

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
SEPTEMBER 7, 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  
                          Terry Bulla, Deputy Clerk

(09/07/10 - 1 - 8:59 a.m.)  
CALL TO ORDER

Sanchez called the meeting to order.

(09/07/10 - 1 - 8:59 a.m.)  
ROLL CALL

Sanchez announced that all five commissioners were present.

(09/07/10 - 1 - 8:59 a.m.)  
Mays gave the Invocation and Stevenson led the Pledge of Allegiance.

(09/07/10 - 1 - 9:00 a.m.)  
DELETIONS TO CONSENT AGENDA

Wanchick asked to pull item No. 28 to be rescheduled and item No. 26.

(09/07/10 - 1 - 9:01 a.m.)  
APPROVAL OF CONSENT AGENDA

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

1.     Approval of the Cash Requirement Report
2.     Sheriff Bonds: None
3.     Minutes:     BCC Regular Meeting 08/17/10
4.     Motion to adopt **Resolution No. 2010-176**, approving the terms and authorizing the County Administrator or designee, to execute a 3rd Modification of the Lease for the Armory Board of the State of Florida

**RESOLUTION NO. 2010-176**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A 3<sup>RD</sup> MODIFICATION OF THE LEASE FOR THE ARMORY BOARD OF THE STATE OF FLORIDA**

5. Motion to adopt **Resolution No. 2010-177**, approving the terms and authorizing the County Administrator, or designee, to execute a 1st Amendment to the Lease Agreement between St. Johns County, Florida, and St. Johns County Council on Aging, Inc., for clarification of the property use at the Transit Facility located on Old Moultrie Road

**RESOLUTION NO. 2010-177**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A 1<sup>ST</sup> AMENDMENT TO THE LEASE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ST. JOHNS COUNTY COUNCIL ON AGING, INC., FOR CLARIFICATION OF THE PROPERTY USE AT THE TRANSIT FACILITY LOCATED ON OLD MOULTRIE ROAD**

6. Motion to adopt **Resolution No. 2010-178**, approving the terms and authorizing the County Administrator, or designee, to execute a Purchase and Sale Agreement for the Drainage Easement needed for the Duval/St. Johns Street Drainage Improvements in the West St. Augustine Area

**RESOLUTION NO. 2010-178**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE DRAINAGE EASEMENT NEEDED FOR THE DUVAL/ST. JOHNS STREET DRAINAGE IMPROVEMENTS IN THE WEST ST AUGUSTINE AREA**

7. Motion to adopt **Resolution No. 2010-179**, approving the terms and authorizing the County Administrator, or designee, to execute the Right of Way Consent Agreement between Florida Power and Light and St. Johns County for the improvements to Fire Station #5 in St. Augustine South

**RESOLUTION NO. 2010-179**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE RIGHT-OF-WAY CONSENT AGREEMENT BETWEEN FLORIDA POWER AND LIGHT AND ST. JOHNS COUNTY FOR THE**

**IMPROVEMENTS TO FIRE STATION #5 IN ST. AUGUSTINE SOUTH**

8. Motion to adopt **Resolution No. 2010-180**, approving the terms and authorizing the County Administrator, or designee, to execute a certain Purchase and Sale Agreement for property required for Segment III of the Volusia Street-Four Mile Road Improvement Project

**RESOLUTION NO. 2010-180**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY REQUIRED FOR SEGMENT III OF THE VOLUSIA STREET/FOUR MILE ROAD IMPROVEMENT PROJECT**

9. Motion to adopt **Resolution No. 2010-181**, declaring the public purpose and necessity for exercising the right and power of eminent domain to acquire certain real property located at North Volusia Street & West King Street for improvements to a County roadway (Segment III of the Volusia Street-Four Mile Road Improvement Project

**RESOLUTION NO. 2010-181**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING THE PUBLIC PURPOSE AND NECESSITY FOR EXERCISING THE RIGHT AND POWER OF EMINENT DOMAIN TO ACQUIRE CERTAIN REAL PROPERTY AS DESCRIBED BELOW FOR IMPROVEMENTS TO A COUNTY ROADWAY AND AUTHORIZING THE COUNTY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS**

10. Motion to adopt **Resolution No. 2010-182**, accepting an Easement for Utilities for water service and Bill of Sale for water and sewer service to serve Leroy's Café located on US #1 South

**RESOLUTION NO. 2010-182**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER SERVICE TO LEROY'S CAFÉ LOCATED ON US #1 SOUTH AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM**

11. Motion to adopt, **Resolution No. 2010-183**, approving the 2010-2011 Non-Ad Valorem Assessment Rolls and Annual Assessment Rates for Private Road Grading MSBUs and Right-of-Way MSBUs and to authorize the Chairman to

certify and deliver the 2010-2011 assessment rolls to the St. Johns County Tax Collector

**RESOLUTION NO. 2010-183**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2010-2011 NON-AD VALOREM ASSESSMENT ROLLS AND ANNUAL ASSESSMENT RATES FOR PRIVATE ROAD GRADING MUNICIPAL SERVICE BENEFIT UNITS AND RIGHT-OF-WAY MUNICIPAL SERVICE BENEFIT UNITS AND AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT ROLLS TO THE ST. JOHNS COUNTY TAX COLLECTOR BY THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**

12. Motion to adopt **Resolution No. 2010-184**, approving the 2010-2011 Non-Ad-Valorem assessment roll for the Ponte Vedra Wastewater Vacuum Sewer Project pursuant to Resolution 2002-245, and authorizing the Chairperson to certify and deliver the 2010-2011 assessment roll to the St. Johns County Tax Collector

**RESOLUTION NO. 2010-184**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING ASSESSMENT ROLLS FOR VARIOUS ASSESSMENT AREAS ESTABLISHED PURSUANT TO ORDINANCE NO. 2002-55; ESTABLISHING THE LIEN ASSOCIATED THEREWITH; DIRECTING THAT THE ASSESSMENT ROLL BE CERTIFIED TO THE ST. JOHNS COUNTY TAX COLLECTOR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

13. Motion to adopt **Resolution No. 2010-185**, accepting a Grant of Drainage Easement required for Segment III of the Volusia Street/Four Mile Road Improvement Project

**RESOLUTION NO. 2010-185**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DRAINAGE EASEMENT REQUIRED FOR SEGMENT III OF THE VOLUSIA STREET/FOUR MILE ROAD IMPROVEMENT PROJECT**

14. Motion to adopt **Resolution No. 2010-186**, approving the final plat for Bartram Park Unit Three B

**RESOLUTION NO. 2010-186**

**RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,**

**APPROVING A PLAT FOR BARTRAM PARK UNIT  
THREE-B**

15. Motion to approve **Resolution No. 2010-187**, authorizing the County Administrator to execute a School Impact Fee Credit Agreement with Marshall Creek. Ltd., with impact fee credit not exceeding \$600,000 as approved by the St. Johns County School District and in accordance with the Development Order

**RESOLUTION NO. 2010-187**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH MARSHALL CREEK, LTD.**

16. Motion to adopt **Resolution No. 2010-188**, extending the \$275,000 reservation of Tree Bank Funds to September 30, 2011 for the joint purchase of the Guana North Access (Oar House) with the North Florida Land Trust (NFLT) if the NFLT is successful in raising the balance of the asking price of \$800,000

**RESOLUTION NO. 2010-188**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RESERVING \$275,000 OF TREE BANK FUNDS TOWARDS THE JOINT PURCHASE OF THE GUANA RIVER NORTH ACCESS WITH THE NORTH FLORIDA LAND TRUST IF THE NORTH FLORIDA LAND TRUST IS SUCCESSFUL IN RAISING THE BALANCE OF THE ASKING PRICE OF \$800,000**

17. Motion to approve a transfer in the amount of \$82,734 from Solid Waste Reserves (4407-59920) to Facility Operations - Refund Prior Year Revenues (4401-59301) in order to make a final payment to FEMA relating to Hurricane Frances
18. Motion to adopt **Resolution No. 2010-189**, approving the 2010-2011 Non-Ad Valorem Assessment Rolls and Annual Assessment Rates for the Solid Waste MSBU and to authorize the Chairman to certify and deliver the 2010-2011 assessment rolls to the St. Johns County Tax Collector

**RESOLUTION NO. 2010-189**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2010-2011 NON-AD VALOREM ASSESSMENT ROLLS AND ANNUAL ASSESSMENT RATES FOR THE SOLID WASTE MUNICIPAL SERVICE BENEFIT UNITS AND AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT ROLLS TO THE ST. JOHNS COUNTY TAX COLLECTOR BY THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**

19. Motion to adopt **Resolution No. 2010-190**, approving the terms, provisions and conditions of a landscape maintenance agreement between the State of Florida

Department of Transportation and St. Johns County, Florida along a portion of SR A1A North St. Johns County and a portion along SR 13 in Northwest St. Johns County, and authorizing the County Administrator or his designee to execute the landscape maintenance agreement on behalf of the County

**RESOLUTION NO. 2010-190**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS AND CONDITIONS OF A LANDSCAPE MAINTENANCE AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND ST. JOHNS COUNTY, FLORIDA ALONG A PORTION OF SR A1A NORTH ST. JOHNS COUNTY AND A PORTION ALONG SR 13 NORTHWEST ST. JOHNS COUNTY, AND AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE THE LANDSCAPE AGREEMENT ON BEHALF OF THE COUNTY**

20. Motion to adopt **Resolution No. 2010-191**, approving the terms, provisions, conditions, and requirements of an Annual Funding Request and Local Long Range Beach Erosion Control Budget Plan between the Board of County Commissioners and the Florida Department of Environmental Protection and authorizing the County Administrator to budget for the Joint Participation Funds Required for Beach Management Funding Assistance for South Ponte Vedra Beach/Vilano Beach/Summer Haven

**RESOLUTION NO. 2010-191**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT A LONG RANGE BEACH EROSION CONTROL BUDGET PLAN WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF BEACHES AND COASTAL SYSTEMS**

21. Motion to adopt **Resolution No. 2010-192**, approving the terms, provisions, conditions, and requirements of an Annual Funding Request and Local Long Range Beach Erosion Control Budget Plan between the Board of County Commissioners and the Florida Department of Environmental Protection and authorizing the County Administrator to budget for the Joint Participation Funds Required for Beach Management Funding Assistance for St. Augustine Beach

**RESOLUTION NO. 2010-192**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT A LONG RANGE BEACH EROSION CONTROL BUDGET PLAN WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF BEACHES AND COASTAL SYSTEMS**

22. Motion to adopt **Resolution No. 2010-293**, authorizing the Rehabilitation and Renovation of various real properties by the Housing Finance Authority of St. Johns County on behalf of St. Johns County for the Neighborhood Stabilization Program (NSP) with NSP Grant funds in accordance with NSP requirements

**RESOLUTION NO. 2010-193**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE REHABILITATION AND RENOVATION OF REAL PROPERTY LOCATED AT 755, 759, 762 & 788 OAKLAND AVENUE, 214 WEST VIVIAN STREET, 900 & 920 HIBISCUS STREET, 1599 N. WHITNEY STREET, 2919 NORTH 9<sup>TH</sup> STREET, 550 FERN AVENUE, 2867 NORTH 10<sup>TH</sup> STREET, 863 WEST 4<sup>TH</sup> STREET, 206 S. HOLMES BLVD., 9 PEARL STREET, 33, 34, & 70 SOUTH TWIN MAPLE ROAD, ST. AUGUSTINE, BY THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY ON BEHALF OF ST. JOHNS COUNTY FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP) WITH NSP GRANT FUNDS IN ACCORDANCE WITH NSP REQUIREMENTS**

23. Motion to authorize the County Administrator to approve two Convention Center Capital Replacement items as per the Operating Agreement between St. Johns County and Atrium Hotels. The operator-identified replacement items are as follows: 1) replacement of roof top HVAC unit number 21, which is 12 years old at a cost of \$20,000 and 2) replacement of window treatments at a cost of \$9,937; at the Convention Center utilizing the Capital Replacement bank account established and maintained by Atrium Hotels Two, L.P.
24. Motion to approve a transfer of \$418,982 for OPEB (Other Post Employment Benefits) Trust Fund Reserves to OPEB Trust Fund Transfer to Funds in order to increase the required transfer to the Health Insurance Fund
25. Motion to accept the SHIP Annual Report covering State Fiscal Years 2007-08, 2008-09, & 2009-10 and submit to the Florida Housing Finance Corporation

*This item was pulled from the Consent Agenda.*

26. Motion to adopt a resolution approving the terms, provisions, conditions, and requirements of a Contract between the Board of County Commissioners and Flagler Hospital, for the purpose of providing Outpatient Psychiatric Mental Services through the St. Johns County Health & Human Service Department and authorizing the County Administrator, or his designee, to execute the Agreement on behalf of the County. The contract proposes to pay Flagler Hospital an amount not to exceed \$573,700 as follows, \$173,700 as an initial payment and the monthly revenue received for services rendered not to exceed an annual total of \$400,000
27. Motion to authorize the Clerk of the Courts Office, in compliance with Florida Statutes, chapter 28.31, to dispose of 94 cubic feet of county finance records up to and including fiscal year 2003. The records to be disposed of include accounts payable disbursement records, receipt and revenue records, bank statements and cancelled checks. These records are eligible for disposal by the authority of the Florida Administrative Code, chapter 1B-24

*This item was pulled from the Consent Agenda.*

28. Motion to transfer \$154,039.48 from General Fund Reserves (0083-59920) in order to pay to Flagler Hospital the costs of medical care necessary for persons during, or at the time of their arrest, for violations of State Law or St. Johns County Ordinances per Florida Statute 901.35
29. Motion to authorize the County Administrator, or his designee to enter into a contract with A&A Maintenance Enterprise, Inc., for janitorial services at the six (6) SJC Branch Libraries as described in the Bid Documents (Bid #10-63R, Annual Janitorial Services for SJC Branch Libraries), and the submitted bid proposal
30. Motion to authorize the County Administrator, or his designee to enter into a contract with M&M Cleaning Concepts, Inc., for monthly trash maintenance services at the eighty five (85) SJC Parks & Properties as described in the Bid Documents (Bid #10-87, Monthly Trash Maintenance at SJC Parks and Properties) and the submitted bid proposal
31. Motion to authorize the County Administrator, or his designee, to negotiate with and, if negotiations are successful, enter into a contract with the top two ranked firms, Nabors, Giblin and Nickerson, P.A., and Foley & Lardner, LLP, for RFP# 10-43 Bond Counsel Services. If an agreement cannot be reached with the top two ranked firms, authorization is requested to begin negotiations with the next ranked respondent(s) and continue until an agreement is reached with two firms
32. Motion to authorize the County Administrator, or his designee, to negotiate with and, if negotiations are successful, enter into contract with the number one ranked firm, Nabors, Giblin and Nickerson, for RFP# 10-53, Disclosure Counsel Services. If an agreement cannot be reached with the number one ranked firm, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached
33. Motion to authorize the County Administrator, or his designee, to negotiate with and, if negotiations are successful, enter into contract with the number one ranked firm, Edwards Cohen, for RFP #10-54, General Finance and Issuer Counsel Services. If an agreement cannot be reached with the number one ranked firm, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached
34. Motion to authorize the County Administrator, or his designee, to negotiate with and, if negotiations are successful, to enter into a contract with the RFP respondent, Country Carriages, for RFP# 10-81, Winter Wonderland Sleigh Rides
35. Motion to authorize the County Administrator, or his designee to enter into a contract with Musco Sports Lighting, LLC, for lighting equipment and M. Gay Constructors, Inc., for electrical equipment and installation of both electrical and lighting equipment for Phase I at Palencia Athletic Complex, per the submitted proposals. The total cost for Phase I is one hundred ninety one thousand dollars (\$191,000.00) for lighting equipment/electrical equipment and installation of same for one softball field, and one multi-purpose field
36. Proofs:
  - a. Proof: Notice to Bidders, Bid #10-92, published August 11 & August 18, 2010 in the St. Augustine Record



- b. Proof: Notice to Bidders, Bid #10-92, published August 13, 2010 in the Ponte Vedra Recorder
- c. Proof: Notice to Bidders, Bid #11-03, published August 13, 2010 in the Ponte Vedra Recorder
- d. Proof: Notice to Bidders, Bid #10-87, published July 22 & July 29, 2010 in the St. Augustine Record
- e. Proof: Notice to Bidders, Bid #10-89, published July 22 & July 29, 2010 in the St. Augustine Record
- f. Proof: Notice to Bidders, Bid #10-86, published July 22 & July 29, 2010 in the St. Augustine Record

(09/07/10 - 9 - 9:02 a.m.)

SPECIAL PRESENTATION TO THE ST. JOHNS COUNTY COMPLETE COUNT COMMITTEE FOR RECOGNITION OF SUCCESSFUL EFFORTS PROMOTING THE 2010 U.S. CENSUS AND ACHIEVING A 77% MAIL RESPONSE RATE

Bryan, Committee Chairman, introduced the item and Karen Pan, Public Affairs Specialist, read a letter of appreciation from the US Department of Commerce, the US Census Bureau into the record for the Complete Count Committee. Members of the Committee came forward to be recognized. Bryan stated that they had achieved 75 percent response and it had been a huge effort. Amelia Alejandro from the US Census Bureau stated that compared to other counties, the St. Johns County group had done an excellent job. She said it was a complete and accurate count. Georgia Katz said it was a team effort and thanked all those who had helped to make it a success.

(09/07/10 - 9 - 9:09 a.m.)

RECOGNITION OF ST. JOHNS COUNTY'S OUTSTANDING SAFETY STANDOUT AWARD WINNERS

Lamar Carmichael (1<sup>st</sup> Place), Kris Bragg (2<sup>nd</sup> Place), and Matthew Falcey (3<sup>rd</sup> Place), came forward and received recognition for the awards presented to them on July 28<sup>th</sup> at the Annual Safety Expo. Sanchez stated it was a pleasure to recognize them for their contributions to improving the workplace. Karen Pan, Public Affairs Specialist, read the Safety Incentive Awards requirements and how the top three employees were chosen. She offered congratulations to each of the recipients.

(09/07/10 - 9 - 9:14 a.m.)

PROCLAMATION DECLARING SEPTEMBER 2010 AS LIBRARY CARD SIGN-UP MONTH

Karen Pan, read the Proclamation into the record proclaiming September 2010 as Library Card Sign-up Month. Harold George received the proclamation on behalf of the Library Director.

Wanchick stated that the amount of information available on-line was tremendous and was a whole new world of library services. He said the Complete Count Committee had provided a tremendous financial savings for every person that was counted. He said it would play a major role in funding and reapportionment. Finally, he said that regarding the Safety Awards, there was a new emphasis being placed on the safety of County employees. He said they were seeing a reduction in compensation claims; they were working hard on protecting the assets of the County, and were trying to do more to keep employees safe.

(09/07/10 - 10 - 9:20 a.m.)  
ACCEPTANCE OF PROCLAMATION

**Motion by Bryan, seconded by Mays, carried 5/0, to approve the Proclamation.**

(09/07/10 - 10 - 9:20 a.m.)  
PUBLIC COMMENT

Jeff Miller, 18 Drum Place, Ponte Vedra Beach, spoke against the request on PUD 2008-09, Ponte Vedra Lakes Office Park South and referenced a letter he had submitted (*See Exhibit A under Item No. 6*).

(9:22 a.m.) Patrick McCormack said the above comments referenced a quasi judicial matter. He said he would be sure that the applicant's counsel was briefed on the above comments.

(9:23 a.m.) Clara Cowan, 244 Patrick Mill Circle, Ponte Vedra, spoke against the tax increase for schools, proposed on the ballot. She said the School Board was notorious for underestimating the number of students. She expressed disappointment of the approval of the recent DRI at the last meeting, as there was no demand for new housing and the board kept increasing the supply. She suggested that the Commission and Administration have a conversation with the Planning Department regarding the quality of life in St. Johns County.

(9:27 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. South, Fruitcove, said she supported Cowan's comments. She also commented on Mr. Wanchick's comments regarding the on-line resources available at the library. She said she had researched the "down zone" issue and said it was possible. She said developments could be rezoned downward as well as up. She asked them not to be duped by the developers or their attorneys. She said zoning decisions could be revoked and that had been upheld by the courts.

(9:30 a.m.) Stevenson made comments regarding Mr. Miller's letters and said he was very generic in his opposition. She said she was curious as to why he was in opposition but that he had already left the meeting.

(09/07/10 - 10 - 9:30 a.m.)  
ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick asked to add the Southeast Florida Regional Transportation Planning Council appointments as Item 7.

McCormack said he was trying to resolve a litigation matter and if he was able to resolve it that day, he would like to bring it back to the Board for settlement.

(09/07/10 - 10 - 9:32 a.m.)  
APPROVAL OF REGULAR AGENDA

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

(09/07/10 - 10 - 9:32 a.m.)

1. PRESENTATION OF THE HEALTH PLANNING COUNCIL OF NORTHEAST FLORIDA'S ANNUAL REPORT

Dawn Emerick, Executive Director Health Planning Council of Northeast Florida, gave an annual update on Health Planning for Northeast Florida. She said they received \$82,000 to achieve the State mandate and that they were an effective and lean organization for the seven counties involved. She said they were not a direct service organization but helped those who delivered direct health services. She noted that the mission of the Health Planning Council of Northeast Florida, Inc., was to provide coordinated health planning services designed to enhance the provision of accessible, affordable, and high quality health care services to all persons residing in Baker, Clay, Duval, Flagler, Nassau, St. Johns and Volusia Counties.

(9:39 a.m.) Bryan asked about the infant mortality rate. Emerick said that St. Johns County had done a wonderful job on infant mortality as compared to the rest of the state.

(9:40 a.m.) Stevenson asked for the data collection date. Emerick said it was 2009 data. Stevenson asked about the dental services and whether the Wildflower Clinic was included in the future figures. Emerick said they could drill down into specific communities by zip codes. Stevenson asked about groups coming together for funding and whether it had been successful. Emerick said they had had success in that method and they had facilitated that exact issue.

(09/07/10 - 11 - 9:42 a.m.)

2. PRESENTATION OF HEALTH & HUMAN SERVICES ADVISORY BOARD COMPREHENSIVE REPORT ON THE 2010 STATUS OF NON-PROFITS GROUPS RECEIVING FUNDING FROM THE BOARD OF COUNTY COMMISSIONERS

Tom Myrick, Chairman of the Health and Human Services Advisory Board (HHSAB), gave an overhead presentation (*Exhibit A*). He noted there had been a lot of staff and Board support. He reviewed the 2010 Status of Non-Profit Funding. He said there was pressure on funding and an increase in demand for the various services. He explained the new HHSAB New Initiatives. He reviewed the questions asked of the various agencies and noted that the response was in a very large manual that each Board member had received. He reviewed the total agency funding sources and how the agencies were able to expand the sources of funding. He explained the various types of services provided by the agencies that the County funded. He added that volunteers were the life blood of the agencies. He gave examples of leveraged funds and how important they were to fulfilling services through the agencies. He explained that matched funds were State or Federal funds that required a local match and the impact that they provided. He stated that the return on investment by the BCC, received by the agencies, was extremely significant, and that the Committee recommended that they continue to fund the agencies at the current levels.

(9:55 a.m.) Bryan said he sat on that Committee and the achievements of those various agencies was a great return on their investment. He said he appreciated all that the Committee did.

(9:56 a.m.) Quinn thanked them for their hard work on the report. He said he had carefully reviewed the report, and he realized that he had to place his trust in the Board and all the people that worked in those agencies. He said that demand drove the requests and it was painfully obvious that they needed to be supported.

(9:59 a.m.) Stevenson expressed appreciation for the work they had done. She told of some other things the County was involved in, and that she was happy they were able to maintain the funding during these difficult funding times. She suggested other

Federal funding sources might be investigated. Myrick said they would be happy to meet with them on any suggestions that they might have. Stevenson said she learned a lot from the large manual they had presented.

(10:01 a.m.) Wanchick said the Commission should feel pride in being able to maintain the same level of funding for the last three years, and that it was very commendable because the need was so great. He said a lot of people, including volunteers, worked very hard and contributed a lot to the community to make the programs work. He said there was a lot of non-financial return that was often not seen. He said it was an excellent investment in the community.

(09/07/10 - 12 - 10:04 a.m.)

DISTRICT 2

3. PUBLIC HEARING - VACPLA 2009-02, DANCY TRACT PARTIAL PLAT VACATION. THE SUBJECT OF THIS RESOLUTION IS A PARTIAL PLAT VACATION OF DANCY TRACT. THE PROPERTY IS LOCATED NORTH OF CR 214 AND WEST OF RODRIGUEZ STREET, AND INCLUDES THE EVERGREEN CEMETERY AND THE RESIDENTIAL PROPERTY OF MR. BUSTER ROBERSON. THE PURPOSE OF THIS VACATION REQUEST IS TO ELIMINATE LOTS AND RIGHTS OF WAY, AS DELINEATED ON THE OLD PLAT, PROVIDING THE CEMETERY MORE FLEXIBILITY FOR FUTURE EXPANSION, AND PROVIDING MR. ROBERSON WITH ONE CONTIGUOUS TRACT OF LAND. VACATION OF THIS PORTION OF THE PLAT, INCLUDING PORTIONS OF RIGHTS OF WAY, WILL NOT IMPACT ANY OF THE SURROUNDING PROPERTIES, NOR DOES IT HAVE ANY EFFECT ON FUTURE RIGHT OF WAY NEEDS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL 5/0 AT THEIR JUNE 3, 2010 MEETING; HOWEVER, THE APPLICANT ADDED SOME ADDITIONAL RIGHT OF WAY OF WOODLAWN STREET. IT WAS RESCHEDULED FOR PZA ON AUGUST 19TH, AND RECEIVED A RECOMMENDATION FOR APPROVAL, 4/0

Proof of publication of the notice of public hearing on Notice of Plat Vacation - Part of Dancy Tract was received, having been published in *The St. Augustine Record* on August 27, 2010.

Kathy Nielsen, Application Review Manager, gave the presentation for the partial plat vacation of the Dancy Tract, and explained the request.

Greg Kupperman, 200 First Street, Neptune Beach, said he was available for questions.

**Motion by Stevenson, seconded by Bryan, carried 5/0, to adopt Resolution No. 2010-194, approving the petition to vacate a portion of the Dancy Tract plat.**

#### RESOLUTION NO. 2010-194

#### RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, VACATING A PORTION OF THE PLAT OF DANCY TRACT

(09/07/10 - 12 - 10:07 a.m.)

DISTRICT 1

4. PUBLIC HEARING - VACPLA 2010-01 JULINGTON PLACE PARTIAL PLAT VACATION. THE SUBJECT OF THIS RESOLUTION IS A PARTIAL PLAT VACATION OF JULINGTON PLACE. THE PROPERTY IS LOCATED NORTH OF RACETRACK ROAD AND EAST OF SR 13 N, AND IS PART OF THE WESTMINSTER WOODS PUD. THE PURPOSE OF THIS VACATION

REQUEST IS TO ELIMINATE A PORTION OF THE RIGHT OF WAY OF JULINGTON BOULEVARD THAT BISECTS THE APPLICANT'S PROPERTY. THERE IS AN EXPANSION PLAN UNDER REVIEW FOR WESTMINSTER WOODS, AND IT PLACES STORMWATER IMPROVEMENTS IN THE UNOPENED RIGHT OF WAY. THE REQUEST ALSO INCLUDES ANY PLATTED LOTS THAT WOULD DEPEND ON THAT PIECE OF RIGHT OF WAY FOR ACCESS. ALL TECHNICAL COMMENTS HAVE BEEN ADDRESSED THROUGH THE DEVELOPMENT REVIEW PROCESS; THEREFORE, STAFF HAS NO OBJECTIONS. VACATION OF THIS PORTION OF THE PLAT, INCLUDING THE RIGHT OF WAY, WILL NOT IMPACT ANY OF THE SURROUNDING PROPERTIES, NOR DOES IT HAVE ANY EFFECT ON FUTURE RIGHT OF WAY NEEDS. THIS REQUEST IS TRACKING WITH MAJMOD #10-04, WESTMINSTER WOODS, AND WAS HEARD ON AUGUST 19TH BY THE PLANNING AND ZONING AGENCY, RECEIVING A RECOMMENDATION OF 4-0 FOR APPROVAL

Proof of publication of the notice of public hearing on Intent to vacate-part of Julington Place was received, having been published in *The St. Augustine Record* on June 14, 2010.

Mike Roberson, Growth Management Services, asked the Board to allow them to present Items 4 and 5 together as they both pertained to Westminster Woods. Sanchez said that would be fine. Robertson reviewed the requested partial plat vacation, and then reviewed the major modification portion and how they would interact. He said there were no objections to the requests and that they were in accordance with the Florida Statute. He said PZA had recommended approval 4/0 for both of the items.

Stevenson disclosed ex-parte communication for Item 5. She said she had attended a community meeting of individuals who were concerned about the road being cut off. She said she spoke with many residents, and had received phone calls and e-mails regarding the matter.

(10:12 a.m.) Karen Taylor, 77 Saragossa St., reviewed the application. She noted Westminster Woods had been around since the 1960's. She gave an overhead presentation (*Exhibit A*) which showed the requested plat vacation. She explained that they were providing an easement and a T turnaround. She said there would still be access on Orange Avenue and on the main portion of Bishop Estates Road. She noted that on the modification, they were not changing the number of units. She said the wetland area was one of the issues, as was the buffer system, which had both been reworked. She said there was an increase in the number of wetlands in the overall PUD, but they had actually saved more wetlands. She explained the various phases and what would occur during those phases, and that an extension had been requested on phase three.

(10:18 a.m.) Bryan asked about the area to be closed off. Taylor showed a close up of the proposed area. Bryan asked about safety issues regarding fire trucks and other emergency vehicles. Taylor said there was a turn around provided and showed the differences in the proposed accesses.

(10:19 a.m.) Stevenson said she would be happy to make a motion, if there were no public concerns on the item. She said it was one of the outstanding retirement facilities in the area. She said she had watched it evolve over 30 years.

**(10:21 a.m.) Motion by Stevenson, seconded by Mays, carried 5/0, to adopt Resolution 2010-195, approving the petition to vacate a portion of the Julington Place Plat.**

RESOLUTION NO. 2010-195

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, VACATING A PORTION OF THE PLAT OF JULINGTON PLACE

(09/07/10 - 14 - 10:22 a.m.)

DISTRICT 1

5. PUBLIC HEARING - MAJOR MODIFICATION 2010-04, WESTMINSTER WOODS. THIS IS A REQUEST TO MODIFY EXISTING PUD ORDINANCE 1998-30, WESTMINSTER WOODS. SUBJECT PROPERTY IS LOCATED AT NE CORNER OF SR 13 N & BISHOP ESTATES ROAD INTERSECTION. PROPOSED CHANGES INCLUDE: ELIMINATE ACCESS POINT; ADD RESULTING LAND; IMPACT 0.32 ACRES WETLANDS; EXTEND PHASING; WAIVER FROM MDP TEXT REFORMATTING REQUIREMENT. THE PLANNING & ZONING DEPT FINDS THE REQUEST TO MODIFY PUD ORDINANCE 1998-30, SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THE PLANNING AND ZONING AGENCY RECOMMENDED THIS ITEM FOR APPROVAL BY A 4-0 VOTE AT THEIR AUGUST 19, 2010 MEETING

Proof of publication of the notice of public hearing on MAJMOD 2010-04, Westminster Woods PUD, was received, having been published in *The St. Augustine Record* on August 4, 2010.

(10:22 a.m.) **Motion by Stevenson, seconded by Mays, carried 5/0, to enact Ordinance No. 2010-39, known as MAJMOD 2010-04, adopting findings of fact one through six to support the motion.**

ORDINANCE NO. 2010-39

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE WESTMINSTER WOODS PLANNED UNIT DEVELOPMENT, ORDINANCE NUMBER 1998-30, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

The Board recessed at 10:23 a.m. and reconvened at 10:42 a.m.

(09/07/10 - 14 - 10:42 a.m.)

DISTRICT 4

6. PUBLIC HEARING - PUD 2008-09, PONTE VEDRA LAKES OFFICE PARK SOUTH. THIS IS A REQUEST TO REZONE APPROXIMATELY 1.43 ACRES FROM SINGLE FAMILY RESIDENTIAL (R-1-C) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP UP TO 17,000 SQUARE FOOT DEVELOPMENT CONSISTING OF A BANK, AND PROFESSIONAL AND MEDICAL OFFICES. THIS AREA IS LOCATED ON THE WEST SIDE OF A1A, AND LOCATED WITHIN THE 200 BLOCK OF A1A N NEXT TO THE GATE GAS STATION. THE PLANNING DIVISION FINDS THE REQUEST TO REZONE TO A PLANNED UNIT DEVELOPMENT (PUD) DOES SUBSTANTIALLY MEET THE REQUIREMENTS OF THE COMPREHENSIVE PLAN, PONTE VEDRA ZONING REGULATIONS, AND THE LAND DEVELOPMENT CODE. THE PONTE VEDRA ZONING AND ADJUSTMENT BOARD (PVZAB) RECOMMENDED APPROVAL OF THIS ITEM BY A VOTE OF 6-0 AT THEIR MAY 10, 2010 MEETING

Proof of publication of the notice of public hearing on PUD 2008-09, Ponte Vedra Lakes Office Park, was received, having been published in *The St. Augustine Record* on July 5, 2010.

Sanchez asked if Burnett had received a copy of the letter from Mr. Miller (*Exhibit A*). McCormack acknowledged that Burnett had received a copy of the letter and had been briefed on comments made by Miller earlier in the meeting.

Sanchez declared that he met with Burnett on the item. Bryan acknowledged that he also met with Burnett. Stevenson said that she had spoken with Burnett during a side bar about storage of dirt on the site. Quinn disclosed that he spoke with Burnett on that agenda item.

(10:43 a.m.) Michael Blackford, Planning and Zoning Manager, gave the presentation, explained the proposed request, and reviewed the surrounding land uses. He said it was to rezone approximately 1.43 acres from Single Family Residential to Planned Unit Development in order to develop up to a 17,000 square foot development consisting of a bank, and professional and medical offices. He said there were three waiver requests: 1) To Section IX.B.5 & 6 PZVR which required parking stall sizes within the district of 10' x 10' and drive aisle widths of 24 feet. The applicant requested to apply LDC parking stall requirements of 9' x 17.5' and 26 foot drive aisle sizes. 2) To Section 6.06.02.G.3.LDC which required a 30 foot buffer along roadways classified as a scenic highway. The applicant requested a waiver to that requirement because there was insufficient room to place the buffer, and that the buffer had traditionally not been enforced in Ponte Vedra Beach. In accordance with the overlay, a required 20 foot buffer along the roadway had been provided. 3) To Section VII.0.5.a(10) which required a maximum of 10,000 square foot GPA of space, per acre of land. The applicant asked for a waiver to apply the 2015 Comprehensive Plan standard of 12,000 square foot GFA of space, per acre of land. He stated that due to the unique circumstances of the parcels to the north of the site, staff had no problem with the requests for waivers.

(10:49 a.m.) Stevenson noted there was a nice buffer and asked about the buffer to the north; if that was the one where they would run utilities and would be the access to the property. She asked about the residential property at the corner and asked if there would be additional buffering. Blackford said there was a proposed ornamental fountain and bulkhead retention for that general area. He added that there would be a landscaped or natural buffer and that could be clarified in the text. She asked that it be clarified in the text.

(10:52 a.m.) Bryan said he was curious about the same thing. He said he wanted to insure that the residents would have some kind of buffer. He added that he would like to see some language, that it would be natural vegetation.

(10:53 a.m.) Blackford added that lighting could be addressed in the PUD and could be added to clarify the issue. He said the second thing was the issue of possible stock piling on the sites and some language was being proposed to be added to Section R in order to clarify (*Exhibit B*). He said the applicant had agreed to that language as well as the lighting language.

(10:55 a.m.) Stevenson said they had had some complaints to stockpiling and it was important to get things in writing.

(10:55 a.m.) Blackford said it had been approved at PZA unanimously.

(10:56 a.m.) Mays asked for clarification on the rationale for justifying the square footage of land from 10,000 to 12,000 feet.

(10:56 a.m.) Doug Burnett, St. Johns Law Group, 509 Anastasia Blvd., responded to Mays question and explained the justification. He said a lot of sites in Ponte Vedra were developed to the higher standard. He said the waivers that were before them, that day, were the same ones that had gone before the Ponte Vedra Planning Board and they had gotten a unanimous approval from them. He explained that there were 50 feet between the site and the residential units.

(11:04 a.m.) Bryan expressed concern for the lots just north of the site which were currently zoned residential. He asked if the applicant owned those lots. Burnett speculated that the parcels would probably be zoned for commercial. Bryan said that was his concern because of the individuals who had already bought homes there. He said it would set a precedent for the other properties and particularly those to the north of the property. He said he would also like to see more buffering.

(11:06 a.m.) Burnett said the PUD required an 8 foot wall on the northern right-of-way. He said there would be significant improvements on the right-of-way and there would be significant screening. He added that the Board would have to provide approval for any commercial development of the land to the north.

(11:09 a.m.) Quinn said he was more concerned about the buffer to the west. Burnett said the graphic they were looking at was three years old and had changed. He said they should be looking at another graphic. Quinn said it was difficult to make decisions on old materials. Burnett presented the correct graphic. Quinn asked if there was an 8 foot wall on the western side. Burnett said there was not.

(11:11 a.m.) Mays said he had issues with buffers along A1A because there was residential development along A1A which was now mixed with commercial. He said a house in that location did not make a lot of sense. Discussion ensued regarding buffers and lighting standards.

(11:17 a.m.) Burnett said they would have to comply with the County's lighting standards. He said they also had to meet the Ponte Vedra codes.

(11:18 a.m.) Barron Bartlett, 185 N. Roscoe, Palm Valley, owner of the project, said the project had taken almost seven years. He said the parcel to the north of the project was his, and they had done an office building there. He said that parcel had so many issues that they started to leave it like it was, and it was difficult to develop residentially, because it was right beside the gas station. He said it had been a long arduous process that had required them to go before the BCC several times on the same project. He said that leaving the piece of land vacant and as residential, would result in the land not being developed. He added that on the buffering, he did not want to build a stockade around the property, and he would prefer to use a line buffer that was landscaped. He said they had considerable buffering behind them, and there was 70 feet between their property line and the nearest property line. He said the trees currently present restricted lighting. He said he would agree to blind buffering and landscaping but not for blockading the property.

(11:22 a.m.) Stevenson said she appreciated the difficulty. She asked if he did not want to do the 8 foot barricade wall and would prefer to do an opaque buffer. He said they had agreed to do it along the northern side, but did not want to extend it along the western side. She said she preferred to look at a vegetative buffer.



(11:23 a.m.) Bartlett reviewed staff request for an 8 foot wall along the northern border and he would respectfully request a vegetative live buffer along the western wall. Mays said there was a lot more room on the west than on the north. Bryan said he did not like to see the stockaded look either. He said he was not opposed to a vegetative buffer.

(11:24 a.m.) Quinn asked about the west side residents' side. He said his objective was to work with him and the residents.

(11:25 a.m.) Burnett said there was one home which would be closest to the western side. He said there was good buffering beyond the 50 foot buffering.

(11:26 a.m.) Stevenson said she was concerned about the northern boundary. Burnett said that was where there would be a wall, and he was not sure whether the residents were aware of that. He said the wall would cut out a significant amount of light from the property.

(11:28 a.m.) Clara Cowan, 244 Patrick Circle, Ponte Vedra, cited other problems that they had had in Ponte Vedra. She cautioned that the wording on the waiver be carefully examined. She said it did not mean that they should continue old mistakes and they wanted to keep Ponte Vedra a pretty community. She asked them to make, doing things correctly, the precedent.

(11:30 a.m.) Mays asked for clarification on addressing lighting and stockpiling of dirt. Blackford said the language regarding dirt would be in section R of the text and lighting would be addressed in Land Development Code section 5.03.06.H.6 in section G of the text to address illumination at the zoning lot line. He said it would clarify what was required for PUDs since the Ponte Vedra District had different lighting requirements, which were not as specific as the Land Development Code. Mays expressed concern about the 30 feet, but said that PVZAB and PZA had looked at it and were comfortable with it.

**(11:32 a.m.) Motion by Mays, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2010-40, known as PUD 2008-09, findings of fact one through seven to support the motion, with the amendments that Section R be revised to include the stockpiling language agreed upon by staff and the applicant's attorney and that the applicant understands that the lighting provisions within the County Land Development Code will govern the site and be included in Section G of the MDP text, also including the three waivers as requested.**

#### ORDINANCE NO. 2010-40

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, REZONING LANDS AS  
DESCRIBED HEREINAFTER FROM SINGLE FAMILY  
RESIDENTIAL (R-1-C) TO PLANNED UNIT  
DEVELOPMENT (PUD) PROVIDING FINDINGS OF  
FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING  
RECORDATION; AND PROVIDING AN EFFECTIVE  
DATE

(09/07/10 - 18 - 11:33 a.m.)

7. CONSIDER APPOINTMENT TO THE NORTHEAST FLORIDA REGIONAL TRANSPORTATION STUDY COMMISSION

Sanchez said he had been two names suggested to him: Joe Stephenson and Jay Morris.

(11:33 a.m.) **Motion by Sanchez, seconded by Mays, carried 5/0, to appoint Joe Stephenson to the Northeast Florida Regional Transportation Study Commission.**

(11:34 a.m.) **Motion by Sanchez, seconded by Mays, carried 5/0, to appoint Jay Morris to the Northeast Florida Regional Transportation Study Commission.**

(11:35 a.m.) McCormack said he would like to add an item as did the County Administrator. He asked them to add the proposed CA10-1320, an employment related case, which they had worked through to settle. He said it would be favorable to settle it for \$2,200 in a Mutual Settlement and Release Agreement. He asked them to add it to the agenda.

(11:36 a.m.) **Motion by Stevenson, seconded by Mays, carried 5/0, to add the proposed settlement to the agenda.**

(09/07/10 - 18 - 11:37 a.m.)

8. PROPOSED SETTLEMENT CASE CA 10-1320

McCormack said it would be a favorable settlement from which the County would receive release. He gave the specific wording for the motion, and added that it would involve a payment that might be coming from FACT, pertaining to \$2,200, and there were associated settlement agreement provisions that would be included in the mutual settlement and release

(11:38 a.m.) **Motion by Sanchez, seconded by Mays, carried 5/0, to authorize the County Administrator to enter into a Mutual Release and Settlement Agreement as provided by the County in order to settle Case CA 10-1320.**

(09/07/10 - 18 - 11:39 a.m.)

COMMISSIONERS' REPORTS

(11:39 a.m.) Commissioner Mays:

Mays congratulated Jay Morris on his recent election to the Board. He also congratulated Sanchez on his re-election for another four years. He also thanked many people for their support during the death of a member of the Wilson family. He said 1,700 people were at the funeral and reception and he thanked all the people who helped make it possible.

(11:41 a.m.) Commissioner Bryan:

Bryan commented on the South Anastasia Review Board and said he had some concerns about decisions the Review Board had made. He said they had disputed a decision made by the BCC. He said he had asked staff to pull the guidelines for those boards and there were none. He said he took issue with the entire process and was bringing it back to the Board for review. He said people could not get their businesses started because it was taking too long. He said these were serious issues where the BCC needed to make some strong decisions.

(11:44 a.m.) McCormack said he had attended the public hearing at the South Anastasia Development Review Board. He said they used a set of overlay criteria which the BCC had adopted. He said there was a conflict between esthetic design and operational goals. He said the Review Board had tried to use the criteria that they had to work with. He said there was tension between, the not always practical, esthetic goals and business opportunity goals. He said it was probably appropriate to look at those tools again. Bryan said they needed to look at the guidelines to become more business friendly.

(11:46 a.m.) Commissioner Quinn:

Quinn offered congratulations to Jay Morris and to Ron Sanchez on their election and re-election. He offered gratitude to the Office of Transportation for their help to improve the appearance on I-95 and 312 by acting on his request and pruning the trees along the thoroughfare, which was a gateway to the City. He also thanked all those who had participated in the Veterans Standown held recently. He said over a hundred homeless were treated to a shower, clean clothes, haircuts, and a great meal. He noted they were also offered help from the agencies within the county. He asked everyone to express appreciation to the Veterans group for what they were doing for the homeless.

(11:48 a.m.) Commissioner Sanchez:

Sanchez said that they had to be careful with discussions with Commissioner Elect Jay Morris. McCormack said Commissioner Elect Morris was under the Sunshine with any County business. He said Mays and Morris might converse on anything because they were assuming the same seat.

(11:49 a.m.) Commissioner Stevenson:

Stevenson mentioned the news report about the Youth Golf Championship in Ponte Vedra. She said the best in youth golf from around the nation were there, and the young man who won was from Georgia and the second place winner was from Texas. She said it brought a lot of people to our community. She also mentioned the 445<sup>th</sup> Anniversary of the founding of the City of St. Augustine. She noted it was an all volunteer effort held at the Nombre de Dios. She reported that the grandson, or an indirect descendant of Pedro Menendez, had done a wonderful piece of artwork for the Mission. She said on November 16, Jay Morris would take his new seat as would Sanchez and offered congratulations to both of them.

(09/07/10 - 19 - 11:52 a.m.)

#### COUNTY ADMINISTRATOR'S REPORT

Wanchick said they had made some security improvements to the building and needed a motion from the Board to approve the transfer of \$6,000 from the Judicial Center to Julington Creek and the Southeast Annex Library Operations.

**(11:52 a.m.) Motion by Sanchez, seconded by Bryan, carried 5/0, to approve the transfer of funds from the Judicial Center to the Julington Creek and Southeast Annex Library Operations line item.**

Wanchick said that secondly, there was a one page handout to go with the tax bills and asked for the Commission to give consensus to approve that. (11:53 a.m.) *There was Board Consensus to do so.*

(11:54 a.m.) Wanchick said that comments from the Town Hall meetings would be provided to them soon. He said he wanted them to have those comments prior to the Budget Hearings scheduled for later that month.

(09/07/10 - 20 - 11:54 a.m.)  
COUNTY ATTORNEY'S REPORT

McCormack introduced Assistant County Attorney Erica Moore, who joined them from Hernando County. Moore thanked them for the opportunity.

(09/07/10 - 20 - 11:55 a.m.)  
CLERK OF COURT'S REPORT

No report.

With there being no further business to come before the Board, the meeting adjourned at 11:55 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 459824 thru 459848, totaling \$37,639.10 (08/12/10)
2. St. Johns County Board of County Commissioners Check Register, Check No. 459849 thru 460036, totaling \$879,140 (08/17/10)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 3198 thru 3248, totaling \$1,395,134.42 (08/17/10)
4. St. Johns County Board of County Commissioners Check Register, Check No. 460037 thru 460334, totaling \$960,060.92 (08/24/10)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 3249 thru 3363, totaling \$672,737.79 (08/24/10)
6. St. Johns County Board of County Commissioners Check Register, Check No. 460335 thru 460346, totaling \$177,220.97 (08/18/10)
7. St. Johns County Board of County Commissioners Check Register, Check No. 460347 thru 460379, totaling \$64,476.66 (08/25/10)

CORRESPONDENCE:

1. Letter dated August 20, 2010 to Liz Cloud, Program Administrator, Department of State, filing St. Johns County Ordinances No. 2010-31 through 2010-38

Approved \_\_\_\_\_ September 21 \_\_\_\_\_, 2010

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: \_\_\_\_\_

Ron Sanchez, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: \_\_\_\_\_

Deputy Clerk

