

**MINUTES OF A JOINT WORKSHOP MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
AND THE ST. JOHNS COUNTY SCHOOL BOARD
ST. JOHNS COUNTY, FLORIDA
MARCH 4, 2010
(9:00 A.M.)**

Proceedings of a joint meeting of the Board of County Commissioners and the St. Johns County School Board, held in the San Sebastian Conference Room at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Proof of publication of the notice of the joint workshop meeting of the Board of County Commissioners and the St. Johns County School Board was received, having been published in *The St. Augustine Record* on February 25, 2010.

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

Beverly Slough - District 1
Tommy Allen - District 2 (arrived late)
Bill Mignon - District 3
Bill Fehling - District 4
Carla Wright - District 5
Dr. Joseph Joyner - Superintendent

Also Present: David Dinkins, County Extension Director
 Jerry Cameron, Assistant County Administrator
 Darrell Locklear, Assistant County Administrator

Absent: Phillip Mays, District 4

(03/04/10 - 1 - 9:08 a.m.)
CALL TO ORDER

Sanchez called the meeting to order.

(03/04/10 - 1 - 9:08 a.m.)
INVOCATION

Beverly Slough led the invocation.

(03/04/10 - 1 - 9:09 a.m.)
ROLL CALL

Sanchez announced that Philip Mays and Tommy Allen were absent.

(03/04/10 - 1 - 9:10 a.m.)
GREETINGS BY COMMISSIONER RON SANCHEZ, CHAIR

Sanchez welcomed the School Board members and said we had the best school board in the state. He also recognized the County staff as one of the best in the state as well.

(03/04/10 - 2 - 9:11 a.m.)

1. GENERAL DISCUSSION

A. FINANCIAL OUTLOOK AND COOPERATIVE EFFORTS

Beverly Slough said the outlook was grim. Dr. Joyner said they had prepared for over a year for an additional 2% cut, and they had lost almost \$55 million on the capital side. He said they expected further declines based on information provided by the State, and that all revenue sources were declining. He stated that the Board was planning for a 6% reduction in funding, and the additional 4% would be very difficult. He added that it might result in layoffs and other difficult decisions, as they have already made major cuts. He said the Board had been very fiscally responsible, and had prepared with a rainy day fund to get through those difficult times, but it would only go so far. He said the class size amendment would also provide a great impact on their budget. He said they had to do a classroom by classroom count, where in the past they had been able to use an average. He noted that the impact would be over 120 teachers for them. He said most of the capital outlay funding was going away. He added that other money for building schools, PICO money, was going to Charter Schools. He said the Legislature had transferred .25 mills twice, and it was going to statewide costs. He acknowledged that both things hitting together, had hit them hard and they were the fastest growing school district in the state. He said they were continuing to build schools, and had asked the State for a growth incentive with PICO dollars. Slough said as things declined, it affected bond ratings and limited their ability to borrow money. He said if the millage went down and further, it would further reduce their ability to borrow money.

Carla Wright asked Joyner to explain what would happen in a year and a half with the raising of property taxes, which would go on the ballot in two years. Joyner said the Board had to vote with a super majority to maintain the .25 mill taken from the operating account. He said they were dangerously close to not being able to maintain their schools.

Stevenson clarified, that just to keep the .25 mill they would have to go to a ballot initiative. Joyner said that was correct. She asked about PICO dollars. Joyner said that came from the State, and that millage was all locally generated millage. He said PICO was generated from Utility Bills and other services from the State. He added that the third thing that would happen in two years, was that they would lose the stimulus dollars as well.

Bryan asked where they stood regarding class size; for it or against it. Slough responded that there was legislation going through the House and Senate that would cap it, and she said they were in support of that, as currently, they were below the caps. Bryan asked if they had anyone working actively with the Legislature. Slough said they had a grass roots parent organization helping to make that point. She said it would be on the ballot in November. She added that on August 24, when school started, they would have to meet those required numbers.

Mignon said they were trying to meet the class size amendment while holding down expenses. Joyner said they could not hire 120 teachers, so they were trying to do things creatively and differently. He said Associate Teachers was one of those ways. He noted that they had 900 applicants for every elementary school position, and there were many

great teachers ready to go. He explained that they had created an associated teacher level that started at a lower pay level of \$26,000 a year. He said it would not solve the problem, but it would help by providing co-teaching positions.

Slough said she would like to hear the County side, and that we needed to advocate for one another. Sanchez said we would like to help them on strengthening their joint message to the Legislature.

Stevenson said she would be interested in taking a trip together to Tallahassee to appeal together. She said people didn't want new taxes, but they wanted more services. Sanchez said the County had a lobbyist working on many issues. Slough told of how a rally by concerned individuals had made a difference, and that the schools did not get cut as much as a result of that rally.

(9:30 a.m.) Wanchick said they were watching the same bad movie, but he would start on the positive, and that as a community they were in pretty good shape and they would survive this. He said they had good relationships with other community partners. He noted, however, that all their service needs and the demands for services had increased. He stated that they had reduced capital spending, and when they released stimulus funds it would get even worse, with probable further program reductions. He cautioned that they would have to examine where they could become increasingly more efficient, and that in 2013 and 2014 would be when they would hit the wall. He said they might have to move for an increase, in that time frame, for public safety. Slough said the School Board would hit that wall this fall. Wanchick added that the Taxpayer's Bill of Rights was also a problem.

(9:34 a.m.) Tommy Allen joined the meeting. He spoke regarding the cooperative effort as it related to small business, and noted that fees were being imposed by the State of Florida. He said each governing entity was being affected, and added that people were not spending money due to the economic situation. He said if small businesses were not being able to stay in business because they were not making money, they needed to be careful about leveying new taxes.

Sanchez said commercial foreclosures were beginning to happen and devaluation would begin to affect the tax base, which would ultimately affect all of us.

Allen said we were in a global economy and it was impacting all of us. He said we were going to have to work harder for less, in order to regain our position. He cautioned that it would be tough.

(9:40 a.m.) Commissioner Stevenson said they needed to look at legislation that was being passed, that would impact economic resources. She said one of the things that the Legislature was asking was, what they were doing with their resources.

(9:34 a.m.)

B. CENSUS 2010

Bryan gave a brief overview, and said they had representation from the major organizations and municipalities throughout the county. He said inhouse videos had been prepared, were being shown throughout the county, and individuals were going to the various parts of the county, including to the migrant workers. He explained that the census should be applied to wherever a resident resided on April 1. He said over \$400 billion came from the Federal government to St. Johns County, and they were trying to increase the count from the last census, as each person represented \$1,400 per year in the census count for services, schools etc.

Slough asked if they were emphasizing the fact that no one could access census information for 72 years. Bryan said census takers were bound by secrecy, and could face prison terms if it was violated. He said illegal immigrants also counted in the vote and could not be impacted by the information they provided. He said the forms would go out by the end of March, and census employees would go out in May and June to visit those who did not return the forms.

Suzanne Konchin spoke and gave further details on what was being done in the census effort. She said it was a public outreach and public relations effort.

Bryan said he spoke to some students at St. Johns River Community College and asked them to help with advertising, and they still needed workers to help with the census.

Carla Wright said she hated intrusion, of any kind, from the government. She asked if it was true that there was a \$100 fine for every unanswered question. She was told that was not correct, and there were all types of rumors surrounding the census. Bryan said he would continue to dispel those types of rumors, and that there were only ten questions on the form.

(9:50 a.m.) Mignon asked if they had made any presentations to teacher groups. He said it was important for teachers to be tuned in, because they could pass that along to students and parents. Konchin responded that their reps could not be everywhere, but there was a website, and there was a presentation that could be downloaded to anyone's laptop, so they could present the information. She said they were asking their partners to use those tools. Bryan said he was happy to speak on the issue and he would go anywhere. He said this was crunch time.

(9:52 a.m.)

C. LOOKING AHEAD TO REAPPORTIONMENT

Slough said she would like to see how they were going to work together on reapportionment. Sanchez said he had gone to all of the public meetings and very few people had shown up. He said John Libby, a consultant, worked with them, and the districts had to work together as closely as possible. He said it was quite a process, and would be decided by the elections office.

Wanchick said they needed to examine how they wanted to do it. Slough said she would like to see them work closer together. Wanchick said there was not a whole lot of discretion, as long as there was no gerrymandering. Wanchick said they would keep them closely informed.

Stevenson asked if anyone understood the constitutional amendment that was supposed to be on the ballot. Slough said she would send it to Stevenson.

(9:55 a.m.) Allen said the process worked well ten years ago because it was a collaborative effort. He said historically the districts had been the same, and personally he would like to see them remain the same. He said both Boards were able to give approval, and the BCC could then give final approval. Sanchez said the Elections office ran it and they had to be careful. Slough said the new legislation would change that. She said it could not be drawn to benefit the local incumbents. Allen said it could also not be drawn to eliminate the existing incumbent's seat. Slough said the legislation was aimed at changing that, and it was scarey legislation.

(9:58 a.m.)

D. USE OF LOCALLY GROWN PRODUCE/PRODUCTS

Jerry Cameron introduced David Dinkins and Gary Bradley and said they were very supportive of the use of locally grown produce. He referred to a reprint from the Gainesville Sun (Exhibit A). He said it was a national movement and mentioned Stevenson's trip to Vermont where she saw locally grown produce initiatives. He said there might be some possibility to do some research that would benefit the schools and our local farmers at the same time. He said the purpose was to let them know they were working aggressively to make sure that the great farming community of St. Johns County remained viable, and they were happy to explore opportunities for the school system.

Wanchick said they wanted to present the idea to them, to see if there were areas where they could work on together. Dr. Joyner said they were actually signed up, and had an arrangement with US Foods, their distributor. Slough said these partnerships were just what they needed. Cameron said there were probably funds available for such projects. Mignon said back in the 60's most of what was cooked in the school kitchens was from local farms. Sanchez said we needed to start looking at everything like that to solve some of our problems locally. Joyner said they were absolutely 100% behind that effort.

Wanchick said there were a lot of locally grown products which could strengthen their own local economy. Joyner said they just went after a grant, which they did not receive, to encourage the use of local vegetables. He said the grants went to high poverty urban districts. He added that they would be happy to work with the County.

(10:05 a.m.) Stevenson told about a farm in Texas which had a farming program in their school program. Joyner said they had that program in practically every school. She said it was important for kids to be aware of where food came from. She said it was good for the economy.

(10:07 a.m.) Mignon said that during WWII there were Victory Gardens. Stevenson added that we were also seeing counties and cities making lands available for community gardens and it helped feed locals in the community. Sanchez said the Ag Center had that program currently.

(10:09 a.m.) Allen said that because they were in such a large industry mode, their food supplies came from large vendors, but whatever they did, they needed to insure they had a continuous food supply, and they needed to work with the vendor to accomplish that goal. He said transportation costs could be saved if they bought locally, but they needed to be careful not to jeopardize the food source. He also noted that liability was another issue that needed to be addressed. He said they could lose their liability source, and they needed to be sure to provide the first line of liability, and not place the responsibility on the property owner. Third, he said buying locally had a lot of advantages including that it tasted better. He said lastly, the community rental was a viable piece of the plan, and there needed to be funds available to rent vacant lots in the community. He said the Ag Center program was good but local options would also be an advantage.

(10:13 a.m.)

E. TAXPAYERS BILL OF RIGHTS (TABOR) & HOMETOWN DEMOCRACY

Slough said she had recently attended a joint officers meeting of the Florida League of Cities, the Florida Association of Counties, and the Florida School Board Association where two issues were in the forefront of their discussions; the Hometown Democracy,

or Amendment 4, and the Taxpayers Bill of Rights (TABOR). She handed out a packet to explain the issues (Exhibit B). She said she hoped that they could forge a way to work together on those issues. She explained TABOR : A Formula for Decline. She stated that it's purpose was to shrink government, but what it actually did was nearly bankrupt the state of Colorado. She said it put artificial caps on the ability to tax and spend and put them in a box where they could not run local government.

(10:17 a.m.) Stevenson said a level of damage had already been done by what was already in legislation. She said there was a video on the Florida Association of Counties website under Advocacy, which was very helpful. Sanchez said they needed to look carefully at what would happen if they took that action, to see what the reaction would be. He said it was more power, but the results were not being studied carefully.

(10:20 a.m.) Patrick McCormack said Senate Bill 216 was enacted as 106.113 Florida Statutes. He said there was a Federal lawsuit, pertaining in part, to the issue of electioneering communications, which found that Florida's definition of electioneering communications was unconstitutional and struck it throughout the statutes. However, Senate Bill 216 and the new statute it created, were not yet effective, so it was not knocked out directly by that Federal lawsuit. He added that the consensus among government lawyers, was that it effectually was knocked out and it would be unlikely for anyone to try to use that. He said someone had tried to use it in south Florida, and the Florida Elections Commission declined to prosecute a reported violation of SB 216 based on that lawsuit. He said that pertaining to the two issues they had raised, even if the law was in effect or partly killed by the Federal ruling, it pertained to any item that was an issue referendum or amendment, including any state question that was subject to the vote of the electors. He said Amendment 4 would be on the ballot. He said that TABOR was not subject to the voters yet, as it had not been authorized to be placed on the ballot. He said he would like to double check that, but if so, they would have broader opportunity to act on that. He said that regarding Amendment 4, the Florida Association of Counties attorneys put out an analysis of it, it basically went through some of the questions pertaining to it, and it was a pretty good analysis. He said what could be done, even under the rule, was factual information, which could be presented and would not be restricted. He said what was still in force, was a communication that advocated to the voters how to vote, and that would still be covered by that rule. If it was more informational and did not advocate to the voter how to vote, it would still be allowed. He said they could go into more detail for the BCC, and if they were interested in doing a resolution, he would advise them on how to do it most safely.

(10:26 a.m.) Slough cited an example of firefighters in Volusia County who put placards on the side of all the fire engines and ambulances telling people to vote no on certain local issues. She said that was the genesis of the legislation in the first place.

McCormack added that there was currently House Bill 1207, with a parallel Senate Bill that would amend the statute pertaining to those restraining communications. He said a local government, including the school board, could not make a specific appropriation or designated expenditure of money. He said it did away with the issue of indirect or incidental type costs, and the amendment, if passed, would clarify that.

(10:28 a.m.) Frank Upchurch, Attorney for the School Board, said one of the concerns that led to the legislation was the government putting staff to work to defeat a public initiative. He said the school district did not buy advertising, and they concluded that the new legislation did not affect how they did business. Slough asked if they went for the .25 mill, if it would preclude them from advocating for their position. He said it would preclude them from buying a billboard that said how to vote. Slough said that if

they were to raise private funds to do the same thing, they could. Upchurch said that was correct. He said they could discuss it in their newsletters, on the website, and could raise private funds. He said there was not a body of case law that defined it clearly. He said a common sense type of approach would prevail.

Stevenson said she asked someone about TABOR and was told that currently it was not subject to the vote, so that right now was their best opportunity to communicate, without restrictions, on TABOR, and on impacts on the past caps. She said the gist of what they were trying to get at, was that counties were not to run political campaigns.

Slough said she could understand, but if they passed Amendment 4 and TABOR, it would desiccate the local governments. Sanchez said our Board would be willing to take positions on both of those issues in any way they could, legally.

Dr. Joyner said the whole issue of local controls was something both boards and both staffs needed to look at very carefully. He said Senate Bill 6, as proposed, really gutted their authority to hire and pay people according to what the local school board decided. He said it was just one example of many and it was impacting the local control in favor of other people's control who were further away. Sanchez said they knew their own county better than those people further away.

Wright asked if someone was working on the wording for the quarter mill. Slough said Frank Upchurch was working on it. She asked how many more initiatives would be on the ballot. Stevenson said there were six currently and TABOR could be on the ballot as well. She said it was just ridiculous. She said that in St. Johns County, they could say that property values had benefited and stabilized from having such good schools.

Bryan said all of them did not want taxes raised, but when they talked about school tax, there were many people who needed to understand that good schools promoted higher property values even though they did not have children in school.

Dr. Joyner said the quarter mill was not a new tax. Slough said, if it was explained properly, it would be very helpful for understanding and for advocacy.

(03/04/10 - 7 - 10:37 a.m.)

PUBLIC COMMENT

There was none.

(03/04/10 - 7 - 10:37 a.m.)

OTHER BUSINESS

Allen said that he appreciated the joint meeting and they learned a lot from such efforts. He said he appreciated the comments on both bills, he strongly opposed both of them, and it was important that they had looked at why they had come forth. He said it helped to understand all that. Sanchez said it was vital to the County.

Quinn noted that he was new, and that it was great to have a joint meeting. He asked what the next steps would be in working together on the issues. He asked if they relied on staff to follow through, or whether the commission would follow through. Sanchez said normally Administration would follow through on both sides. He said nothing was wrong with a Commissioner following up, and they could keep each other informed on what they were doing.

Mignon said he benefited from such meetings. He said he always learned something and he would like to see them meet on a regular basis. Slough said that with those issues coming forth, they certainly needed to meet more often. Mignon suggested they meet at least once a quarter.

Stevenson said she would like to follow up with Quinn's suggestion. She said she was on the Board of the Florida Association of Counties, and they needed to be able to make an impact on that session. Slough said she would like to follow up on going to Tallahassee as a group. Stevenson said they needed to put the heat on the TABOR issue. Slough said the effort should be directed at the House, and she thought it would go through the Senate with no problem. Sanchez said it helped our residents to know that we were working together to try to make it a better county for them.

Stevenson asked if it was ok to work together. Sanchez said they could get board consensus. *There was Board consensus to pass on communications.* McCormack said the recipient of the one way memo could not respond. Stevenson said comments could be addressed to an administrative person who could respond.

(03/04/10 - 8 - 10:47a.m.)

SET NEXT MEETING DATE (School Board to Host)

Wanchick suggested they work towards a July meeting. Slough said she would like to meet sooner. Wanchick said they could meet in June. He said they would strategize on that.

With there being no further business to come before the Board, the meeting adjourned at 10:48 a.m.

Approved _____ April 6 _____, 2010

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____

Ron Sanchez, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____

Deputy Clerk

