and veteran programs, in which he led the call for the naming of Veterans' Park and Veterans' Parkway and was the driving force behind locating the new state veterans' nursing home in St. Johns County. Wanchick noted that Rich was chairman in 2007 during a period of time when the County had to make some very significant reductions in its budget and in its workforce, and he led that initiative with skill and the community was better off for his efforts in that regard. He said that Rich was also a champion for environmental causes, and had served as the liaison for the Library Advisory Board, the Parks and Recreation Board, the Housing Finance Authority, the Drug Court and the Northeast Florida Planning Council. He said Rich was leaving a strong legacy that would endure for many years.

(9:10 a.m.) Rich reviewed his service and noted the accomplishments that were made, were made as a Board. He thanked them for their support for his initiatives and for the leadership that they had provided. He also thanked staff for their tremendous support, particularly those who helped in the development of the Veterans' facility being located in St. Johns County. He also thanked Wanchick for his leadership and for his wonderful sense of humor. He went on to thank other individuals and staff who had not been mentioned.

(9:21 a.m.) Stevenson presented a clock to Rich to commemorate his service to the County. Rich left the meeting.

(9:22 a.m.) Wanchick spoke about Commissioner Bryant and said he had been the stabilizing influence on the Board for 12 years and had served as Chairman three times. He was regarded as the Commission's visionary, and there were many programs and services in place that would not exist, if it were not for his leadership, notably those in Health and Human Services, including the support of the purchase of West Flagler Hospital which allowed the County to house the Health and Human Services, the State Health Department, the Veterans' Affairs and other social service agencies in one location, which allowed the County to provide services in a more cost effective manner. Wanchick said Bryant was also a supporter of the Council on Aging and in developing the Sunshine Bus Company, was instrumental in the formation of the St. Johns County Drug Court, and the reorganization of the Solid Waste Department, which resulted in more efficient services and lower rates. He was also a major supporter of the Vilano CRA. He led the initiative for onsite health care for County employees, by hiring a County physician on staff, which had saved a lot of money for the County. He served on the Health and Human Services Advisory Board, the St. Augustine/St. Johns County Aviation Authority, the Housing Finance Authority, the Industrial Development Authority and the Northeast Regional Planning Council as well as many other Boards. Wanchick said St. Johns County was a much better place to live and work because of the work and service Bryant had provided. Bryant received a standing ovation.

(9:26 a.m.) Bryant thanked many individuals as well as staff members. He specifically thanked Ralph and Shirley DePasquale, Clyde and Bea Tester, Dr. Rubin Plant, Dr. Jerry Carver and Cameron Lacey. He said that Cameron Lacey was the father of many of the housing and health care programs in St. Johns County and said he would never be forgotten. He thanked Frances Neelands, his legislative aid, for her 16 years of service to St. Johns County and said she had done an outstanding job for all the constituents of the County. He thanked Administration including Ben Adams and Wally Kropacek, who jumped into the healthcare problems and helped to resolve the issues. He also thanked Jerry Cameron for his support on those matters. He thanked Wanchick for his professional administration and his true support of the health care issues for the less fortunate individuals of the County. He also thanked Dr. Maria Colavito for implementing the ideas presented to her and transferring them into the most prolific healthcare and social service program in the State. He noted they were the only county in the state that provided mental health services and foster care, and were ranked number

one in the state by peer audits and reviews compared to all the private sectors. He thanked her for a job well done. He thanked the 20 employees for signing the resolution for supporting Dr. Colavito when the state was going to pull the mental health contract, and then proceeded to turn the Mental Health Department around in 90 days. He also thanked Cathy Brown for all her service to the Council on Aging, including the transportation system, the Sunshine Bus, the Meals on Wheels Program, the Pharmaceutical Access Program for those who could not afford their drugs, and said she had taken all those programs to a new level. He also thanked staff for the many issues they had worked on daily. He thanked the Constitutional Officers for their outstanding service and working together on budget issues. He thanked the three CRAs and the steering committees behind them; the Vilano CRA, West Augustine CRA, and the Flagler Estates CRA, for continually working to make their communities better, and he said they were to be congratulated for their hard work. He thanked everyone for the opportunity to serve the residents of St. Johns County and for their support.

(9:34 a.m.) Stevenson mentioned that Bryant's family was present, and he noted they had been very supportive and said he looked forward to spending more time with his family.

(9:35 a.m.) Stevenson said a three term commissioner was a rare thing in the state of Florida and thanked him for his service. She presented the award to Bryant saying that he had made a world of difference to St. Johns County.

(9:37 a.m.) Bryant said he had left one person out and he thanked his daughter who worked in the St. Johns Housing Partnership and said they had impacted the lives of many people, providing home loans for low income people to provide them with the basic necessities of shelter.

(9:37 a.m.) Stevenson also thanked Bryant's family for the sacrifices they had made during his years of service.

(11/18/08 - 3 - 9:38 a.m.)

3. OATHS OF OFFICE FOR THE NEW COMMISSIONERS BY THE HONORABLE JOHN M. ALEXANDER, ADMINISTRATIVE JUDGE OF ST. JOHNS COUNTY

- Commissioner Cyndi Stevenson, District 1
- Commissioner Mark P. Miner, District 3
- Commissioner Ken Bryan, District 5

Judge Alexander welcomed the new commissioners and thanked everyone for the support they had given in the renovation of the Courthouse and noted the many improvements that were being made. He thanked the outgoing commissioners for their support on that project. He said it was an honor and a privilege to swear in the new commissioners. He read the oath and all three commissioners were sworn in.

(11/18/08 - 3 - 9:42 a.m.)

4. BRIEF RECESS

(11/18/08 - 3 - 10:05 a.m.)

5. CALL BACK TO ORDER BY CHAIR CYNDI STEVENSON

Stevenson called the meeting back to order and welcomed Commissioners Mark Miner and Ken Bryan to the meeting.

(11/18/08 - 3 - 10:05 a.m.)

6. REVIEW OF NOMINATING PROCEDURES FOR ELECTION OF CHAIR AND VICE CHAIR BY COUNTY ATTORNEY PATRICK F. MCCORMACK

Patrick McCormack, County Attorney, gave a review of the nominating procedure as set forth in the Board's Rules and Policies.

(11/18/08 - 4 - 10:07 a.m.)

7. ELECTION OF THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS

Motion by Sanchez, seconded by Miner, with no further nominations, carried 4/0, to elect Stevenson Chair of the Board of County Commissioners.

(11/18/08 - 4 - 10:08 a.m.)

8. ELECTION OF THE VICE-CHAIR OF THE BOARD OF COUNTY COMMISSIONERS

Motion by Miner, seconded by Bryan, with no further nominations, carried 4/0, to elect Sanchez Vice Chair of the Board of County Commissioners.

(11/18/08 - 4 - 10:09 a.m.)

9. DELETIONS TO CONSENT AGENDA

There were none.

(11/18/08 - 4 - 10:10 a.m.)

10. APPROVAL OF CONSENT AGENDA

Motion by Sanchez, seconded by Bryan, carried 4/0, to approve the Consent Agenda.

1. Approval of the Cash Requirement Report
2. Minutes:
 - 09/30/08 - BCC Regular Meeting
 - 10/14/08 - BCC Regular Meeting
 - 10/28/08 - BCC Regular Meeting
3. Motion to reconcile Fiscal Year 2009 positions from the listed reserves and departments
4. Motion to approve the end of year transfers from the listed reserves and departments
5. Motion to approve the 2009 Holiday Schedule
6. Motion to adopt **Resolution No. 2008-310**, setting a Public Hearing date of December 16, 2008 at 9:00 A.M. to hear a request for the vacation of the southern portion of Riviera Boulevard

RESOLUTION NO. 2008-310

RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, IN THE COUNTY AUDITORIUM OF ST. JOHNS COUNTY ADMINISTRATION BUILDING, ON DECEMBER 16, 2008, AT 9:00 A.M. UPON PETITION OF QUALIFIED LAND OWNERS, WILL CONSIDER THE ADVISABILITY OF EXERCISING THE POWER GRANTED TO IT BY SECTION 336.09, FLORIDA STATUTES 2007, AND DETERMINE

WHETHER IT WILL VACATE, ABANDON, DISCONTINUE
AND CLOSE PORTIONS OF CERTAIN STREETS,
ALLEYWAYS OR ROADS DESCRIBED AS FOLLOWS IN
SCHEDULE A

7. Motion to approve a transfer in the amount of \$16,347.83 from General Fund Reserves (0083-59920) to LETF Reserves (1194-59920) so that the Sheriff may utilize unclaimed funds returned to the General Fund for FY 2008
8. Motion to adopt **Resolution No. 2008-311**, approving the terms, provisions, conditions, and requirements of a Destination Master Plan Agreement between St. Johns County, Florida, and Peckham, Guyton, Albers & Viets, and authorizing the County Administrator, or designee, to execute the Agreement on behalf of St. Johns County

RESOLUTION NO. 2008-311

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A DESTINATION MASTER PLAN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND PECKHAM, GUYTON, ALBERS & VIETS, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

9. Motion to adopt **Resolution No. 2008-312**, recognizing unanticipated revenue in the amount of \$ 13,730.54 and increasing the General Fund Contributions—Library Administration (0001-36602) and increasing the expenditure budget of the Donations -Library Administration (0078-55229) in the same amount

RESOLUTION NO. 2008-312

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2009 GENERAL FUND TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE LIBRARY SYSTEM

10. Motion to adopt **Resolution No. 2008-313**, approving the terms, conditions, provisions and requirements of a Grant Contract between the Florida Inland Navigation District and St. Johns County, Florida, for the Alpine Groves Fishing Pier Phase II and authorizing the County Administrator to execute the Contract on behalf of St. Johns County

RESOLUTION NO. 2008-313

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT FOR THE ALPINE GROVES FISHING PIER PHASE II, AND AUTHORIZING THE

COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

11. Motion to adopt **Resolution No. 2008-314**, approving the terms, conditions, provisions and requirements of a Grant Contract between the Florida Inland Navigation District and St. Johns County, Florida, for the Green Road Boat Ramp and authorizing the County Administrator to execute the Contract on behalf of St. Johns County

RESOLUTION NO. 2008-314

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT FOR THE GREEN ROAD BOAT RAMP, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

12. Motion to adopt **Resolution No 2008-315**, approving the terms, conditions, provisions and requirements of a Grant Contract between the Florida Inland Navigation District and St. Johns County, Florida, for the Usina Boat Ramp Improvements and authorizing the County Administrator to execute the Contract on behalf of St. Johns County

RESOLUTION NO. 2008-315

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT FOR THE USINA BOAT RAMP IMPROVEMENTS, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

13. Motion to adopt **Resolution No. 2008-316**, approving the terms, conditions, provisions and requirements of a Grant Contract between the Florida Inland Navigation District and St. Johns County, Florida, for the Fort Mose Boardwalk Canoe/Kayak Platform Phase I and authorizing the County Administrator to execute the Contract on behalf of St. Johns County

RESOLUTION NO. 2008-316

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT FOR THE FORT MOSE BOARDWALK, CANOE/KAYAK PLATFORM PHASE I, AND AUTHORIZING THE COUNTY ADMINISTRATOR

TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

14. Motion to adopt **Resolution No. 2008-317**, accepting the terms and authorizing the County Administrator to execute the Lease Agreement from VA Community Based Outpatient Clinic, adding the additional rental space in the Health and Human Services Center

RESOLUTION NO. 2008-317

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE LEASE AGREEMENT FROM VA COMMUNITY-BASED OUTPATIENT CLINIC, ADDING THE ADDITIONAL RENTAL SPACE IN THE HEALTH AND HUMAN SERVICES CENTER

15. Motion to adopt **Resolution No. 2008-318**, approving the terms and authorizing the County Administrator to execute a License Agreement Extension to Runk Properties, Inc., for a portion of Right of Way on Mizell Road

RESOLUTION NO. 2008-318

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LICENSE AGREEMENT EXTENSION TO RUNK PROPERTIES, INC., FOR COUNTY RIGHT OF WAY ON MIZELL ROAD

16. Motion to adopt **Resolution No. 2008-319**, approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement for property needed for the intersection improvements to Dobbs Road and Kings Road

RESOLUTION NO. 2008-319

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE INTERSECTION IMPROVEMENTS TO DOBBS ROAD AND KINGS ROAD

17. Motion to adopt **Resolution No. 2008-320**, approving the terms and authorizing the County Administrator to execute the 1st Amendment to the Lease Agreement between Cross Water Community Church formerly known as New Beginnings Baptist Church and St. Johns County extending the lease term 60 days

RESOLUTION NO. 2008-320

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE 1ST

**AMENDMENT TO THE LEASE AGREEMENT BETWEEN
CROSS WATER COMMUNITY CHURCH FORMERLY
KNOWN AS NEW BEGINNINGS BAPTIST CHURCH AND
ST. JOHNS COUNTY EXTENDING THE LEASE TERM 60
DAYS**

18. Motion to adopt **Resolution No. 2008-321**, authorizing the County Administrator to execute a Purchase and Sale Agreement for property needed for future road improvements to SR 16/Heritage Landing Intersection

RESOLUTION NO. 2008-321

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING THE TERMS AND AUTHORIZING THE
COUNTY ADMINISTRATOR TO EXECUTE A PURCHASE
AND SALE AGREEMENT FOR PROPERTY NEEDED FOR
ROAD IMPROVEMENTS TO STATE ROAD 16/HERITAGE
LANDING INTERSECTION**

19. Motion to adopt **Resolution No. 2008-322**, approving the contract between St. Johns County and Flagler Hospital for indigent inpatient hospitalizations and authorizing the County Administrator to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2008-322

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING THE TERMS, PROVISIONS, CONDITIONS,
AND REQUIREMENTS OF AN AGREEMENT BETWEEN
THE BOARD OF COUNTY COMMISSIONERS OF ST.
JOHNS COUNTY, AND FLAGLER HOSPITAL, INC., AS TO
L.I.P. STATE PROGRAMS, AND AUTHORIZING THE
COUNTY ADMINISTRATOR OF ST. JOHNS COUNTY TO
EXECUTE THE AGREEMENT ON BEHALF OF THE
COUNTY**

20. Motion to adopt **Resolution No. 2008-323**, accepting the terms of the agreement between St. Johns County Board of County Commissioners and Paula Stowell, ARNP, for psychiatric nursing services and authorizing the County Administrator to execute the Amendment on behalf of the County

RESOLUTION NO. 2008-323

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE AGREEMENT BETWEEN ST. JOHNS
COUNTY AND PAULA STOWELL, ARNP**

21. Motion to adopt **Resolution No. 2008-324**, accepting the terms of the agreement between St. Johns County Board of County Commissioners and Michael Haser, M.D., to provide psychiatric/medication management services and authorizing the County Administrator to execute the Amendment on behalf of the County

RESOLUTION NO. 2008-324

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE AGREEMENT BETWEEN ST. JOHNS COUNTY AND MICHAEL HASER, M.D.

22. Motion to approve the transfer of \$5,000 from Water & Sewer Authority Capital Outlay Reserves (1103-59927) to Water & Sewer Authority Contractual Services (1103-53120) for retrieval of files from File Source
23. Motion to adopt **Resolution No. 2008-325**, approving the terms, provisions, conditions, and requirements of a Master Agreement for the Maintenance of Mast Arm Paint on Traffic Signal Mast Arms by a Third Party, and authorizing the County Administrator, or designee, to execute the Master Agreement on behalf of the County

RESOLUTION NO. 2008-325

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MASTER AGREEMENT FOR THE MAINTENANCE OF MASTER PAINT ON TRAFFIC SIGNAL MAST ARMS BY A NAMED THIRD PARTY, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE MASTER AGREEMENT, AND ANY OTHER ASSOCIATED DOCUMENTS ON BEHALF OF THE COUNTY

24. Motion to adopt **Resolution No. 2008-326**, approving the terms, provisions, conditions, and requirements of the Joint Project Agreement between the Board of County Commissioners of St. Johns County, Florida, and the State of Florida Department of Transportation, regarding the design, construction and construction engineering inspection of certain roadway improvements within the interchange of Interstate 95 at CR 210 and along CR 210, and authorizing the County Administrator, or designee, to execute said Agreement, and; motion to adopt **Resolution No. 2008-327**, to receive unanticipated revenue and authorize its expenditure on project 5152 Design, Construction and CEI of I-95 at CR 210 Interchange Improvements, and; Motion to approve the re-appropriation of funding for transportation projects per the attached worksheet

RESOLUTION NO. 2008-326

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE TRANSPORTATION REGIONAL INCENTIVE PROGRAM AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND ST. JOHNS COUNTY PERTAINING TO THE DESIGN, CONSTRUCTION AND CONSTRUCTION ENGINEERING AND INSPECTION OF COUNTY ROAD 210 AND INTERSTATE 95; PROVIDING DIRECTIONS; AND PROVIDING AN EFFECTIVE DATE

RESOLUTION NO. 2008-327

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2009 "06 TRANSPORTATION IMPROVEMENT BONDS FUND" TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE ON PROJECT 5152 - DESIGN, CONSTRUCTION AND CONSTRUCTION ENGINEERING INSPECTION ON I-95 AT CR 210

25. Motion to adopt **Resolution No. 2008-328**, authorizing the County Administrator to approve the "Petition for Extraordinary Rate Increase" under Section 9.3 of the "Franchise Agreement for the Collection & Transportation of Residential Solid Waste within St. Johns County" with Advanced Disposal, and authorizing the transfer funds in the amount of \$12,844 from Solid Waste Reserves (4407-59920) to Collection Programs- Contractual Services-Advanced Disposal (4404-53124) to fund this agreement, and to take any other necessary actions consistent with the accomplishment of this contract amendment

RESOLUTION NO. 2008-328

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS TO AMEND THE COLLECTION AND TRANSPORTATION OF RESIDENTIAL SOLID WASTE FRANCHISE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ADVANCED DISPOSAL, INC. AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AMENDMENT TO THE COLLECTION AND TRANSPORTATION OF RESIDENTIAL SOLID WASTE FRANCHISE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

26. Motion to adopt **Resolution No. 2008-329**, in order to modify the maximum SHIP sales purchase price within the West Augustine CRA to the State benchmark

RESOLUTION NO. 2008-329

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, INCREASING THE MAXIMUM PURCHASE PRICE LIMIT OF THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) HOME BUYER PROGRAM WITHIN THE WEST AUGUSTINE COMMUNITY REDEVELOPMENT AREA (CRA); AMENDING THE LOCAL HOUSING ASSISTANCE PLAN; AND SETTING AN EFFECTIVE DATE

27. Motion to transfer \$7,886 from General Fund Reserves [0083 59920] to Facilities Maintenance Operating Supplies [0031 55200] necessary to pay the final remediation costs associated with the SJC jail underground fuel leak
28. Motion to approve a transfer of \$325,000 from Impact Fees Police - Capital Outlay Reserve (1169-59927) to Impact Fees Police - Building Improvements (1169-56300) for additional funding required for the jail expansion project

29. Proofs:
- a. Proof, Notice to Bidders, Bid No. 09-05
 - b. Proof, Public Notice, Fiscal Year 2008-2009 Budget Summary
 - c. Proof, Notice of Hearing, Board of County Commissioners, Establishment of Ordinance/Regulations Affecting the Use of Land, Tuesday, September 30, 2008 at 5:30 p.m. and Tuesday, October 28, 2008, at 10:00 a.m.
 - d. Proof, Notice to Bidders, Bid No. 09-23
 - e. Proof, Notice of Meeting, Value Adjustment Board, Wednesday, October 22, 2008, at 8:30 a.m.
 - f. Proof, Notice to Bidders, Bid No. 09-10
 - g. Proof, Notice to Bidders, 09-02
 - h. Proof, Notice to Bidders, Bid No. 09-06
 - i. Proof, Notice to Bidders, Bid No. 09-01
 - j. Proof, Notice of Election Referendum, Home Rule Charter
 - k. Proof, Notice of Election Referendum, One Percent Sales Surtax
 - l. Proof, Notice of Meeting, Board of County Commissioners, Special Meeting, Wednesday, August 27, 2008 at 10:00 a.m.
 - m. Proof, Certificate of Liability Insurance, Miller Electric Company
 - n. Proof, Certificate of Liability Insurance, Russo & Sons Inc dba RSI Inc.
 - o. Proof, Certificate of Liability Insurance, Seaboard Waste Systems, Inc.
 - p. Proof, Certificate of Liability Insurance, Seaboard Waste Systems, Inc.

(11/18/08 - 11 - 10:10 a.m.)

PUBLIC COMMENT

Riva Saker, 70 Washington St., St. Augustine, St. Frances House, said her concern was for beach safety and serenity. She said she had been stalked along Crescent Beach by a caretaker at Frank Butler Beach. She encouraged the Parks and Recreation Department to change the guard at Frank Butler Beach. Stevenson stated that staff would be following up on that issue.

(10:11 a.m.) Jay Bliss, 12 Oglethorpe Blvd., St. Augustine, stated he was a member of the St. Augustine Port Waterway and Beach Commission. He noted he was speaking for himself and not the Commission. He asked the Commission to consider the opportunity to acquire water access by means of the Conch House. He said it would be a great opportunity for the County to expand its water base by acquiring the 200 boat slip marina. He said it would be a complicated acquisition but would be well worth the effort.

(10:13 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. South, Fruitcove, asked about a bill that she had received from Comcast (Exhibit A) and gave the background on her attempts to rectify her service address. She said the 32259 zip code area was changed, and she had changed her address to St. Johns, Florida, with Comcast, but they had her service address as Jacksonville, Florida. She asked whether the service tax went to Jacksonville or to St. Johns County. She said she wanted to know where it was going and who was administering it. She said the County was missing a lot of revenue if the taxes were being dispersed back to Jacksonville. (10:20 a.m.) Sanchez said they were aware of it and staff was working on it. (10:20 a.m.) Stevenson said she had the same issue and said that Tax Collector, Dennis Hollingsworth, would be able to cut through a lot of the red tape and could track whether the revenue was going to the wrong place or not.

(10:22 a.m.) Michael Hunt, Assistant County Attorney, said the Communication Services Tax was in place of franchise fees and that amount was set by the State by statute. He also noted it was supposed to be zip code specific, and if the zip code did not extend into another county, it should be ok with the revenue going to the correct county. He said it took vigilance on the part of local governments because the cable company was not concerned with where the taxes went.

(10:24 a.m.) Commissioner Bryan said it was incumbent upon St. Johns County to recapture the funds from that particular county or from the state. Hunt said it could be done at the State level, and the County needed to be vigilant because those things sometimes fell between the cracks. Bryan asked if it would be difficult to recover funds which had been directed to another county. Hunt said it had to be coordinated through the Tax Collector. He said communications also needed to be improved with the cable operator. Bryan said he would like to have a report on where they stood on that issue.

(10:27 a.m.) Commissioner Jim Bryant, 129 Oak Ave., said they had just received notice that their programs at Flagler West had received accreditation from the National Council on Accreditation. He said they had been working on achieving that status for several years and they had just received notice that morning that the accreditation had been granted. He said it was a significant event and asked that Dr. Colavito be allowed to come forward to explain its significance.

(10:28 a.m.) Sanchez stated that a shade meeting was scheduled for 10:30 a.m. and there were other individuals who wanted to give comments as public speakers. Stevenson asked if they could push the meeting back ten minutes. McCormack said they could and suggested that they go ahead and open the special meeting and continue it.

(10:28 a.m.) Stevenson announced that they were suspending the public comment and that the closed Attorney/Client meeting was opened.

(10:28 a.m.) McCormack said they would be holding a closed Attorney/Client meeting pertaining to a particular law suit, but said the Board would continue the special meeting which had been in process, and the closed meeting would convene at the close of the public comment from the first meeting. Stevenson said the first special meeting would continue.

(10:29 a.m.) Dr. Maria Colavito, Health and Human Services Director, spoke regarding the Council on Accreditation's approval, and said her staff had worked on it for the last eight years to take their services from mediocre to state of the art and world class. She explained that it was an external reviewing board and it had taken more than three years for all of their staff to work diligently in achieving that accomplishment. She said it was an important day as there were very few agencies that received that national accreditation. She thanked staff for working diligently on the project.

(10:30 a.m.) Dwight Hines, 150 Nesmith Ave., spoke regarding transparency and said it was going to be a major emphasis at the national level. He asked how they would like to receive information and asked them to give that information. Sanchez suggested he check with Diane Gorski.

(10:32 a.m.) Ed Slavin, P. O. Box 3084, St. Augustine, said they needed to get behind the National Historical Park, National Seashore, and National Scenic Coastal Highway for St. Augustine. He said the legislation was written and ready for the Commission to endorse and send it to Washington. He asked them to support it and to get their representatives to enact it. He said it would be appropriate with the 450th Anniversary of St. Augustine approaching. He also spoke on political corruption and failure of the charter. He said he was glad it was defeated. He said he spoke as a gay man, and said he found it offensive that the prior Commission had set a charter to the voters that left out the words sexual orientation among the class of persons not to be discriminated against. He said that was why he had voted against it.

(10:36 a.m.) Chaplin Helen Toby, New Hope Ministries, 904 Palermo Rd., spoke on her previous service and provided her portfolio to validate herself. She showed pictures of

Rex Toby, her son, receiving awards from Ben Adams, former County Administrator. She said her son was let go from for the County for a workmen's comp injury and had received only a paltry settlement. She said she wanted to meet with the legal staff to make things right for her son. She further said that she had met with the FBI, and they were not just investigating Tom Manuel but a whole lot of others. She said she also wanted an investigation into the arrest of Gerald Steel.

(11/18/08 - 13 - 10:46 a.m.)
COMMISSIONERS' REPORTS

(10:45 a.m.) Commissioner Bryan:

Bryan said he was looking forward to working with everyone, and they were there to help anyone at anytime.

(10:46 a.m.) Commissioner Sanchez:

No report.

(10:46 a.m.) Commissioner Miner:

Thanked the voters for their trust and support. He thanked Administration and staff for all of their assistance through the transition period and said he looked forward to working with all of them.

(10:46 a.m.) Commissioner Stevenson:

Stevenson said the issues of public trust were some of the things they would be working on together. She concurred that they were there to serve all of the people in St. Johns County.

(11/18/08 - 13 - 10:47 a.m.)
COUNTY ADMINISTRATOR'S REPORT

Wanchick said there would be a major press release on the National Accreditation for Health and Human Services. He said there were few departments in the country that had achieved that level of recognition. He said it needed to be appropriately recognized and celebrated. He said they did a wonderful job for the community and it shouldn't be taken for granted.

(10:47 a.m.) Stevenson said people in other counties wanted to know how St. Johns County had achieved such outstanding programs. Wanchick said the accreditation committee had been very impressed with Dr. Colavito's operations and even asked for copies of some of her innovative programs.

(11/18/08 - 13 - 10:48 a.m.)
COUNTY ATTORNEY'S REPORT

McCormack welcomed the new commissioners.

(11/18/08 - 13 - 10:49 a.m.)
CLERK OF COURT'S REPORT

There was no report.

(10:49 a.m.) **Motion by Sanchez, seconded by Bryan, carried 4/0, to adjourn the special meeting.**

With there being no further business to come before the Board, the special meeting adjourned at 10:49 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 428589 through 42428928, totaling \$7,783,703.37 (10/21/08)
2. St. Johns County Board of County Commissioners Check Register, Check No. 428929 through 428959, totaling \$67,715.60 (10/23/08)
3. St. Johns County Board of County Commissioners Check Register, Check No. 428960 through 429486, totaling \$3,335,443.02 (10/28/08)
4. St. Johns County Board of County Commissioners Check Register, Check No. 429487 through 429488, totaling \$6,855.01 (10/29/08)
5. St. Johns County Board of County Commissioners Check Register, Check No. 429289 through 429493, totaling \$141,398.60 (11/03/08)

CORRESPONDENCE:

1. Letter dated November 3, 2008 to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing St. Johns County Ordinances Number 2008-53 through 2008-56

Approved, _____ December 2 _____, 2008

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson
Cyndi Stevenson, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Yvonne King
Deputy Clerk

