

**BCC MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 20, 2010
(9:00 A.M.)**

Proceedings of a regular 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: Ron Sanchez, District 2, Chair
 Ken Bryan, District 5, Vice Chair
 Cyndi Stevenson, District 1
 Ray Quinn, District 3
 Phillip Mays, District 4
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Lenora Newsome, Deputy Clerk

(04/20/10 - 1 - 9:06 a.m.)
CALL TO ORDER

Sanchez called the meeting to order.

(04/20/10 - 1 - 9:06 a.m.)
ROLL CALL

Sanchez announced that all five commissioners were present.

(04/20/10 - 1 - 9:07 a.m.)
Stevenson gave the Invocation and Quinn led the Pledge of Allegiance.

(04/20/10 - 1 - 9:09 a.m.)
PROCLAMATION DESIGNATING APRIL 20, 2010, AS BARTRAM TRAIL HIGH SCHOOL DANCE TEAM DAY

Sanchez mentioned that this was the third year in a row that the Bartram Trail High School Dance Team brought home national honors. Karen Pan read the proclamation into the record. Sanchez presented the proclamation to Pattie Adams. Adams thanked everyone for their support. Gabby Owens, Captain of the Bartram Trail Dance Team, introduced the whole dance team.

(9:16 a.m.) PROCLAMATION DESIGNATING APRIL 27, 2010, AS TEAM TEAL DAY

Bryan recognized Carl Cannon, Chairman of Touchdown Jacksonville. Bryan stated that next week they were going to kick off Team Teal at the World Golf Village, in order to show the Jaguars that they supported them as a county and as a community. He said it was an effort to keep sales up, so there would be no blackouts, and they could all watch the game and support an important franchise in the community. He stated that it meant economic development, not only for Jacksonville, but also for St. Johns County, and for the spirit of keeping the Jacksonville Jaguars right here. Pan read the proclamation into the record. Cannon thanked everyone for their support.

(9:21 a.m.) PROCLAMATION DESIGNATING APRIL 2010 AS AUTISM AWARENESS MONTH

Stevenson asked Gina and Troy Blevins and their family to come to the front for the recognition of Autism Awareness Month. Pan read the proclamation into the record. Stevenson spoke. Tina Blevins thanked the Commissioners for recognizing April as Autism Awareness Month.

(9:24 a.m.) PROCLAMATION HONORING EARTH DAY

Quinn introduced Jan Brewer, Environmental Division Director; Joe Stephenson, Public Works Director; and Wendy Manucy, Solid Waste Manager. He stated that Stephenson and Manucy served as stewards for the environment in St. Johns County. Pan read the proclamation into the record. Quinn presented the proclamation to Stephenson and Manucy on behalf of St. Johns County. Stephenson spoke on the environment and recycling.

(9:29 a.m.) SPECIAL PRESENTATION TO GENE WATSON FOR HIS MANY YEARS OF SERVICE ON THE INDUSTRIAL DEVELOPMENT AUTHORITY

Quinn introduced Gene Watson, past member of the Industrial Development Authority Board, and Tom Crawford, Director of Housing and Community Services. Jim Watson, member of the Industrial Development Authority Board, spoke on the accomplishments of Gene Watson. Quinn presented and read the plaque to Gene Watson. Gene Watson spoke on philosophies.

(9:35 a.m.) PRESENTATION of 4-H CENTENNIAL BOOKS TO THE COMMISSION FROM THE 4-H YOUTH

Geralyn Sachs, St. Johns County 4-H Agent, stated on behalf of the St. Johns County 4-H Program and through the kindness of Mrs. Shirley Thompson and Ms. Nettie Ruth Brown, that they had a copy of Florida 4-H, A Century of Youth Success, for each of the Commissioners. She stated that they were grateful for their continued support, and they invited them to attend Family Fun Night and also to enjoy a wonderful plate of cookies baked by one of their 4-H families.

(04/20/10 - 2 - 9:38 a.m.)
ACCEPTANCE OF PROCLAMATIONS

Motion by Mays, seconded by Sanchez, carried 5/0, to approve the Proclamations.

(04/20/10 - 2 - 9:38 a.m.)
DELETIONS TO CONSENT AGENDA

There were no deletions to the Consent Agenda.

(04/20/10 - 2 - 9:39 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Quinn, seconded by Bryan, carried 5/0, to approve the Consent Agenda as submitted.

1. Approval of the Cash Requirement Report
2. Sheriff Bonds
None

3. Minutes:
BCC Regular 3/16/10
BCC Regular 4/6/10
4. Motion to adopt **Resolution No. 2010-88**, recognizing unanticipated revenue in the amount of \$6,000 and increasing the General Fund Donations - Main Library and increasing the expenditure budget of Library Donated Operating Supply - Main Library

RESOLUTION NO. 2010-88

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2010 GENERAL FUND TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE LIBRARY SYSTEM

5. Motion to adopt **Resolution No. 2010-89**, to approve the Final Plat for Las Calinas Parcel 3A, Unit 3, Plat 10-002

RESOLUTION NO. 2010-89

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR LAS CALINAS PARCEL 3A, UNIT 3

6. Motion to adopt **Resolution No. 2010-90**, to approve the Final Plat for Riverwood by Del Webb, Phase 2, Plat 09-006

RESOLUTION NO. 2010-90

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB, PHASE 2

7. Motion to authorize the County Administrator, or his designee, to award a contract to Vallencourt Construction Co., Inc. in the amount of \$168,050.89 to perform construction services for the water main upgrade and relocation on 2nd Avenue in the City of St. Augustine Beach
8. Proofs:
 - a. Proof: Certificate of Liability Insurance for Genuine Parts Company & Subsidiaries (NAPA, Motion, Balkamp, Altrom, EIS, Rayloc, SP Richards, Drago Supply, General Tool & Supply etal), 2999 Circle 75 Parkway, Atlanta, GA 30339
 - b. Proof: Certificate of Liability Insurance for Genuine Parts Company & Subsidiaries (NAPA, Motion, Balkamp, Altrom, EIS, Rayloc, SP Richards, Drago Supply, General Tool & Supply etal), 2999 Circle 75 Parkway, Atlanta, GA 30339
 - c. Proof: Certificate of Liability Insurance for Set Materials, Inc., 800 Hull Road, Ormond Beach, FL 32174
 - d. Proof: Certificate of Liability Insurance for Chapman Kelly, Inc., Tony Schy, 100 West Court Avenue #106, Jeffersonville, IN 47130

- e. Proof: Certificate of Liability Insurance for Lawn Pro of North Florida, Inc., 104 East Oakhill Drive, Palatka, FL 32177
- f. Proof: Certificate of Liability Insurance for Innovative Construction Group of North Florida, Inc., 1327 Hollywood Avenue, Jacksonville, FL 32205
- g. Proof: Certificate of Liability Insurance for Suwannee Glass, Inc., 9051 101st Court, Live Oak, FL 32060
- h. Proof: Certificate of Liability Insurance for Suwannee Glass, Inc., 9051 101st Court, Live Oak, FL 32060
- i. Proof: Certificate of Liability Insurance for A Catapano Plumbing, Inc., 1406 North Chickasaw Trail, Orlando, FL 32825-5235
- j. Proof: Certificate of Liability Insurance for AGES of JAX, Inc., P.O. Box 24008, Jacksonville, FL 32241-4008
- k. Proof: Certificate of Liability Insurance for Jacksonville Sound & Communication, Inc., P.O. Box 551629, Jacksonville, FL 32255-1629
- l. Proof: Certificate of Liability Insurance for AES a trade name, PEO Services, Inc., Services to Agriculture I, LLC, Genesis Insulation, Inc., 3660 Central Avenue, Suite 4, Fort Meyers, FL 33901
- m. Proof: Certificate of Liability Insurance for Dans Refrigeration, Inc., 2119 West Beaver Street, Jacksonville, FL 32209
- n. Proof: Certificate of Liability Insurance for Panhandle Fire Protection, Inc., P.O. Box 1072, Lynn Haven, FL 32444
- o. Proof: Certificate of Liability Insurance for Vilano Electric, Inc., 14286-19 Beach Boulevard #394, Jacksonville Beach, FL 32250
- p. Proof: Certificate of Liability Insurance for South East Personnel Leasing, Inc., 2739 U.S. Highway 19 North, Holiday, FL 34691
- q. Proof: Notice to Bidders, Bid #10-59, published March 19, 2010, in the Ponte Vedra Recorder
- r. Proof: Notice to Bidders, Bid #10-52, published March 20, 2010, and March 27, 2010, in the St. Augustine Record
- s. Proof: Notice of Public Hearing of the Board of County Commissioners on April 6, 2010, to repeal Ordinance #92-32, published March 25, 2010, in the St. Augustine Record
- t. Proof: Notice of Public Hearing of the Board of County Commissioners on April 6, 2010, to amend Ordinance #86-72, published March 25, 2010, in the St. Augustine Record
- u. Proof: Request for Proposals, RFQ #10-43 for Bond Counsel Services, published March 26, 2010, in the Ponte Vedra Recorder
- v. Proof: Notice to Bidders, Bid #10-52, published March 26, 2010, in the Ponte Vedra Recorder
- w. Proof: Request for Proposals, RFQ #10-53 for Disclosure Counsel Services, published March 26, 2010, in the Ponte Vedra Recorder
- x. Proof: Request for Proposals, RFQ #10-54 for General Finance and Issuer Counsel Services, published March 26, 2010, in the Ponte Vedra Recorder
- y. Proof: Notice of Public Hearing of the Board of County Commissioners on April 6, 2010, and May 18, 2010, on establishment of Ordinance/Regulations affecting the Use of Land (Articles V and VI), published March 27, 2010 in the St. Augustine Record
- z. Proof: Notice of Public Hearing of the Board of County Commissioners on April 6, 2010, and May 18, 2010, on establishment of Ordinance/Regulations affecting the Use of Land (Article XI and Appendix A), published March 27, 2010, in the St. Augustine Record
- aa. Proof: Notice of Public Hearing of the Board of County Commissioners on April 6, 2010, to repeal Ordinance #92-32, published April 2, 2010, in the Ponte Vedra Recorder

- bb. Proof: Notice of Public Hearing of the Board of County Commissioners on April 6, 2010, to amend Ordinance #86-72, published April 2, 2010, in the Ponte Vedra Recorder.
- cc. Proof: Notice of Public Hearing of the Board of County Commissioners on April 6, 2010, and May 18, 2010, on establishment of Ordinance/Regulations affecting the Use of Land (Articles V and VI), published April 2, 2010, in the Ponte Vedra Recorder
- dd. Proof: Notice to Bidders, Bid #10-62, published April 2, 2010, in the Ponte Vedra Recorder
- ee. Proof: Notice to Bidders, Bid #10-65, published April 2, 2010, in the Ponte Vedra Recorder

(9:39 a.m.) Sanchez mentioned attending the 4-H speaking contest.

(04/20/10 - 5 - 9:40 a.m.)

PUBLIC COMMENT

Ellen Whitmer, 1178 Natures Hammock Road South, spoke on being a customer of JEA Electric Service and receiving a statement on the breakdown of her bill from them. She voiced concern of being charged for lump sum charges, *Exhibit A*.

(9:44 a.m.) Paras Desai, 715 Wooded Hamlet Court, stated that he wanted to make sure that a Separation of Release Agreement was heard that day, which he believed had been executed, and he wanted to make sure it came before the Board for funding. McCormack stated that Mr. Desai was permitted public comment, and he advised the Board to allow him to speak for the specified time. Desai spoke on the County's pay plan, as it was adopted and amended by the County Administrator. He spoke on the deletion of the language, "Assistant County Attorney," from documents, *Exhibit B*. He recommended for the Chair to have an investigation of the issue.

(9:48 a.m.) Barbara Jenness, President of Friends of A1A, 313 Porpoise Point Drive, spoke on Earth Day on April 22nd, coastal beach cleanup, and on May 1st, and the first environmental education fair held at Marineland, *Exhibit C*.

(9:50 a.m.) Pat Greenfield, 215 4th Street, officer of St. Gerard Campus Board of Directors, spoke on St. Gerard being across the street from the new St. Francis Homeless Shelter. She said there was an article in the St. Augustine Record on Sunday about the situation, and it stated that they were notified to go and see the plans. She said that never happened because they were not notified. She spoke on expanding the St. Gerard Campus. She said that she would be pleased to chair a citizen's committee to look for a more suitable location for the St. Francis Homeless Shelter.

(9:53 a.m.) Judy Kline, 306 Timberlake Point, Ponte Vedra Beach, voiced concern about placing the St. Francis House so close to the St. Gerard House. She explained what happened at St. Gerard's every day. She said that she was not opposed to St. Francis House, but to the people that would be living there, so close to St. Gerard's.

(9:56 a.m.) Caroline Wolff, Director and Founder of the St. Gerard Campus, 211 Deltona Blvd., gave a brief history of the school and voiced concern about the St. Francis House being across the street, *Exhibit D*.

(10:01 a.m.) Maria Gleason, 1968 River Lagoon Trace, employed by St. Gerard Campus, presented a petition of over 600 names protesting the proposal to lease land to the St. Augustine Society for a homeless shelter, located directly behind and within 1200 feet of St. Gerard Campus; a licensed daycare, foster residency and high school, *Exhibit E*. She

said that no one who signed the petition was against the building of a much needed shelter; they were protesting the chosen site.

(10:02 a.m.) Walter West, 46 Sea Park Drive, Pastor of Anastasia Baptist Church, spoke in favor of the relocation of the St. Francis House, and stated of all his encounters there, he had never encountered a dangerous situation at the St. Francis House and none had ever been reported to him. He said the homeless people in their community were not bad people. He asked them please not to abandon the homeless. He mentioned that homelessness was their enemy, not the homeless people.

(10:03 a.m.) John Benoit, 21-C Casanova Road, current Vice President of the Board of Directors at the St. Francis House, speaking on behalf of Troy Blevins, Board President and the rest of the Board of Directors, reviewed the plans for the St. Francis House. He stated that they wanted to be able to cover more problems, and reduce the cost of homelessness.

(10:08 a.m.) May Oliver, 245 Atlanta Circle #205, stated that she was there to address the issue of St. Gerard's Campus and the possibility of the St. Francis House location adjacent to the campus. She made the point that in no way was St. Gerard's in opposition to the homeless population, and it should never be perceived as such. She stated that they served the homeless population, first in the residents that were there, that were abandoned by their families or had been raped or abused in many different ways. She said that many of those girls were in residence 24 hours a day. She spoke on the people admitted to St. Frances House and the ones that were not admitted. She said that it was not a good environment for the girls. She submitted that placement of such a shelter should never put into jeopardy, an existing facility that housed and educated women, minors, and their minor children.

(10:10 a.m.) Mary Conway, 133 Green Crest Drive, Ponte Vedra Beach, said the intention to help St. Francis and the homeless people was good, but the location of the shelter was a mistake. She stated that it was far too close to St. Gerard's Campus and the Destiny Day Care Center. She mentioned that having 69 men living next door to young women and their babies was inviting trouble.

(10:11 a.m.) Adolfo Murallm, 166 Deltona Blvd., spoke on the support of the St. Gerard Campus.

(10:13 a.m.) Patti Greenough, CEO of EPIC Community Services St. Augustine, spoke in favor of locating the St. Augustine Society's new facility at Old Dixie Highway.

(10:14 a.m.) Bryan spoke on taking a tour of the St. Gerard House guided by Ms. Wolff and her staff. He stated that they did a great job and that the County appreciated them. He said that Florida Statue 419.1001(1b) stated that a facility could not be within 1,000 feet of the proposed St. Francis House; St. Gerard's House could loose their license. Bryan asked to investigate those concerns. Sanchez encouraged no more discussion on the matter, at this time, because it hadn't been presented to the County for a special use permit or any kind of zoning change. He asked for someone to explain very briefly the process for special use, who it goes to and so forth, and the process for a zoning change.

(10:18 a.m.) Wanchick mentioned that they had heard a lot of concerns on both sides of the argument, prior to them bringing the lease before the County Commission; they would have all the answers to all the questions. He said if they brought a lease to the Commission, it would be the beginning, not the end, of a process. He said there was a process, they should let the process play out, and they would provide answers to everybody's questions at the appropriate time.

(10:20 a.m.) Stevenson suggested closing this subject. Mays echoed the same concerns that Bryan had and mentioned taking a very careful look at this.

(04/20/10 - 7 - 10:20 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Stevenson said that she had a request for a slight amendment to a resolution that would allow a PZA member to serve on the Housing Finance Authority and would like to add that item. McCormack stated it was a proposed resolution that would allow an appointment to the Housing Finance Authority, which currently, by ordinance, was required that appointments be done by resolution because there was some item on the board where there needed to be a change or an addition to that board. He said if the Board would allow it, they could add it as an agenda item. He spoke on appointing a person by designation. It was added as Item 5a.

(10:22 a.m.) Bryan requested to add an item that had to do with the Tourist Development Council Meeting, regarding a joint TDC workshop as Item 5b.

(10:23 a.m.) McCormack requested to add an item pertaining to the issue of an online TDC tax collection issue as Item 5c, and a motion to reconsider a motion for reconsideration that was done in December 2006, pertaining to a Floridian PUD as Item 5d.

(04/20/10 - 7 - 10:26 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Bryan, seconded by Mays, carried 5/0, to approve the Regular Agenda as amended.

The meeting recessed at 10:27 a.m. and reconvened at 10:44 a.m.

(04/20/10 - 7 - 10:44 a.m.)

1. PRESENTATION ON THE RECYCLING PROGRAM IN ST. JOHNS COUNTY AND ISSUE A PROCLAMATION DESIGNATING APRIL 22, 2010, AS EARTH DAY

Wendy Manucy, Solid Waste Manager, made the presentation. She told of the improvements to the County's recycling program, including 21 recycling items at curbside. She said the improvements did not cost the County any money. She stated that the various companies involved would make a brief presentation.

(10:47 a.m.) Dave Lavender, Florida Area President, Advanced Disposal, introduced two of his staff members. He said they were celebrating their 40th Earth Day Anniversary, and they had worked closely with County staff to improve the recycling program. He reviewed the new items that would be collected. He said recycling bins had been delivered to every resident in the County. He thanked the County for their commitment to getting the job done. He said it had been a great partnership.

(10:50 a.m.) Joy Barnett, Seaboard Waste Systems, said they were happy to be there for the presentation, *Exhibit A*. She thanked the community of St. Johns County for allowing them to provide a greener community. She said they had provided curbside services to the County for over 25 years. She reviewed the history of the recycling program within the County. She said that each resident was given a new recycling bin. She reviewed the list of the new recyclable items. She said that environmental responsibility was their business, and reviewed the logistical facts of their recycling

program. Stevenson asked for clarification on receiving bins. Barnett replied that they had distributed at least one bin per household.

(10:54 a.m.) John Foley, Division Manager, stated that they should receive the bins by April 26th. Wanchick re-emphasized that they were pleased with their relationship with both companies. Stevenson thanked staff and that there had been no increase in the rates.

(04/20/10 - 8 - 10:57 a.m.)

2. PRESENTATION ON THE WILLIAM BARTRAM SCENIC & HISTORIC HIGHWAY (WBSH) MASTER PLAN AND RECOGNITION OF THE WBSH HIGHWAY CORRIDOR MANAGEMENT COUNCIL (CMC) MEMBERS FOR THEIR VOLUNTEER EFFORTS

Vickie Renna, Principal Planner, reviewed the item. She introduced the team working on the Master Plan.

(10:59 a.m.) Jay Hood, Principal Landscape Architect, stated that they were the consultants and that they put together a master plan. He stated that there were 23 scenic byways across Florida, *Exhibit A*.

(11:02 a.m.) Dan Manley, Project Manager, explained the idea of a master plan. He spoke on creating a quarter management plan, built-in environment, five main areas of interest, and everything being interrelated, which was an outline of the whole process. He spoke on having many great ideas. He mentioned recommendations that they had made, and spoke on livable transportation plans.

(11:16 a.m.) Erin Weesner, Wayfinding and Interpretative Sign Designer, spoke on how people got to where they needed to go and the experience of doing it. She reviewed the signage, and interpretation of what made the corridor such a great place.

(11:19 a.m.) Manley reviewed the remaining tasks. Bryan asked about possible canoe, kayak, and bicycle rentals. Manley stated that it would be included. Bryan said that they needed to plan for those kinds of things when putting the master plan together. Manley replied, they would do so. Quinn mentioned having public involvement, and Manley responded that the success of the project was fundamentally connected to public involvement. Stevenson left the meeting.

(11:22 a.m.) Motion by Bryan, seconded by Sanchez, carried 4/0 with Stevenson absent, to approve Resolution No. 2010-91, recognizing the volunteer efforts of the William Bartram Scenic and Historic Highway Corridor Management Council members in their efforts to preserve, protect and maintain the Scenic Highway intrinsic resources.

RESOLUTION NO. 2010-91

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, RECOGNIZING THE VOLUNTEER EFFORTS OF THE WILLIAM BARTRAM SCENIC AND HISTORIC CORRIDOR MANAGEMENT COUNCIL IN THEIR EFFORTS TO PRESERVE PROTECT, AND MAINTAIN THE SCENIC HIGHWAY INTRINSIC (ARCHEOLOGICAL, HISTORICAL, CULTURAL, SCENIC, NATURAL, AND RECREATIONAL) RESOURCES

Stevenson returned to the meeting.

(11:23 a.m.) Renna stated that they appreciated the Board taking the time to look at the threshold of the William Bartram Scenic Highway. She said that Al Abbatiello, Chairman of the Scenic Highway, had a few words to say and requested to have the William Bartram Scenic Highway members recognized.

(11:24 a.m.) Motion by Bryan, seconded by Mays, carried 5/0, to accept the William Bartram Scenic and Historic Highway Master Plan as presented.

(11:24 a.m.) Al Abbatiello, 1133 River Birch Road, introduced the William Bartram Scenic & Historic Highway Management Council; Mary Cornwell, Bob Fitchgerald, Phyllis Abbatiello, Frank Baltis, Ellen Whitmer, and Frank Hall, all volunteers who donated their time. He stated that they were proud of what they have done and where they were heading. He said that Vickie Renna gave them wonderful support with the Commission.

(11:28 a.m.) Mary Cornwell said it was a pleasure to be there and working with everybody. She said it was not just scenic, it was very historical, archeological, cultural and recreational. She said that the scenic highway was exceptional.

(04/20/10 - 9 - 11:35 a.m.)

3A. REPORT ON THE PROPOSED DESTINATION MASTER PLAN FOR ST. JOHNS COUNTY

Glen Hastings, Executive Director, TDC, said that there was some great stuff in that presentation, and he was looking forward to taking some of the recommendations that came out of the Destination Master Plan that was recently completed.

(11:36 a.m.) Chris Cavanaugh, Representative of PGAV Project Team, gave a presentation on the Destination Master Plan for St. Johns County, *Exhibit A*. He stated there were three phases of that project. He spoke on what brought people to St. Johns County, where they visited while here, and why people don't visit. He said that overnight visitation has a big opportunity for St. Johns County. He reviewed the Key Master Plan Issues, situation assessment strengths and weaknesses, regional strengths and weaknesses, St. Johns County brandsStrategy, designation concept market research, designation strategic opportunities, infrastructure strategy, and other marketing and promotional strategies. He also reviewed attracting the upscale traveler to St. Johns County, ROI prioritized implementation strategies, attraction category, programs category, promotional category, events category, infrastructure category, and implementation. He stated it mattered because of old school destination marketing organization role, new destination marketing organization role, the importance of brand and the emergence of new competition. Stevenson thanked him for the presentation and stated that he hit a lot of important high points. Wanchick thanked Cavanaugh and the PGAV Team for a good job. He stated that they gave the County a lot to work with, and that they had done a great job. Cavanaugh mentioned that there were about 200 pages of marketing research that were not included in the book that Hastings had. Bryan stated he was very impressed and thanked everyone for bringing it forward. Stevenson asked about the designation management organization concept. Cavanaugh responded. Mays said that self examination was very important and useful to a county. Cavanaugh responded.

(04/20/10 - 10 - 12:10 p.m.)

3B. REPORT ON THE RECENT MPS GROUP WOMAN'S TENNIS CHAMPIONSHIP TOURNAMENT HELD IN PONTE VEDRA

Glen Hastings, stated that the TDC supported some events, *Exhibit B*. He spoke on the MPS Group Woman's Tennis Championship Tournament in Ponte Vedra. He said they had great weather and a big turn out. There were 64 players from 19 countries. He stated that 26,633 people attended the tournament over the week and the semi finals and finals were Broadcast live on the Tennis Channel. He mentioned that there were a lot of other activities going on at the same time. He said it was a very good opportunity for the County. Discussion followed.

(04/20/10 - 10 - 12:18 p.m.)

4. PUBLIC HEARING - ORDINANCE TO ENACT AN ALARM ORDINANCE IN ST. JOHNS COUNTY. ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND ST. JOHNS COUNTY SHERIFF'S OFFICE ENCOURAGE ALARM COMPANIES AND ALARM USERS TO PROPERLY INSTALL, USE AND MAINTAIN THE OPERATIONAL EFFECTIVENESS OF ALARM SYSTEMS. ST. JOHNS COUNTY SHERIFF'S OFFICE CURRENTLY RESPONDS TO ACTIVATED SECURITY ALARMS WITHIN ST. JOHNS COUNTY. THE SHERIFF'S OFFICE REPORTS THAT OVER 10,000 FALSE ALARMS WERE RECEIVED DURING 2009. THE BOARD OF COUNTY COMMISSIONERS RECOGNIZES THE CONSIDERABLE FINANCIAL AND STAFFING BURDEN PLACED ON THE SHERIFF'S OFFICE DUE TO FALSE ALARMS. THE SHERIFF'S OFFICE AND THE COMMISSION ACKNOWLEDGE THAT FALSE ALARMS BURDEN AND INTERFERE WITH THE SHERIFF'S OFFICE ABILITY TO PROVIDE LAW ENFORCEMENT SERVICES AND PUBLIC SAFETY TO THE CITIZENS OF ST. JOHNS COUNTY. THE SHERIFF'S OFFICE SEEKS TO REDUCE THE NUMBER OF FALSE ALARMS RECEIVED WITHIN UNINCORPORATED ST. JOHNS COUNTY, AND TO SIGNIFICANTLY REDUCE THE FINANCIAL STRAIN BORNE BY THE ST. JOHNS COUNTY SHERIFF'S OFFICE BY RESPONDING TO SUCH ALARMS. THE COMMISSION AND THE SHERIFF'S OFFICE WISH TO INCREASE PUBLIC SAFETY BY REDUCING THE TIME AND RESOURCES SPENT BY DEPUTIES RESPONDING TO FALSE ALARMS. THE PURPOSE OF THIS ORDINANCE IS TO ENSURE THE RELIABILITY OF SUCH ALARM SYSTEMS, ENSURE USER EFFICIENCY AND TO MINIMIZE FALSE ALARMS, WITHIN THE UNINCORPORATED AREAS OF THE COUNTY. THIS ORDINANCE SHALL INCLUDE ALL BUSINESSES, PRIVATE DWELLINGS AND GOVERNMENT BUILDINGS LOCATED WITHIN THE UNINCORPORATED AREAS OF ST. JOHNS COUNTY, OF WHICH REGISTERED GOVERNMENT SECURITY ALARM SYSTEMS SHALL BE EXEMPT FROM ANY FEES, ASSESSMENTS, OR REVOCATION OF RESPONSE FROM ST. JOHNS COUNTY SHERIFF'S OFFICE

Proof of publication of the notice of public hearing regarding an Alarm Ordinance Hearing on April 20, 2010 was received, having been published in *The St. Augustine Record* on April 5, 2010.

Patrick McCormack, County Attorney, reviewed the item. He stated the original ordinance was out of date and needed to be updated. He said that ordinance kept up to date and tracked how alarm ordinances actually worked and operated currently and also kept a current inventory of alarms that were out in the field. He stated the ordinance also promoted training and avoidance of a problem, rather than just the penalty for the problem. He distributed an ordinance that they made some minor technical corrections to, from the one included in the packet, *Exhibit A*. He stated the

first correction was on page 4, Section 3, paragraph 2, *the alarms shall be registered prior to September 30, 2010*; page 7, Section 4, paragraph 3 and 5, capitalized some of the terms defined by the ordinance; page 9 end of Section 6, added new paragraph 8, *The Alarm Coordinator is authorized to implement and enforce procedures and requirements not inconsistent under this Ordinance to facilitate and promote the purpose of this Ordinance*; page 10, end of Section 8, paragraph 7, added one word, *reasonably*; and Section 12, added language because there was actually a separate section that provided exemptions from the public records act and for meetings that the Sheriff might have pertaining to security information. Bryan asked if the fines went to the administering of the program itself or would go back to the General Fund. Col. May responded that they felt that the registration fees should go back to administration of the actual alarm ordinance, and the fines could easily go back to the General Fund. Col. May stated that they found that if they calculated how many deputy hours were required, it was equivalent to five full-time deputies being taken off of the streets to answer alarms, and it would put those deputies back on the streets. Stevenson said that she was happy to see the County and the Sheriff's Office work hand in hand on that. McCormack thanked Mr. Jack Cubbedge in the Sheriff's Office, along with Col. May for all their efforts and dedicated work on the ordinance.

(12:29 p.m.) **Motion by Stevenson, seconded by Bryan, carried 5/0, to enact Ordinance No. 2010-15.**

ORDINANCE NO. 2010-15

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING THE ST. JOHNS COUNTY ALARM ORDINANCE, PROVIDING FOR PURPOSE, DEFINITIONS AND REGISTRATION, PERMITTING AND RENEWAL; PROVIDING FOR DUTIES OF ALARM INSTALLERS, MONITORING COMPANIES AND ALARM USERS; PROVIDING FOR NOTIFICATIONS; PROVIDING FOR SUSPENSION OF RESPONSE AND REINSTATEMENTS; PROVIDING FOR APPEALS; PROVIDING FOR COLLECTION OF FINES, FEES AND ASSESSMENTS; PROVIDING FOR GOVERNMENT IMMUNITY; PROVIDING FOR FLORIDA OPEN RECORDS ACT EXEMPTION; REPEALING ST. JOHNS COUNTY ORDINANCE 1978-51 AND ST. JOHNS COUNTY ORDINANCE 1991-9; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

(04/20/10 - 11 - 12:29 p.m.)

5. APPOINTMENT TO THE PLANNING AND ZONING AGENCY

Melissa Lundquist, BCC Manager, stated that there was a vacancy, due to the resignation of the seat previously held by Mr. Doug Laidlaw. She stated that there were eleven applications in the packet to consider.

Bryan nominated David Wiles and Quinn nominated Jeffrey Martin. May stated that he would look for someone new. Stevenson said that she supported Martin.

(12:32 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to appoint Jeffrey Martin to the Planning and Zoning Agency for a partial term scheduled to expire December 1, 2010.**

(04/20/10 - 12 - 12:32 p.m.)

5a. RESOLUTION APPOINTING MEMBERS TO SJC HOUSING AUTHORITY

Melissa Lundquist, BCC Manager, stated that the item was added by Stevenson. She said that they were required by Florida Statute to establish an Affordable Housing Advisory Committee (AHAC) and that it had only been in existence since 2008. She stated that committee was to recommend monetary and non-monetary initiatives for affordable housing. She mentioned that Florida Statutes required that they had to have the AHAC Board in place, in order to be eligible to receive funds under the State Housing Initiative Partnership. She said it was put in place in 2008, by ordinance, and the actual membership was established by resolution. When that was done, there were specific requirements or credentials of the eleven member board, and one of those was a representative from the local Planning Agency. When it was completed in 2008, the recommendation from the Planning and Zoning Agency (PZA) was that they have the vice chair of the board sit on the AHAC. However, the chair and vice chair recently changed on the PZA, and the vice chair was not able to attend the AHAC meetings, so it was recommended that they adopt the new resolution before them. She stated that the new resolution was a little more generic, which allowed the chair person of the PZA or another PZA member to serve on the AHAC Board as their representative.

(12:34 p.m.) **Motion by Stevenson, to adopt Resolution 2010-92 appointing the Planning and Zoning Agency representation to St. Johns County Affordable Housing Advisory Committee.** McCormack asked if the maker of the motion would allow, in Section 2, to correct the Policy Section number. **Amended motion by Stevenson to include a technical revision to the resolution as it was presented to the Board, seconded by Sanchez as amended, carried 5/0.**

RESOLUTION NO. 2010-92

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPOINTING MEMBERS TO THE ST. JOHNS COUNTY AFFORDABLE HOUSING ADVISORY COMMITTEE

(04/20/10 - 12 - 12:35 p.m.)

5b. JOINT TDC WORKSHOP

Bryan stated that he brought that item forward because during the Tourist Development Council (TDC) the previous day, it was recommended, by unanimous vote by the TDC, that they ask the Board of County Commissioners to schedule a joint workshop with the TDC, with the intention of moving forward with the cultural development implementation plan. He requested that by consensus, that they have a joint meeting scheduled by the County Administrator with the TDC. (12:36 p.m.) *There was consensus by the Board to line that up.*

(04/20/10 - 12 - 12:36 p.m.)

5c. ON LINE TDC TAX COLLECTION ISSUE

Michael Hunt stated that the resolution being proposed was in order, for the County to opt out of a class action lawsuit that dealt with underpaid or incorrectly paid tourist development taxes from on line services. He read the resolution short title. He said as a result of the class certification and the Federal court case, the court required that the County either stay in or opt out. He stated that because they had current counsel, it was being recommended by the office of the County Attorney that they opt out. He stated that surrounding counties were also opting out.

(12:39 p.m.) Motion by Mays, seconded by Sanchez, carried 5/0, to adopt Resolution 2010-93.

RESOLUTION NO. 2010-93

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, OPTING OUT AS A CLASS MEMBER OF THE COUNTY OF MONROE, FLORIDA, V. PRICELINE. COM, INC. ET AL, CASE NO. 09-10004-CIV-MOORE/SIMONTON, NOW PENDING IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, FOR THE REASON THAT ST. JOHNS COUNTY, FLORIDA, ALREADY HAS SECURED SEPARATE COUNSEL, AND IS SEPARATELY PURSUING ITS CLAIMS ASSOCIATED WITH SECTION 125.0104, FLORIDA STATUTES, AND THE COLLECTION OF TOURIST DEVELOPMENT TAX RECOVERY CHARGES, AND AUTHORIZING THE COUNTY ATTORNEY, OR DESIGNEE, TO TAKE WHATEVER ACTION IS NECESSARY, IN ORDER TO TIMELY EFFECTUATE ST. JOHNS COUNTY OPTING OUT AS A CLASS MEMBER TO THE MONROE COUNTY JUDICIAL ACTION

(04/20/10 - 13 - 12:39 p.m.)
5d. FLORIDIAN TDC

Patrick McCormack, County Attorney, said that in the fall of 2006, the Board of County Commissioners had a public hearing and heard, considered, and approved a PUD that was near the area of I-95 and SR 16 off Inman Road. After the PUD was approved by the Board, there was later, on December 13th, 2006, a motion to reconsider that matter which was done as an executive action of the Board. Since that time, December 2006, the County staff and the representatives for the Floridian worked to address some of the concerns that were the rationale for that motion to be reconsidered. They included that the PUD was immediately adjacent to the FOP range in that area, and there was a question about the berm and some related issues of what had been approved in that area for other construction. He stated that during the period after 2006, the County staff, FOP, and the PUD representatives looked for some alternatives, including moving the location of the gun range. He said the motion should be disposed of sooner or later and could be done at that day's meeting or at a later time. He said the representatives for the applicant had offered to make some adjustments or some safeguards pertaining to the issues that were the subject of the motion to reconsider. One of those was to provide disclosure notice to the buyers of property within that Floridian PUD, to make them aware of the FOP range. He said secondly, for the berm to be placed between the range and the PUD, representatives for the Floridian had offered to consult with the FOP and to assure that that berm was sufficient as a safeguard barrier. He stated that sooner or later the motion needed to be disposed of and action needed to be taken. Stevenson spoke on the original hearing and about the gun range. She said it was not a safety issue, but a noise issue. She asked the Board to dispose of the item. Quinn stated that he was briefed by George McClure on the gun range. Sanchez said there were people living on this side of I-95 filing complaints about the gun range across I-95. Bryan stated that anyone that would be leasing the property needed to be aware of the disclosure. McCormack stated that the motion should read: *to rescind the December 13, 2006 Motion to reconsider, contingent upon the Floridian PUD agreeing to provide disclosures to owners and lessees of the Floridian PUD property and a berm between the FOP property and the Floridian PUD sufficient for safety purposes.*

(12:48 p.m.) **Motion Sanchez, seconded by Bryan, carried 5/0, to rescind the December 13, 2006 Motion to reconsider, contingent upon the Floridian PUD agreeing to provide disclosures to owners and lessees of the Floridian PUD property and a berm between the FOP property and the Floridian PUD sufficient for safety purposes.**

(04/20/10 - 14 - 12:50 p.m.)
COMMISSIONERS' REPORTS

(12:50 p.m.)
Commissioner Stevenson:

Stevenson reported on the Field of Dreams Fund Raiser in Aberdeen Park.

Stevenson stated that the previous day, at the St. Johns River Summit, the dates of September 15th and 16th were announced as the dates of the St. Johns River Summit, which was like a trade show on the river, and a state of the river report, celebrating the tenth anniversary of the St. Johns River being named an American Heritage River.

(12:52 p.m.) Mays left the meeting.

Stevenson said that she went with Sarah Bailey and Tony Cubbedge to Tallahassee to talk with the ARC which was involved with the new rankings of the Blueway preservation land.

(12:50 p.m.)
Commissioner Mays:

Mays reported that TPO had announced that 9-B first phase had chosen a contractor and signs would be going up shortly, and after that they hoped to begin Phase II sooner than later to make the final connection over to I-95.

(12:53 p.m.)
Commissioner Bryan:

Bryan stated that the previous day there was a ribbon cutting ceremony at the Armstrong Hastings Flagler Estates area, where they were able to provide two sheds to store food and clothing for the less fortunate.

Bryan said that before they met again, Miner would have a birthday, and that they would like to tell him Happy Birthday in Iraq.

(12:54 p.m.)
Commissioner Quinn:

Quinn said that he, too, had been in touch with Miner, and that Miner had been promoted to the rank of Staff Sergeant.

(12:55 p.m.)
Commissioner Sanchez

Sanchez reminded everyone about the Hastings Potato and Cabbage Festival May 8th at the recreation field in Hastings.

Sanchez sent condolences to the Christine Family for the loss of Maureen Christine.

Sanchez mentioned a letter posted on the web site, a copy of the alert from the Sheriff's Department, to be on the look out for a person imitating a police officer.

Sanchez mentioned an accident recently on CR 207 and Homes Blvd., and observing what was going on.

Sanchez spoke on receiving a lot of emails concerning a review for Director David Dinkins, who was employed by the State of Florida. He recommended for people who wanted to send emails, to send them to the University of Florida Management Review Team, the Institute of Food and Agricultural Services.

(04/20/10 - 15 - 12:58 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick stated that it had become a custom in recent years for the Commission to cancel a meeting around the Christmas/New Year holidays, and also one around the Fourth of July, so everyone could take a vacation break without missing anything. He recommended cancelling the July 6th meeting. **There was a consensus of the Board to cancel the July 6th meeting.**

Wanchick mentioned that the current meeting was the latest in a series of very positive Commission meetings, at which positive things were being done for the community.

(04/20/10 - 15 - 1:01 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(04/20/10 - 15 - 1:01 p.m.)

CLERK OF COURT'S REPORT

No report.

(1:01 p.m.) Sanchez stated that there was a guest column in the paper that made comments about last meetings action on Wanchick's contract, with a hint of it not being legal. He stated that every part of what they did was perfectly legal.

With there being no further business to come before the Board, the meeting adjourned at 1:01 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 455004 through 455009, totaling \$177,742.09 (04/01/10)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 455010 through 455162, totaling \$2,432,388.64 (04/06/10)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. V1980 through V1989, totaling \$106,102.93 (04/06/10)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 455163 through 455185, totaling \$34,891.70 (04/08/10)

CORRESPONDENCE:

1. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing Ordinance Numbers 2010-12 through 2010-14 (04/07/10)

2. Letter to Jim Evers, Program Director, General Tax Administration, filing St. Johns County Ordinance No. 2010-13 which amends and changes the County's existing Tourist Development Plan (04/17/10)

Approved May 18, 2010

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Ron Sanchez
Ron Sanchez, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Udonna King
Deputy Clerk

