

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
SEPTEMBER 22, 2009
(5:30 P.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.

Proof of publication of the notice of public hearing for the special meeting was received, having been published in *The St. Augustine Record* on September 18, 2009.

Present were: Cyndi Stevenson, District 1, Chair
 Ron Sanchez, District 2, Vice Chair
 Mark P. Miner, District 3
 Ken Bryan, District 5
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Terry Bulla, Deputy Clerk

Absent was: Phillip Mays, District 4

(09/22/09 - 1 - 5:30 p.m.)
CALL TO ORDER

Stevenson called the meeting to order.

(09/22/09 - 1 - 5:30 p.m.)
ROLL CALL

Stevenson said that four commissioners were present with Mays absent. McCormack stated that Commissioner Mays was ill and had been advised by his doctor not to attend a public meeting. Mays asked McCormack to let everyone know that he had read every e-mail pertaining to the budget, reviewed the issues with many of the public, and had expressed his thoughts to the County Administrator. He said it was his sense that the County should maintain at least the baseline services and he supported the baseline budget with the exception that the fire tax should remain unchanged. Also the Economic Development Council (EDC) should be looked at closely. McCormack stated that his opinion did not constitute a vote.

(09/22/09 - 1 - 5:34 p.m.)
Stevenson gave the Invocation and Bryan led the Pledge of Allegiance.

(09/22/09 - 1 - 5:35 p.m.)
PROCLAMATION DECLARING SEPTEMBER 26, 2009 AS NATIONAL ESTUARIES DAY

Bryan read the proclamation and said a formal presentation would be given at the next meeting.

(09/22/09 - 1 - 5:35 p.m.)
ACCEPTANCE OF PROCLAMATION

Motion by Sanchez, seconded by Bryan, carried 4/0 with Mays absent, to approve the proclamation.

(09/22/09 - 2 - 5:36 p.m.)

DELETIONS TO SPECIAL AGENDA

There were none.

(09/22/09 - 2 - 5:36 p.m.)

APPROVAL OF SPECIAL AGENDA

Motion by Sanchez seconded by Miner, carried 4/0 with Mays absent, to approve the Special Agenda.

(5:37 p.m.) McCormack read rule 4.404 of the Board of County Commissioners Rules and Policies and asked those present to acknowledge that rule. He announced that there would be no recesses and only breaks could be taken.

(5:39 p.m.) Wanchick stated that the Board had directed him to prepare a document illustrating what a zero increase in millage would look like, if it were adopted by the County Commission. He said that document was referred to as the flat millage increase budget. He said it had been published in *The St. Augustine Record*. He said there was little, if any, support for the flat millage increase budget. He said it was catastrophic in nature, and it was not in the best interest of the County. He said if they agreed with that assessment, they would do the audience and community a favor, if they would clarify their positions on the zero increase budget. If not, he said, they could look at the tentatively recommended budget that was before them last week. He suggested that Stevenson poll the Board.

(5:41 p.m.) Stevenson asked counsel for his opinion. McCormack said Timms would start the presentation and then Wanchick's request could then follow.

(09/22/09 - 2 - 5:42 p.m.)

1. PUBLIC HEARING - ADOPTION OF FINAL MILLAGE RATES & BUDGET FOR FY 2010. FLORIDA STATUTES 129.03 AND 200.065 REQUIRE THE BOARD OF COUNTY COMMISSIONERS (BCC) TO ADOPT ITS MILLAGE RATES AND BUDGET FOR THE NEXT FISCAL YEAR (FY) AT A PUBLIC HEARING. THAT HEARING MUST BE HELD AFTER 5:00 PM, IF SCHEDULED ON A DAY OTHER THAN SATURDAY. THE SEPTEMBER 22, 5:30 PM HEARING DATE HAS BEEN NOTICED, AS REQUIRED, AND CONSTITUTES THE FINAL HEARING ON COUNTY MILLAGE RATES AND BUDGET FOR FY 2010. FLORIDA STATUTES PRESCRIBE A SPECIFIC ORDER FOR THE CONSIDERATION OF ITEMS AT THE PUBLIC HEARING. THE FIRST SUBSTANTIVE ISSUE OF DISCUSSION MUST BE THE PERCENTAGE INCREASE IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE. THE ROLLED-BACK RATE IS DEFINED AS THE AGGREGATE MILLAGE RATE THAT WOULD GENERATE THE SAME LEVEL OF PRIOR YEAR TAX REVENUES, LESS CERTAIN DEFINED ALLOWANCES (SUCH AS NEW CONSTRUCTION). THE PERCENTAGE DECREASE FOR FY 2010 IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE IS -3.15%. THE GENERAL PUBLIC SHALL BE ALLOWED TO SPEAK AND TO ASK QUESTIONS PRIOR TO ADOPTION OF ANY MEASURES BY THE BCC. THE BCC SHALL ADOPT BY RESOLUTION ITS FINAL MILLAGE RATES PRIOR TO ADOPTING ITS FINAL BUDGET FOR FY 2010

Proof of publication of the notice of public hearing for the adoption of the Final Millage Rates and Budget for FY 2010 was received, having been published in *The St. Augustine Record* on September 18, 2009.

Doug Timms, Director of the Office of Management and Budget, gave the presentation. He said it was the final budget hearing as required by Florida statutes. He said they were following a pre-scripted procedure out of the Florida statutes. He said the first topic was the discussion of the percentage of increase, if any, over the rolled-back rate. He said there was no increase over the rolled-back rate of 6.9852 and the final aggregate millage rate was 6.7653, which represented a 3.15% decrease in property taxes from the rolled-back rate. He said the third item was the for the specific purposes of the increase over the rolled back rate, and since there was no increase over the rolled-back rate, there was no reason to discuss the specific purposes.

McCormack said the Board could consider the County Administrator's request for the sense of the Board.

(5:44 p.m.) Bryan said the flat rate was substantial. He noted that he was sensitive to the fact that many people did not want their taxes increased. However, he said there were many safety issues that needed to be considered, and it was a serious situation. He said the flat rate was too substantial and it would hurt too many people in the County. He said he would not support a flat millage rate because it was too severe and would have too much of an impact on the safety issues.

(5:47 p.m.) Miner said he concurred.

(5:47 p.m.) Sanchez said he would not support the flat millage rate, but would support the tentative millage rate. He said it had lots of cuts in it on top of cuts that had already been made. He said what was left was the foundation, and it would cost a great deal to recreated that foundation. He said the EDC had been brought up and he had problems with jumping into it so late in the budget process. He said it was a bad time to look at it, and he would rather see it stay like it was currently. He said the budget process would start again in January, and there would be plenty of possibilities for the public to participate. He said the issue of the EDC could be addressed at that time. He said he would support the tentative rate.

(5:50 p.m.) Stevenson said the flat rate did not reflect a flat budget, and they were below that to begin with. She said people came to St. Johns County because there was a good quality of life. She asked Wanchick to address some of the cuts that they were already going to experience.

(5:52 p.m.) Wanchick elaborated on the tentative budget. He said the flat budget would have reduced the social agency budgets by 20%. He said if they wanted to relay that to the agencies so they could relax. He said two libraries would have to be closed. He stated that there was an issue with Fire that the Board needed to address.

(5:54 p.m.) Sanchez said the public did not understand that the tentative millage already had many reductions. He said that had to be clarified and especially for Parks and Recreation. Wanchick said the directors had done a good job of explaining, and there was generally a good understanding by the community. He noted that they had to scale back services, but it was something that they could live with for a year or two. Sanchez said the reductions coming out of Tallahassee had hurt the young and the elderly the most.

(5:56 p.m.) Stevenson said the Commission had spoken clearly that they supported the tentative budget, with the exception of the fire department. She said the fire department was the only department where there was an increase, and everyone else had a decrease.

(5:58 p.m.) Sanchez said they were under the understanding that there had made no approach to defer the raise. Wanchick said that was correct. Sanchez said Wanchick had met with the Union six different times and the Union members were holding to the contract and would not agree to a cut. Sanchez further said that Bobby Hall had done an admirable job as Chief of the Fire Services. He said that Hall had been unfairly disparaged by an article in the newspaper, and he wanted to set the record straight that Hall was doing a fine job. Wanchick said Hall had his full support.

(6:00 p.m.) Bryan said he wanted to make it clear that there were some areas where they could still make some cuts. He mentioned performance based contracts; reward for work produced. He referenced the Chamber of Commerce contract and said that it was not performance based and he did not like it.

(6:02 p.m.) Miner said that last Tuesday he was not supportive of the tentative budget, but after further review, he was now in support of the tentative budget. He said they had made cuts, and were now down to the bone.

(6:02 p.m.) Stevenson agreed that there were things that needed to be sharpened. She said she would like to see a reduction of the impact on the libraries, because people depended heavily on them during the economic downturn.

(6:03 p.m.) Wanchick said that other than libraries and fire and rescue, there didn't seem to be a need to go through the other line items.

(6:04 p.m.) Bryan agreed about the line items. He said it was important to hear the public and make their decision.

(6:04 p.m.) Sanchez said it was important for the public to attend as many of the public budget hearings as possible. He said they could address many of the issues then.

(09/22/09 - 4 - 6:05 p.m.)
PUBLIC COMMENT

Jacquelyn Harris Rude, 11 Cadiz Street, St. Augustine, spoke as President of the Board of Directors of the Emergency Services & Homeless Coalition, in support of the tentative rate. She represented the homeless community in St. Augustine and said they had brought in many State and Federal dollars to the community to house homeless children and their parents. She said they were dependent on County funds for matching State and Federal funds to provide the support needed.

(6:07 p.m.) Paul Nunchuck, 211 Park Avenue, Hastings, Town Commissioner, Town of Hastings, spoke regarding the school system as well as the emergency services. He said they could not put the investments into these entities aside. He said he didn't believe people would mind paying a little more to keep what they had.

(6:09 p.m.) Dr. Ron Dixon, 514 11th Street, North Beach, said he was chairman of the St. Johns County Health and Human Services Advisory Council, and spoke on the accomplishments of the non-profit agencies. He said they had leveraged \$1.3 million to \$8 million dollars from the Federal and State governments. He said the money stayed

in St. Johns County, and they were the safety net for the entire County. He asked for the Boards support.

(6:13 p.m.) McCormack said he had just been introduced to the counsel for the Fire Union. He suggested that families with children could be allowed to speak first.

(6:14 p.m.) James J. Barrett, 1326 Castle Creek Circle, commented on behalf of those in the County who were voiceless, those who lived in assisted living facilities and for shut-ins. He said books were brought to those people by the mobile bookmobile. He asked the Board to support those people who needed those services so much. Stevenson clarified that the draconian cuts they had read about in the paper were not being supported. Barrett said he was very reassured by that and thanked them.

(6:18 p.m.) Wanchick reminded the public that they were allowed two minutes to speak.

(6:18 p.m.) George C. Smith, 206 Chase Street, Hastings, said he supported the proposed budget. He thanked the Board for their support of the children of Hastings. He said the Recreation Department and the library were the heart beat of Hastings. He said things there were about as lean as they could be, and they were important all over the County. He said if they were taken away it would be devastating to Hastings.

(6:20 p.m.) Bill Wall, 105 Laquinta Place, asked about the tentative budget and if the fire was at 1.3 mills. Sanchez said that the millage rate had not been set. Wall said that as a citizen of St. Augustine, it was incumbent upon all of us to tighten our belts. He said if taxes went up some, that was life. He asked about Mays position on the fire department. Wall said their children and families needed to be safe.

(6:22 p.m.) Linda Baker, 779 Alahambra Avenue, said she represented the Board of St. Francis House, and that it was important to partner with the County to address the issue of homelessness in St. Johns County. She asked for their support, at least at the same level as last year. She said the demands for their services were increasing while the donations were decreasing. She said they were able to use County funding for a 54% increase in funding from grants. She said they provided shelter for less than \$5 per night. She asked for the same funding as last year.

(6:25 p.m.) Sanchez said funding for the social agencies would be maintained.

(6:25 p.m.) Vic DiGenti, 602 Miramar Court, Ponte Vedra Beach, said he was representing the Friends of the Library. He thanked them for their support, and acknowledged those who were present in support of the library.

(6:27 p.m.) Nickie Gorce, 1400 Old Dixie Highway, thanked the Commissioners for their support of EPIC and its prevention program, and thanked them for reaching their decision on behalf of the citizens.

(6:28 p.m.) Ellen Avery Smith, 415 Ocean Forest Drive, St. Augustine Beach, said she would like to work with them on any issues regarding the EDC as well as the Cornerstone funding. She pledged personally to help them work through the issues.

(6:30 p.m.) Commissioner Mays entered the meeting. Mays apologized for being late and said he was there, only because it was an important issue.

(6:31 p.m.) Carol Lee Bertisch, 104 Cypress Lagoon Court, Ponte Vedra Beach, Chair of the St. Johns County Library Advisory Board, thanked the Board for their thoughts and words in support of the libraries.

(6:32 p.m.) Gary Bruce, 3 Cortez Drive, St. Augustine, Health and Human Services agency funding including Project CARE and other social services agencies, spoke as a volunteer, and thanked them for their support. He said the cost was great, but the dollars were multiplied. He said one dollar equaled \$7 from the Federal and State governments. He said if the funding was removed, Federal and State funding would be lost. He said the people, the problems, the costs and suffering would continue. He said the problems would not go away. He said he appreciated their support greatly, and strongly supported their budget position.

(6:35 p.m.) Keith Martin, 1744 Greenridge Circle South, Police Athletic Club, thanked them for their support on behalf of the volunteers and the parents.

(6:39 p.m.) Pat Henderson, 501 11th Street, North Beach, expressed opposition to the increase in the millage rate. She said all departments should have to live within their budgets just like the taxpayers did.

(6:41 p.m.) David Smith, 724 Spring Haven Drive, St. Johns, spoke representing 1,600 kids in the Julington Creek Baseball program. He thanked them for their support of the funding for those programs, and said that those programs attracted families to the area.

(6:42 p.m.) Chuck Forcier, 3816 W. Glendale Court, thanked the Commission for their tentative consensus and thanked the people from the Creeks and other athletic associations. He asked them to stand. He said they had spent over \$250,000 of private funds in the northwest sector of the County.

(6:44 p.m.) Doug Russo, 317 JW Court, said he was opposed to the tax increase and he and others wanted taxes reduced. He said special interests were the minority that night, but fiscal conservatives were the majority at the next election. He said government intrusion was everywhere in their lives, and America had become a socialistic nation. He said a tax revolt was going on.

(6:46 p.m.) Bobby Schrader, 1021 W. Dorchester Drive, St. Johns, thanked them for their tentative consensus. He emphasized that it was a wonderful and vibrant community, and provided good wholesome activities for their young people. He said they had fought hard to keep the costs down, but there needed to be a balance of costs and services.

(6:49 p.m.) David Farah, 69 Village Del Lago Circle, community volunteer, spoke as a community advocate and spoke for Friends of the Library. He said their statistical data had gone up dramatically during the financial crisis. He said the library served as a vital resource to the community and to students. He noted that the quality of life in this community was outstanding. He said they had moved here because of that quality of life, and those resources attracted people to the community.

(6:53 p.m.) Ashely Vece, 1895 B Bennett Road, spoke about the repercussions of budget cuts, specifically emergency services.

(6:55 p.m.) Sandra Sivulich, 732 CR 13 South, spoke on public library services and pleaded with the Board not to cut them.

(6:58 p.m.) Pat Laurencelle, 23 Versaggi Drive, supported the previous speaker's comments on library services.

(7:05 p.m.) B J Kaladie, 8 Newcomb Street, asked not to increase the millage rate. She read an extensive list of suggested budget cuts that she felt should be made.

(7:04 p.m.) Stevenson said there would be a ten minute break. The meeting resumed at 7:17 p.m.: Public comment continued.

(7:17 p.m.) Rose Halkin, 35 Veronese Court, member of the Southeast Branch Library, spoke in favor of the libraries and urged the Board to keep them open.

(7:22 p.m.) Mike Mitchell, 116 St. Johns Avenue, Hastings, said he was pleased they were supporting the tentative budget and that so much depended on it. He spoke regarding the Hastings School building maintenance program, and said the building had to be safe for the 50 kids they served every day.

(7:24 p.m.) Andre D'Elena, 102 W. Stanton Street, Hastings, said he supported adopting the tentative millage rate to preserve the value invested in our community.

(7:25 p.m.) Martin Miller, 29 Hildreth Drive, said he was there as a Friend of the Library. He spoke on the technology at the library, and asked them not to cut anything at the library. He said many people used the library for many reasons, and the library was like a living entity. He said they provided many services to help people. He said he didn't like to pay extra taxes, but would to save the library.

(7:27 p.m.) Cheryl Bell, 65 Magnolia Drive, spoke in favor of the library system. She said it was a valuable resource to help people find jobs and for other vital services. She said staff had made tremendous sacrifices and asked the Board not to make further cuts.

(7:30 p.m.) Rachel Ludwig, 904 Indian River Road, of the Villages Athletic Association, spoke in favor of the tentative millage rate and said they needed recreational activities in the communities. She said they were not getting the support they needed from the County and were paying for some of the things on their own.

(7:33 p.m.) Casandra Steele, 9715 Kirchherr Avenue, Hastings, said she was a mother of five, and the library and the recreation department were the only things for kids in the Town of Hastings. She asked the Board to look after Hastings.

(7:35 p.m.) Nick Sacia, St. Johns Chamber Economic Development Council (EDC), 1 Riberia Street, said he heard their concerns and looked forward to working with them in the future. He said they had been working with the Board and were committed to working through whatever the issues were. He said they wanted to leverage the dollars they received from the County. He said they appreciated their funding and would continue to work hard for the County

(7:36 p.m.) Colleen Wood, 1540 Ansley Place, said the children and families were special interests, and she said the athletic facilities in the County were very important. She said they were in a fight to get through these tough economic times. She said they were talking about investing in the County so that residents would want to stay, and new residents and businesses would move here. She said they were the majority of the voters, and they would support the Board at the ballot box.

(7:38 p.m.) Andrew L. White, 1614 Raincrow Drive, Switzerland, said he was there to support public safety; the number one function of the government.

(7:42 p.m.) Wanchick asked the Board for direction regarding the Library Budget.

(7:42 p.m.) Bryan asked how many dollars needed to be transferred. Wanchick said it was approximately \$225,000 to maintain the current services.

(7:43 p.m.) Mays said the libraries had over 50 percent of the county residents as members. He said the internet and computers at the libraries had made them job centers. He added that they provided resources for many people in the community, including students and the elderly. He said the libraries were important resources.

(7:44 p.m.) Stevenson said she would like to see them maintained at their current levels. She said they had already been closed one day a week. *Stevenson said there was Board consensus as to appropriating the necessary funding for the libraries.*

(7:46 p.m.) McCormack recommended that they make a motion at the end of public comment. Wanchick said they would draft the document for the vote at the end of public comment. *There was Board consensus to do so.*

(7:47 p.m.) Mays asked the status on EDC and Cornerstone. Bryan said they had agreed to approve the tentative budget which included EDC and Cornerstone. Wanchick clarified that they would look at the contracts when they came up again. Bryan said he still had concerns about the contracts and said they should be based on performance. He said he was willing to move forward with the understanding that those funds be held until the contracts were reviewed. Mays said he agreed that they needed to show that the County was getting a proper return on their investment. Miner said Cornerstone was a worthwhile investment and having that regional presence is important, but the \$80,000 to EDC would be better spent with an in-house plan. Bryan said he agreed with Miner, and that he wanted to see some action. Mays said Cornerstone was probably needed, but EDC money could be used more wisely. He said to keep it in the budget, but to take a close look at it before they signed the contract.

(7:51 p.m.) Stevenson said they would move on to the fire department issue.

(7:52 p.m.) Mike Kuhne, 5165 SR 13 North, said fire/rescue people had saved his life. He said he trusted them and honored them. He noted, however, he had concerns, because they were not able to come to terms with the County. He said he was in favor of the firefighters, not of the union.

(7:56 p.m.) Mike Carter, 1829 SR 13 North, St. Johns, President of the St. Johns County Professional Firefighters & Paramedics, and an affiliate of the International Association of Firefighters Local 3865, asked all those who supported the millage increase including the fire services increase to stand. He thanked them for their service and sacrifice. He said there had been economic stress and there always would be. He said their raises had been small; one percent last year. He stated that the Board had the power to keep the quality of life or to denigrate it. He contended that the issue could be resolved, but not in a way which reduced the quality of service and the quality of life. He said they had presented proposals, but had not been able to present it to the Board. He asserted that the issues could be negotiated. He said they had a proposal that would allow them to give up their raises, if they would not put even one fire fighter out of work. He gave his assurance that they would move forward. He asked them to work with them. He said he wanted it in the record that they had brought a proposal and other proposals to that meeting.

(8:01 p.m.) Sanchez said it was the first time that he had heard of their willingness to forgo a raise. Carter said that might be, but it was not the first time anyone had been told that. He said the proposal was there that night. Sanchez said the fact remained that they had not been willing to forgo their raises.

(8:02 p.m.) McCormack said he agreed with Carter, to the extent that trying to do something that night, was not the appropriate forum. He said they did not need to

debate what had gone forth over the past few months. He said if Carter had a proposal, it could be reviewed by the Administrator. He said the Administrator tried to have that dialogue in the springtime. Stevenson asked if the proposal had been submitted previously. Carter said it had not.

(8:05 p.m.) Stevenson suggested they take a break to review the contract. McCormack said it was up to the Board if they wished to take a break or not, but things done at the last minute usually did not go well. Stevenson said she was willing to spend 10 minutes.

(8:06 p.m.) Wanchick said the purpose of the meeting that night was to pass the millage rate. He said he had met six times with them, and no proposal had been given to Administration. He said he did not want to look at it and make a decision in ten minutes. He said the bottom line was whether they wanted to adopt the millage rate, and now was not the time to discuss a contract. He said they could take a break, but at the end of that break he was not going to be in a position to advise them.

(8:26 p.m.) Bryan said he was not sure it would be productive.

(8:08 p.m.) Sanchez said if there was a legal way to accept that they were not going to take a pay raise, he would vote differently.

(8:09 p.m.) Stevenson said she was willing to give them ten minutes to see if it was a capitulation of their position.

(8:09 p.m.) Mays said they could not review a legal contract in ten minutes.

(8:09 p.m.) Sanchez said they did not want a union contract negotiated. He said the only thing they needed to know was whether or not they were going to forgo raises. He said the County Attorney had to give them the clearance that it was a legal statement.

(8:11 p.m.) Wanchick said it was important that Administration had submitted a budget of 1.3 mills which was endorsed as part of the tentative budget. He said it was difficult for them to explain why they were raising millage to fund raises during the difficult economic times. He said once they established the millage rate, he and Bobby Hall would manage the budget and the department. He said a decision would not happen on a ten minute break.

(8:13 p.m.) Miner said they shouldn't be negotiating the contract, as it was up to Chief Hall. He said it was a simple yes or no question: Were they or were they not going to give up their raise?

(8:14 p.m.) Carter said that they would give up the raises, if the money wasn't there.

(8:16 p.m.) McCormack said he would not object to reviewing the proposal and discussing it with Administration.

(8:18 p.m.) Stevenson said they would break for five minutes. The meeting reconvened at 8:38 p.m.

(8:38 p.m.) McCormack said he wanted to exhaust every reasonable resource, and so he reviewed the proposal, and consulted with the County's labor law counsel. He said he concluded that there were procedural and legal reasons why they could not come to an agreement that night. He said if it had been provided some time ago, prior to the last budget hearing, there might have been a possibility to work something out. He said he

looked for a way, but his advice was there was no legal way to come to an agreement. He recommended hearing the public comment and to proceed with adjusting the budget to adopt the final millage and the budget.

(8:41 p.m.) Stevenson asked Sanchez to continue with public comment.

(8:41 p.m.) Andrew O'Quinn, 3400 CR 208, firefighter and union member, said there had been confusion on the number of meetings, which was three, not six. He said as far as pay raises, he had given up a contractual step increase last year. He said it would constitute the second year in a row they had given up an increase.

(8:44 p.m.) Kris Regina, 749 Porto Cristo Avenue, said he was there as a tax payer. He said it had become a contest of wills, and the citizens were the ones who were going to suffer if they didn't raise the millage rate. He said the millage increase was not simply to fund their raises. He said they had signed a contract in good faith, and that was their word. He asked them to fund it at the level they deserved.

(8:47 p.m.) Neal White, 1620 Raincrow Drive, St. Johns, said he was the District Chief for the City of Jacksonville. He said there should not be only two people on a truck, and in Duval County a truck would be pulled out of service if it was manned by only two people. He said there was supposed to be a new station in the north part of the county, and it had not been built. He said their primary responsibility was public safety.

(8:49 p.m.) Shawn Vroman, 277 Southlake Drive, said he was one of the people whose job would be on the line. He said he had a four month old daughter and he was scared. He said he could not believe they would risk public safety.

(8:51 p.m.) Brian Erb, 941 Duskin Drive, St. Johns County, said he stood for the pay raise, he said he stood with his brothers because it was the right thing to do. He said he had an obligation to the safety of his firefighters, and if he didn't have the manpower to do the job correctly, he had to pull his people out. He said he hoped they would vote for the raise.

(8:53 p.m.) Michael Pepper, 1174 Gunka Road, said he lived in Duval County but spent one third of his time in St. Johns County. He asked them to support the raise in the millage so they could continue to provide service. He said they would forgo their raises if the County would not lay anyone off.

(8:54 p.m.) Phillip Hershman, 1537 Talbot Avenue, Jacksonville, said they would forgo their pay raises if no one would be laid off. He said he supported fire and rescue, the union and everyone he worked with.

(8:55 p.m.) Tim Pugh, 4147 Quail Drive, said he had been with the County for 12 years and had been on trucks that went all over the County. He said he did not want to see the County go back seven years and have to go great distances to save lives and stop fires. He said he supported the increase in the fire millage rate. He said he was surprised by the way the Board had acted.

(8:57 p.m.) Robin Gainey, 2333 Marlee Road, Switzerland, said the population had grown, and the Board had to mandate public safety as the number one thing to keep growth coming. He said big companies would move someplace else. He stated that he had been in the fire service for 30 years as a volunteer and as a professional fire fighter. He noted that the firefighters gave everything and deserved remuneration. He said they bargained in good faith, and he supported an increase in the fire tax, if that was what it took to maintain the public safety.

(9:00 p.m.) Matthew Sara, 108 West Village Drive, said he was a homeowner, business owner, and fire fighter. He said his family was 10 minutes away from the nearest fire or rescue facility. He asked them to support the raise in the millage rate and that he appreciated any support they could show them.

(9:01 p.m.) Mike Ferraro, 2320 Bridgewater Court, Orange Park, said he supported the increase in the millage rate in order to get the Five-Year Plan back on track. He said the chain of command would not be broken, and he would support Chief Hall. He said they were willing to meet in the middle and were not the bad guys.

(9:02 p.m.) Sean Jones, 142 Menendez Road, said he was a member of the union and was on the negotiations team for the union. He asked them to produce minutes for the six meetings that they claimed had taken place. He said they had only heard "take it or leave it". He quoted from a letter from Michael Wanchick. He said the County withdrew the offer, not them, and it was in that very letter. He said they were willing to talk about it, but the County was not and that letter was the proof. He said he had been at every meeting that they had with Administration. He said it was incumbent upon the leaders to get as much information as they possibly could.

(9:06 p.m.) Tim Young, 8550 Touchton Road # 1625, Jacksonville, Duval County and St. Johns County, said he gave up 7% last year. He asked the Board to support the increase in the millage for fire services. He said they were spread thin across the County. He said if they were on two man trucks, it caused them to have to make life and death decisions. He said the firefighters were going to give 110 percent, everyone worked hard on their jobs, and their performance was very high. He asked them to support the 1.3 mil increase.

(9:08 p.m.) Robert Gallatin, 121 Aspen Road, St. Augustine South, said he was proud of the County and how much the county had grown. He said the quality of life had grown tremendously as well, and asked them to support the millage increase.

(9:10 p.m.) Sanchez said that concluded public comment.

(9:10 p.m.) Stevenson said she wanted to give Wanchick the opportunity to address some of the factual questions that were raised. She said she wanted to make it clear that the Board was fully aware of its responsibility to make a fiscally sound decision for the good of the County and the citizens, and that they also understood their obligation under Florida law regarding collective bargaining. She said they understood that the Union was presently under no obligation to agree to reopen the wage articles of its contract. She stated she was disappointed that they didn't enter into meaningful dialogue earlier as it might have been able to assist the County during the financially difficult times. She said she understood the County's obligation to abide by the current contract with the Fire Union, particularly in regards to the 3 percent increase. She said when she voted on the millage rate it would be based solely on her responsibility to the people of St. Johns County to make fiscally sound decisions and to protect the public safety of the people of St. Johns County. She stated that in order to account for the raises in that department, cost saving measures might be necessary. She said the Department and Administration would have a difficult task of managing the impacts on the budget. She asked the Board to set a millage rate they could live with to provide essential services. She said it was unfortunate that the discussions had gotten so ugly. She said they were under unprecedented times of economic hardship. She said she had questions about the number of meetings and asked Wanchick to respond.

(9:14 p.m.) Wanchick said they had numerous meetings. He said they had identified six, but it was possible that they could be off a meeting or two. He said there were other meetings where there was dialogue. He noted his meetings with the union were cordial but were not productive. He said after many attempts, there was no Memorandum of Understanding; it failed to materialize, and there was nothing he could bring forward to the Commission. He said he couldn't see treating them any differently than his other employees. He acknowledged that they were all good hard working people. He said his request of the Fire Union was to join with the other employees during a very difficult economic time. He said no one had contacted him to suggest that they sit down again to open those discussions. He said the alternatives he had laid out were: an increase in funding for the fire service with the exception of the flat option four. He said they would all increase funding. He explained that what level would have to be decided by the Commission. He said he would stand by their efforts in that regard.

(9:18 p.m.) Miner said his position hadn't changed regarding the union. He said Chief Hall and his team had shown great leadership, and he would support a 1.2 mil increase because of Chief Hall's leadership.

(9:19 p.m.) Stevenson echoed Miner's position entirely.

(9:20 p.m.) Bryan said they all respected the level of professionalism of the firefighters. He said the things they had to do were difficult, but they also had to think in terms of where they were going to be next year when things were expected to be much worse. He said they needed to look at the best interest of the majority and not the few.

(9:22 p.m.) Mays said he understood his responsibility as a Board member to make fiscally sound decisions for the good of St. Johns County and its citizens. He said that likewise, the Board understood its obligation under Florida law regarding collective bargaining and it also understood that the Union was under no obligation presently to agree to reopen the wage article of its contract. He said his vote on the millage rate of that department was based only on his responsibility to the County and its citizens to make fiscally sound decisions, which he was entrusted to do.

(9:24 p.m.) McCormack asked if the Board agreed with those sentiments. They were basing their vote on their job to be fiscally responsible to the County. *Stevenson said they all concurred with those comments.*

(9:24 p.m.) Sanchez said he had to protect the many people that were on volunteer units in '78, and he was one of them. He said there had been many volunteer units in place then, and he wanted them to know that they were not forgotten. He said he appreciated the fact that the Switzerland fire department had a lot of responsibility in the northern part of the County. He said he had made statements and he did have to stand behind his commitment to his constituents. He said he did everything he could at the last meeting to get answers, and he got nothing. He stated that they had been told by the County Attorney that tonight was too late. He said he had to stick to his comment that if the raises were forgone, he would support the 1.3 percent raise. He said he would stand by what he said he would do.

(9:27 p.m.) Stevenson said they could now move on to the adoption.

(9:27 p.m.) McCormack said the Board heard the first substantive statutory required information from Mr. Timms, and had heard public comment. He said he had heard that the Board might want to entertain an amendment to the library rate.

(9:28 p.m.) Timms said it would come out of reserves. He said they did need it on the record.

(9:29 p.m.) McCormack read the motion, which was adopted as follows:

Motion by Bryan, seconded by Mays, carried 5/0, to amend the FY 2010 tentative General Fund budget to increase the tentative library services budget to sustain current operating hours at all branch libraries, while maintaining the same total General Fund budget amount.

(9:30 p.m.) Timms said they would need a resolution on the fire millage rate.

(9:30 p.m.) **Motion by Stevenson, seconded by Miner, to set the fire millage rate at 1.2 mils.** Mays said it needed to be at 1.062 and re-examined next year. Stevenson asked what the impact would be.

(9:31 p.m.) Timms said the effect of the flat millage would be \$4.3 million from reserves.

(9:32 p.m.) Chief Hall said the effects of 1.0620 would leave the millage rate as it was, and would eliminate all capital improvement projects including St. Augustine Shores and St. Augustine South replacements and would eliminate Pine Island from being built. It would reduce FTE's by an additional 75, and would necessitate the closing of two stations: tentatively Orangedale and St. Augustine South. He cautioned that it would have an affect on the County's ISO rating. He said it would require them to operate on a deficit that would be drained by 2012. Stevenson asked what sort of millage rate they would face in 2012. He said it would mean operating at a \$1.1 million deficit and it would be 1.45 in comparison to 1.3.

(9:34 p.m.) Stevenson said she could not go there.

(9:34 p.m.) Mays said there was still some money to be found in reserves and with Federal help.

(9:34 p.m.) Bobby Hall said there was no sense in building a fire station if they could not staff it.

(9:35 p.m.) Hall said it would have a drastic affect to response times, especially to the rural areas of the County. He said it would bleed over into the General Funds budget which funded the EMS system and would cause the elimination of three ambulances. He said their call volume was increasing at that point. Mays said they could fund what was necessary out of reserves. Stevenson asked the purpose of reserve funds and noted that reduction in staff would require existing station personnel to be pulled out of position. He said his intent would be to stay within some semblance of NFPA standards. He said if a second call came in while firefighters were in another area, the response times from the distances the trucks would be running would be greatly diminished. Bryan said they were going to be looking at those issues in the future as well. Hall said many of those problems had been addressed in the Master Plan, but that had to be set aside for a period of time, because of the current economic situation. Bryan said they had to be very cautious about the decision they made. He said he said he would like to know the projections for 1.2 mils. Hall said the projections showed that they would still be deficit spending and the fund balance in five years would be \$420,000. He said the 1.2 was a net decrease from the previous year and would eliminate the Shores and the South capital improvement projects, possibly Pine Island and 12 FTE's. He said that possibly there might not be any lay offs, if they could manage the budget for additional savings, and the bare minimum would have to be 1.2

mils in order to be able to say that. He added that with their current staffing they could possibly move ahead with Palencia. He noted that it would deplete their reserves even more. Bryan said they had to look at the situation again, this time next year, when it would be even more severe. Hall said that was correct. Bryan said Chief Hall was doing a wonderful job in a tough job, and he was caught in the middle. He said staff supported him and it was a very emotional thing. Hall said it had taken a toll on the entire department as a whole.

(9:42 p.m.) Miner said he had never seen a leader fight so hard and so passionately for his team over the last six months, and he had done an outstanding job.

(9:43 p.m.) Sanchez said 1.3 mils was the millage that would help the County stay in a position so that they were not moving backwards. He said he did not want to see that happen. He said it was difficult to make decisions like that. He said he totally supported the firefighters, but he could not get the answer he had requested. He said 1.2 wouldn't support the project and 1.3 was a better millage.

(9:45 p.m.) Stevenson repeated the motion. **Motion carried 3/2, with Sanchez and Mays opposing.**

Hall thanked the commissioners and said to Sanchez and Mays that he certainly understood their positions.

(9:46 p.m.) Timms read the final millage rate resolution that included the 1.2 mils. "Prior to adoption, it is necessary to publicly announce: The Taxing Authority, St. Johns County, the Rolled-back Rate 6.9852 mils, percent Decrease in Property Taxes from the Rolled-back Rate 4.48% and the Final Aggregate Millage Rate 6.6722."

(9:47 p.m.) McCormack asked Pan to put the rate on the overhead since it had changed from what was previously on the Clerk of Courts website. Stevenson clarified that it was a 4.48% aggregate decrease from the previous year's funding.

(9:48 p.m.) **Motion by Miner, seconded by Bryan, carried 4/1 with Mays in opposition, to adopt Resolution No. 2009-262, establishing the final millage rates for FY 2010.**

RESOLUTION NO. 2009-262

RESOLVED, THAT THE FOLLOWING FINAL MILLAGE RATE IS HEREBY SET BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA FOR ALL PROPERTY IN ST. JOHNS COUNTY, AS OF JANUARY 1, 2009

General Fund	4.8000
County Transportation Trust Fund	.7300
County Health Unit Trust Fund	.0171
Fire District, Countywide Except City of St. Augustine	1.2000
Vilano Street Lighting District	.0500
St. Augustine South Street Lighting District	.2100

Summerhaven M.S.T.U.	10.0000
AGGREGATE MILLAGE RATE	6.6722
Rolled-back Rate	6.9852
Percentage decrease in Property Taxes from rolled-back rate:	-4.48%

(9:49 p.m.) Timms said the Final Budget would reflect the Final Millage Rate they had just adopted. It was also presented on the overhead.

(9:49 p.m.) **Motion by Miner, seconded by Bryan, carried 4/1 with Mays in opposition, to adopt Resolution No. 2009-263, establishing the final budget for FY 2010.**

RESOLUTION NO. 2009-263

RESOLVED, THAT THE FOLLOWING FISCAL YEAR 2010 FINAL BUDGET OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DEVELOPED USING THE CERTIFIED TAXABLE VALUE OF \$20,487,338,276, GENERATING AN ESTIMATED \$136,695,440 IN TAXES, IS HEREBY ADOPTED, RESULTING IN A TOTAL BUDGET OF \$ 611,057,280 AS FOLLOWS:

General Fund	\$159,454,779
Special Revenue Funds	
Alcohol & Drug Abuse Trust Fund	\$10,119
Beach Fund	\$1,216,746
Building Services Fund	\$2,584,373
Ch Arnold Rd Grading MSBU Fund	\$13,797
Communication Surcharge Fund	\$1,624,115
Community Based Care Fund	\$4,698,102
County Cultural Center Fund	\$7,797,674
County Health Unit Trust Fund	\$344,504
Transportation Trust Fund	\$56,995,995
Court Facilities Trust Fund	\$1,877,849
Court Innovation Fund	\$172,780
Crimes Prevention Trust Fund	\$61,207
Court Technology Trust Fund	\$3,601,101
Deerwood Lane ROW MSBU Fund	\$10,575
Driver Ed Safety Fund	\$199,279
E-911 Communications Fund	\$1,247,116
Elkton Drainage District Fund	\$51,748
Fire District Fund	\$34,114,442
Fire/EMS Impact Fees Fund	\$897,460
Florida Boating Improvement Fund	\$168,803
Flagler Estates CRA Fund	\$768,683
Juvenile Alternative Programs Fund	\$50,414
Law Enforcement Trust Fund	\$94,458
Law Library Fund	\$92,832
Legal Aid Fund	\$308,119
Mental Health Services Fund	\$3,644,343
Northwest Spec. Rev. Fund	\$106,529
Parks Zone-A Impact Fees Fund	\$332,268
Parks Zone-B Impact Fees Fund	\$833,202
Parks Zone-C Impact Fees Fund	\$217,448
Parks Zone-D Impact Fees Fund	\$259,618
Pier Fund	\$216,794
Police Svc Impact Fees	\$2,367,460
Public Bldg Impact Fees	\$755,006
Roads Zone-A Impact Fees Fund	\$3,804,621
Roads Zone-B Impact Fees Fund	\$12,596,729
Roads Zone-C Impact Fees Fund	\$1,176,451
Roads Zone-D Impact Fees Fund	\$1,647,286

Rusty Anchor/Wendover Rd MSBU Fund	\$1,567
Sidewalk Fund	\$45,118
Choose Life Specialty License Plate Fund	\$15,640
Florida Arts Specialty License Plate Fund	\$11,045
St. Augustine South Lighting District Fund	\$45,341
State Housing Initiative Program Fund	\$2,915,646
Summerhaven MSTU Fund	\$1,959,219
Tourist Development Tax Fund	\$5,774,950
Treasure Beach MSBU Fund	\$0
Tree Bank Spec Rev Fund	\$4,296,460
Vilano CRA Fund	\$326,521
Vilano Street Lighting District Fund	\$16,723
Special Revenue Funds continued	
Water & Sewer Utility Authority Fund	\$0
West Augustine CRA Fund	\$444,155
World Comm Center DRI Fund	\$59,116
Debt Service Funds	
03 Transportation Improvement Debt Service	\$2,094,168
04 Flagler Estates CRA Debt Service	\$911,759
04 Sales Tax Bonds Debt Service	\$2,105,162
05 Revenue Sharing Debt Service	\$1,227,723
06 Sales Tax Bonds Debt Service	\$2,986,150
06 Transportation Improvement Debt Service	\$1,834,488
09 Sales Tax Bonds Debt Service	\$3,829,452
09A Sales Tax Refunding Bonds Debt Service	\$524,194
Commercial Paper Program Debt Service	\$2,340,030
Fannie Mae Loan Debt Service	\$948,548
GE Capital Note Debt Service	\$169,569
Ponte Vedra MSD Debt Service	\$1,679,229
Refunded Courthouse Debt Service	\$971,131
Capital Improvement Funds	
04 Sales Tax Bonds Fund	\$0
05 Revenue Sharing Fund	\$241,766
06 Sales Tax Bonds Fund	\$2,772,321
06 Transportation Improvement Fund	\$18,900,760
09 Sales Tax Bonds Fund	\$14,892,804
Beach Renourishment Fund	\$3,650,467
North Holmes Blvd Fund	\$0
Northwest Road Project Fund	\$85,251
Recreation Parks Projects Fund	\$1,319,722
SR 207 CIG Development Agreement Fund	\$2,499,154
Transit System Fund	\$4,696,586
Enterprise Funds	
Convention Center Fund	\$2,695,601
Ponte Vedra Utility Services Fund	\$17,738,621
Solid Waste Fund	\$31,145,161
St. Johns County Utility Services Fund	\$129,493,909
St. Johns Golf Club Fund	\$2,525,925
Internal Service Funds	
FSA - Dependent Fund	\$132,519
FSA - Medical Fund	\$361,845
Group Health Insurance Fund	\$26,345,175
OPEB Trust Fund	\$3,546,751
Worker Compensation Fund	\$4,065,013

(09/22/09 - 16 - 9:50 p.m.)

2. OTHER BUSINESS AS NECESSARY

There was none.

(9:50 p.m.) **Motion by Miner, seconded by Mays, carried 5/0, to adjourn the meeting.** With there being no further business to come before the Board, the meeting adjourned at 9:50 p.m.

Approved October 6, 2009

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *Cyndi Stevenson*
Cyndi Stevenson, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: *Wenne King*
Deputy Clerk

