

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
SEPTEMBER 4, 2012
(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: J. Ken Bryan, District 5, Chair
Jay Morris, District 4, Vice Chair
Cyndi Stevenson, District 1
Ron Sanchez, District 2
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Lenora Newsome, Deputy Clerk

(09/04/12 - 1 - 9:00 a.m.)
CALL TO ORDER

Bryan called the meeting to order.

(09/04/12 - 1 - 9:00 a.m.)
ROLL CALL

The clerk called the roll, and all members were present.

(09/04/12 - 1 - 9:00 a.m.)
INVOCATION

Jerry Cameron, Assistant County Administrator, gave the Invocation.

(09/04/12 - 1 - 9:02 a.m.)
PLEDGE OF ALLEGIANCE

Stevenson led the Pledge of Allegiance.

(09/04/12 - 1 - 9:02 a.m.)
PRESENTATION OF A PROCLAMATION DECLARING THAT THE MONTH OF SEPTEMBER 2012, BE DESIGNATED AS LIBRARY CARD SIGN UP MONTH

Debra Rhodes Gibson, Library Director, accepted the proclamation. She introduced two representatives from the Library Advisory Board, Vice Chair Kathy Dvornik and Dr. Christina Will, and also the Children's Librarian Andy Calvert. She mentioned the upcoming events. She said that the website, www.sjcpls.org, lists merchants throughout the county that had agreed to provide discounts to the citizens that patronize their business with their library card. She mentioned having an opportunity every Wednesday, in each of the branches, to have a photo taken with your library card and it would be placed on a site where it lists everyone who owns a library card.

(9:09 a.m.) Kathy Dvornik, representing the Library Advisory Board, thanked the Commissioners for all their support over the years, and the citizens that helped at various times when they were needed. She mentioned the Friends of the Library.

(09/04/12 - 2 - 9:11 a.m.)

RECOGNITION OF ROAD & BRIDGE EMPLOYEE JAMES J. BEDELL, WHO IS RETIRING WITH 28 YEARS OF SERVICE WITH ST. JOHNS COUNTY

Joe Stephenson, Director of Public Works, mentioned that James Bedell was a heavy equipment operator, and was very reliable on keeping his equipment well maintained. Bedell said that he appreciated all his years of service.

(09/04/12 - 2 - 9:17 a.m.)

APPROVAL OF PROCLAMATION

Motion by Sanchez, seconded by Stevenson, carried 4/0, to approve the Proclamation.

(09/04/12 - 2 - 9:17 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(09/04/12 - 2 - 9:18 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Sanchez, seconded by Morris, carried 4/0, to approve the Consent Agenda, as submitted.

1. Approval of the Cash Requirement Report
2. Minutes:
08/07/12 - BCC Regular Meeting
3. Motion to adopt **Resolution No. 2012-226**, approving the 2012-2013 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 2012-2013 assessment rolls to the St. Johns County Tax Collector

RESOLUTION NO. 2012-226

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2012-2013 NON-AD VALOREM ASSESSMENT ROLLS AND ANNUAL ASSESSMENT RATES FOR PRIVATE ROAD GRADING MUNICIPAL SERVICE BENEFIT UNITS AND RIGHT-OF-WAY MUNICIPAL SERVICE BENEFITS 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

4. Motion to adopt **Resolution No. 2012-227**, approving the 2012-2013 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 2012-2013 assessment roll to the St. Johns County Tax Collector

RESOLUTION NO. 2012-227

A RESOLUTION OF 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

5. Motion to adopt **Resolution No. 2012-228**, accepting a Bill of Sale and Schedule of Values conveying all personal property associated with the water lines within Oakbrook subdivision, Phase 7B and 7C, located off Wildwood Drive

RESOLUTION NO. 2012-228

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A BILL OF SALE AND SCHEDULE OF VALUES CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER LINE WITHIN OAKBROOK SUBDIVISION, PHASE 7B AND 7C, LOCATED OFF WILDWOOD DRIVE

6. Motion to adopt **Resolution No. 2012-229**, accepting an Easement for Utilities for water and sewer service to serve Marsh Landing at Sawgrass, Units 5, 6, and 9, in Ponte Vedra

RESOLUTION NO. 2012-229

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE MARSH LANDING AT SAWGRASS, UNITS 5, 6, AND 9, IN PONTE VEDRA

7. Motion to adopt **Resolution No. 2012-230**, accepting an Easement for Utilities for water and sewer service to serve Marsh Landing at Sawgrass, Unit 1-4, and The Arbor at Marsh Landing in Ponte Vedra

RESOLUTION NO. 2012-230

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE MARSH LANDING AT SAWGRASS, UNIT 1-4, AND THE ARBOR AT MARSH LANDING IN PONTE VEDRA

8. Motion to adopt **Resolution No. 2012-231**, accepting an Easement for Utilities for water and sewer service to serve Marsh Landing at Sawgrass, Units 7, 8, and 14, in Ponte Vedra

RESOLUTION NO. 2012-231

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE MARSH LANDING AT SAWGRASS, UNITS 7, 8, AND 14, IN PONTE VEDRA

9. Motion to adopt **Resolution No. 2012-232**, accepting an Easement for Utilities for water and sewer service to serve Marsh Landing at Sawgrass, Units 23, 25, and 27, in Ponte Vedra

RESOLUTION NO. 2012-232

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SERVE MARSH LANDING AT SAWGRASS, UNITS 23, 25, AND 27, IN PONTE VEDRA

10. Motion to transfer \$300,000 from the General Fund [0083-59920] to the Cultural Events Fund, to subsidize operating costs
11. Motion to approve **Resolution No. 2012-233**, authorizing funding to offset \$6,016 in Impact Fees to assist with the construction of a new home for John Hayes, a Marine seriously disabled, in service to our Country

RESOLUTION NO. 2012-233

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, FINDING A PUBLIC PURPOSE FOR, AND AUTHORIZING AN OFFSET OF A PORTION OF THE IMPACT FEES REQUIRED FOR THE CONSTRUCTION OF A NEW HOME, FOR JOHN HAYES, A SEVERELY DISABLED U.S. MARINE INJURED IN COMBAT

12. Motion to adopt **Resolution No. 2012-234**, approving the final plat for Las Calinas, Parcel 3A, Unit 1, Phase 1

RESOLUTION NO. 2012-234

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR LAS CALINAS, PARCEL 3A, UNIT 1, PHASE 1

13. Motion to adopt **Resolution No. 2012-235**, approving the final plat for Las Calinas, Parcel 3A, Unit 2, Phase 2

RESOLUTION NO. 2012-235

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR LAS CALINAS, PARCEL 3A, UNIT 2, PHASE 2

14. Motion to adopt **Resolution No. 2012-236**, approving the final plat for Las Calinas, Parcel 3A, Unit 4

RESOLUTION NO. 2012-236

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR LAS CALINAS, PARCEL 3A, UNIT 4

15. Motion to adopt **Resolution No. 2012-237**, approving the terms, provisions, conditions, and requirements of the request between the Board of County Commissioners of St. Johns County, Florida, and the State of Florida Department of Environmental Protection, and authorizing the County Administrator to Budget for the Joint Participation Funds required for Beach Management Funding Assistance (for the South Ponte Vedra Beach/Vilano Beach/Summer Haven Beach Restoration Feasibility Study)

RESOLUTION NO. 2012-237

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

16. Motion to adopt **Resolution No. 2012-238**, approving the terms, provisions, conditions, and requirements of the request between the Board of County Commissioners of St. Johns County, Florida, and the State of Florida Department of Environmental Protection, and authorizing the County Administrator to Budget for the Joint Participation Funds required for Beach Management Funding Assistance (for the St. Johns County Shore Protection Project - St Augustine Beach Nourishment)

RESOLUTION NO. 2012-238

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

17. Motion to transfer \$60,000 from Department 0166 (Health Care Clinic) to Department 0063 (Family Medical & Dental), to cover operational and capital expenditures in FY12 associated with establishing a Federally Qualified Healthcare Center in Hastings
18. Motion to adopt **Resolution No. 2012-239**, authorizing the County Administrator (or designee) to, in accordance with Section 302.6.5.4 of the St. Johns County Purchasing Manual, execute the Member Participation Addendum to the Master

Purchase Agreement, by and between Pasco County, and Staples Contract, and Commercial, Inc., d/b/a Staples Advantage, to purchase office supplies for an initial term of 5 years, with an option of up to five 1-year extensions

RESOLUTION NO. 2012-239

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD AND TO EXECUTE A MEMBER PARTICIPATION ADDENDUM TO THE MASTER PURCHASING AGREEMENT FOR THE PURCHASE OF OFFICE SUPPLIES

19. Motion to allow the County Administrator, or his designee, to negotiate with and, if negotiations are successful, execute a Task Order (for RFQ #12-62 Electrical Arc Flash Hazard Safety Program) under Continuing Contract 08-138, with the No. 1 ranked firm, CDM Smith. If an agreement cannot be reached with the No. 1 ranked firm, authorization is requested to terminate negotiations, and begin negotiations with the No. 2 ranked firm and, if negotiations are successful, enter into contract with this firm
20. Motion to adopt **Resolution No. 2012-240**, authorizing the County Administrator, or his designee, to award Bid #12-56 - SR 16, WWTP Belt Press Relocation contract to Sawcross, Inc., as the lowest responsible bidder for a Lump Sum Bid of \$904,500. This relocation will greatly reduce operational costs associated with sludge hauling. Additionally, employee and community safety will be greatly enhanced through the elimination of approximately 1,500 tanker truck trips per year

RESOLUTION NO. 2012-240

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 12-56, AND TO EXECUTE AN AGREEMENT FOR SR 16, WWTP BELT PRESS RELOCATION

21. Motion to adopt **Resolution No. 2012-241**, to re-appropriate half-cent sales tax revenues in the amount of \$20,532, from the General Fund, to the 2009 Sales Tax Bond Debt Service Fund to support the debt service obligation for FY 2012. Due to the anticipated reduction in civil surcharge fee revenues, the debt service obligation will require additional, supplemental, half cent sales tax revenues

RESOLUTION NO. 2012-241

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2012 GENERAL FUND SALES TAX APPROPRIATION, IN ORDER TO APPROPRIATE ADDITIONAL SALES TAX TO THE SERIES 2009, SALES TAX BOND DEBT SERVICE FUND

22. Motion to adopt **Resolution No. 2012-242** approving the 2012-2013 Non-Ad Valorem Assessment Rolls, and Annual Assessment Rates, for the Solid Waste

MSBU, and to authorize the Chairman to certify and deliver the 2012-2013 assessment rolls to the St. Johns County Tax Collector

RESOLUTION NO. 2012-242

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2012-2013 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

23. Motion to adopt **Resolution No. 2012-243**, recognizing unanticipated revenue from the City of St. Augustine Beach, in the amount of \$9,000 to assist with the costs to construct a beach access stairway adjacent to the St. Johns Ocean Pier, and increasing the revenue budget for the Tourist Development Recreation Category Funds

RESOLUTION NO. 2012-243

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2012 BUDGET TO RECEIVE UNANTICIPATED REVENUE, AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY TOURIST DEVELOPMENT RECREATION DEPARTMENT

24. Proofs:
- a. Proof: Notice of Public Hearing of the St. Johns County Board of County Commissioners on May 15, 2012, on West Augustine Nuisance Hearing, published May 5, 2012, in *The St. Augustine Record*
 - b. Proof: Notice of Special Public Meeting and Private Meeting of the St. Johns County Board of County Commissioners on August 7, 2012, published July 31, 2012, in *The St. Augustine Record*
 - c. Proof: Notice of Special Public Meeting of the St. Johns County Board of County Commissioners on May 29, 2012, Boundary Changes for Supervisor of Elections, published May 18, 2012, in *The St. Augustine Record*
 - d. Proof: Notice of Special Public Meeting and Private Meeting of the St. Johns County Board of County Commissioners on August 21, 2012, published August 14, 2012, in *The St. Augustine Record*
 - e. Proof: Notice of Canceled Public Hearing of the St. Johns County Board of County Commissioners on August 21, 2012, published August 14, 2012, in *The St. Augustine Record*
 - f. Proof: Notice of Public Hearing of the St. Johns County Board of County Commissioners on September 4, 2012, First Notice CDBG, published August 21, 2012, in *The St. Augustine Record*
 - g. Proof: Notice of Public Hearing of the St. Johns County Board of County Commissioners on September 4, 2012, LDC Articles III, IV, VI, XI, published August 21, 2012, in *The St. Augustine Record*
 - h. Proof: Notice of Tax Impact of Value Adjustment Board published July 6, 2012, in *The St. Augustine Record*

- i. Proof: Notice to Bidders, Bid #12-09, published May 11, 2012, and May 18, 2012, in *The St. Augustine Record*
- j. Proof: Notice to Bidders, Bid #12-63, published July 26, 2012, and August 2, 2012, in *The St. Augustine Record*
- k. Proof: Certificate of Liability Insurance for Marlowe & Company, LLC.
- l. Proof: Certificate of Liability Insurance for GPI Southeast, Inc.
- m. Proof: Certificate of Liability Insurance for PQH Group, Inc.
- n. Proof: Certificate of Liability Insurance for Jacobs Engineering Group, Inc.
- o. Proof: Certificate of Liability Insurance for Calloway Contracting, Inc.
- p. Proof: Certificate of Liability Insurance for 4 Jays Land Services, Inc.
- q. Proof: Certificate of Liability Insurance for DRC Emergency Services, LLC.
- r. Proof: Certificate of Liability Insurance for VJ Usina Contracting, Inc.
- s. Proof: Certificate of Liability Insurance for Wood Resource Recovery, Inc.
- t. Proof: Certificate of Liability Insurance for Construction Debris Removal, Inc.
- u. Proof: Certificate of Liability Insurance for Frank Crum, Inc.

(09/04/12 - 8 - 9:18 a.m.)

PUBLIC COMMENT

Ellen Whitmer, 1178 Natures Hammock Road South, asked the Board to address Tallahassee regarding the public school system in St. Johns County. She said when charter schools came to St. Johns County, money was taken from the funds for the public schools. Bryan said he supported a resolution, but stated that it would have to be coordinated with the St. Johns County School Board. Morris concurred with Bryan.

(9:22 a.m.) Sanchez said he had a phone number for Whitmer regarding JEA.

(9:22 a.m.) Stevenson spoke about taking funding away from the public schools. Sanchez mentioned that the School Board was the authority that would approve or disapprove the charter schools. (9:24 a.m.) *There was consensus of the Board to direct the County Administrator to contact the Superintendent of the St. Johns County School Board to determine what they could do in order to support this initiative; then, if there was nothing the School Board could do, and the BCC could send a letter independently.*

(09/04/12 - 8 - 9:24 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Morris requested to pull Item 3, The Proposal to Name Certain Coastal Portions of St. Johns County as San Pablo Island. Stevenson said that she would have liked clarification on how the item came to the Board. She said the Board did not get a letter from the organizing group, they got notice from the Federal Agency charged with naming the geological body. Wanchick responded that, staff brought it to the Board because they received a letter from the Federal Agency letting them know that the request was pending. He said that they supported pulling it today. Bryan said that he supported pulling it until they received more information. Bryan stated that they would pull Item 3. Wanchick said they also brought it before the Board, because they had to meet a deadline by the end of the month, but that deadline had been extended indefinitely, so there was not the urgency that was there initially.

(9:27 a.m.) Stevenson said that she had a Proclamation for the anniversary of the Constitution that would be presented. Bryan added the Proclamation, as Item 9a.

(09/04/12 - 8 - 9:29 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Sanchez, seconded by Morris, carried 4/0, to approve the Regular Agenda, as amended.

(09/04/12 - 9 - 9:29 a.m.)

1. FIRST PUBLIC HEARING - REQUEST FOR AUTHORIZATION TO PREPARE AN APPLICATION FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS FOR SILVER CREEK ASSISTED LIVING FACILITY. FIRST PUBLIC HEARING AS STAFF SEEKS AUTHORIZATION TO PREPARE AN APPLICATION TO THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR THE ANTICIPATED FUNDING AVAILABILITY UNDER THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR ECONOMIC AND COMMUNITY DEVELOPMENT. CDBG FUNDS CAN BE USED IN THE AREA OF REHABILITATION, NEIGHBORHOOD REVITALIZATION, COMMERCIAL REVITALIZATION OR ECONOMIC DEVELOPMENT TO BENEFIT LOW AND MODERATE INCOME PERSONS, AID IN THE PREVENTION OR ELIMINATION OF SLUMS OR BLIGHT OR TO MEET COMMUNITY DEVELOPMENT NEEDS. THE COUNTY IS NOT CURRENTLY ELIGIBLE FOR THE CATEGORY OF "NEIGHBORHOODS" FUNDS UNTIL THE CURRENT GRANT IS CLOSED OUT. STAFF EXPECTS THIS TO BE A RESUBMISSION OF AN ECONOMIC DEVELOPMENT APPLICATION FOR A SPECIFIC PROJECT, SILVER CREEK ASSISTED LIVING FACILITY

Proof of publication of the notice of public hearing on the first notice for the Community Development Block Grant (CDBG), was received, having been published in *The St. Augustine Record* on August 21, 2012.

Mary Ann Blount, Land Management Systems Director, said that staff was seeking authorization to continue working with the Developer of the Silver Creek Assisted Living Facility, and the consultant Fred Fox, in order to prepare an application to the Department of Economic Opportunity for a Community Development Block Grant. She said the Board had previously authorized the submission of the application in November 2011, for the project during the previous Community Development Block Grant cycle, and this item would be a resubmission for that same project. She stated that the developer did not receive his financing commitment in order to qualify for the \$750,000 grant during that last cycle and that cycle closed mid-August. She said that Fred Fox was at the meeting to present the application process and project details, which would also be presented during the second advertised public hearing.

(9:30 a.m.) Fred Fox, Consultant, said this was the first of two required public hearings for the County to submit an application during the 2012 Community Block Grant application cycle. He mentioned that the cycle opened August 15, 2012, and competitive applications were due by October 1, 2012. He said that the purpose of the application was to allow anyone to come before the Board to comment on proceeding with the application for the Silver Creek Project, or possibly bringing their own project before the Board to consider, before making a determination. He said the County could apply during the Economic Development Cycle in the amount of \$750,000. He reviewed the hiring process.

(9:33 a.m.) **Motion by Morris, seconded by Sanchez, carried 4/0, to authorize Staff to work with the developer of Silver Creek Assisted Living Facility and their consultant, to prepare for submittal of an application to the Department of Community Affairs for Small Cities Community Development Block Grant Program funds, on behalf of St. Johns County.**

(09/04/12 - 10 - 9:34 a.m.)

2. CONSIDER THE BUDGET RECOMMENDATIONS FROM THE HEALTH & HUMAN SERVICES ADVISORY COUNCIL FOR NON-PROFIT AGENCIES AND ORGANIZATIONS IN ST. JOHNS COUNTY

Jerry Cameron, Assistant County Administrator, said the item for the Board's consideration was a recommendation from the Health and Human Services Advisory Council regarding funding for 2013, for the various independent agencies. He stated that the Health and Human Services Advisory Council had historically been involved with recommending to the Board funding levels for the various independent agencies. He said they had attempted to hold the funding levels at a level amount since 2007, from the independent agencies, because of the need for additional services that had been generated by the deteriorating economy. He spoke about the RFP (Request for Proposal) and a needs analysis. He said there was insufficient money to cover all the needs. Stevenson spoke about the needs analysis. Morris mentioned that the budget of the County had been cut by 23% since 2007, and there was an indication that there were not any funding cuts in that area, and the budget had remained at \$1.3 million dollars for the past five years. Cameron responded that the budget had maintained level funding, and the current budget for the Board's consideration anticipated maintaining that for an additional year. Bryan spoke about the RFP process, and thanked everyone for contributing all their hard work.

(9:43 a.m.) Wanchick re-emphasized points made by Cameron. He said \$1.3 million dollars was never enough money, but was all the County could afford. He said as the economy deteriorated, the demand for services went up and the County did everything they could to maintain that level of funding. He mentioned during that period of time, different agencies came before the County Commission requesting funding, and during the last several years, the County tried not to add new agencies because the funding was limited. The new agencies were encouraged to get into the application cycles. He said to be fair, the services were supposed to fill gaps in the County's own services.

(9:45 a.m.) Dawn Bell, Executive Director with The Early Learning Coalition, 4036 White Pine Lane, expressed thanks for the funding received, and reviewed how much money they brought into St. Johns County. Stevenson asked Bell to state her services and how it enabled the community. Bell explained that it subsidized child care for parents that could not pay for child care.

(9:48 a.m.) Jennifer Cherry Galvis, 682 Aleida Drive, asked the Board for their continued support for the Homeless Coalition.

(9:50 a.m.) John Edwards, Executive Director of The Northeast Florida Community Action Agency, 1645 Inkberry Lane, said they were one of the agencies that did not receive a funding recommendation through the process mentioned by Cameron. He said The Northeast Florida Community Action Agency really needed the funding, and asked the Board to reconsider the funding recommendations.

(9:53 a.m.) Debi Redding, Program Coordinator for Emergency Services and Homeless Coalition, 210 South Field Crest Drive, asked the Board for their continued financial support for the Homeless Coalition Transitional Housing Program.

(9:55 a.m.) Eliscia Pesapone, 37 Evergreen, mentioned that she lost her job and had a special needs son to support. She said that she was turned down by the Homeless Coalition, because she received Social Security. She said that the Northeast Florida Community Action Agency helped her, but did not receive funding from the County.

(9:58 a.m.) Natha Sparrow, Volunteer with the Northeast Florida Community Action Agency, 932 Pearl Street, said that the Northeast Florida Community Action Agency was a tremendous help to families in this community. She said it would be devastating to lose the funding they receive to help those families.

(9:59 a.m.) Gwendolyn Sancraw, Volunteer with the Northeast Florida Community Action Agency, 24 Lovett Street, requested funding for the Northeast Florida Community Action Agency. She mentioned that the Agency had been in the community for many years, and had assisted so many families in need, as well as, the youth and senior citizens.

(10:00 a.m.) Dennis Glavin, 170 Pantano Cay Blvd., Volunteer with the Kids Bridge Family Supervised Visitation Center, spoke about Kids Bridge not fitting into the needs assessment. He asked the Board to reconsider the scoring with regards to Kids Bridge.

(10:04 a.m.) David Hoak, 3960 A1A South #804, with Home Again St. Johns addressed the homeless issues; said Home Again St. Johns was in one of the recommendations for funding. He said there was a huge need for more resources to address the issues that were under the Health and Human Service type funding.

(10:07 a.m.) Willie Cooper, 161 Blocker Street, on behalf of the Northeast Florida Community Action Agency, spoke about the impact the Agency had on the community.

(10:09 a.m.) Bryan thanked everyone for coming forward and making comments before the Board. Wanchick said they had been funding the same 13 agencies for the last 5 years, and suggested to the Board to fund recommended agencies for a minimum of two years only.

(10:10 a.m.) Bryan spoke about individuals in the community needing help, and the Board taking these things seriously.

(10:13 a.m.) Stevenson said that the recommended funding was hard to make a decision on, and spoke about the funding allocations. She said that they were making a commitment to the drug court services. Cameron spoke about the drug court funding. Stevenson asked if the Kids Bridge mission was being achieved by other organizations in the county. Cameron said there was one other organization in the northwest part of the county, and that organization was not being funded either. Discussion followed on the after school program, and the scoring for the funding.

(10:23 a.m.) Wanchick said that St. Johns County was the healthiest county in the State of Florida. He said the Health and Human Services Advisory Committee looked at who else was providing services, where there was duplication of service, and stated that there was a lot of thought that went into the recommendations. Bryan spoke about funding and the process on how it was handled. Discussion followed on matching funds, the process being awkward, and the after school programs.

(10:31 a.m.) Sanchez said it would be nice to fund everybody, but there were agencies that had never been funded. He said they had been cutting funds in the budget, but the funding of the Agencies had not been cut in the last five years.

(10:33 a.m.) Morris said he had no problem looking at the final recommendation when Administration brought it back before the Board; said they were about \$400,000 short.

(10:33 a.m.) Bryan mentioned, when the motion was made to keep in mind, that this was to be a two year process, and consideration of the additional monitory support be provided, if additional funding became available.

(10:34 a.m.) **Motion by Sanchez, seconded by Bryan, carried 4/0, to allow the County Administrator, or his designee, to consider the budget recommendation of the Health and Human Services Advisory Council and, if appropriate, budget and distribute funding for RFP 12-42 (HHS Funding Availability FY 2012-14), to agencies according to recommended Option B, and if money is unused by an agency, the Administrator, or his designee, should have the right to reschedule that money to another agency that did not make the list.**

This item was pulled. (See page 8.)

3. CONSIDER A RESPONSE TO THE UNITED STATES BOARD ON GEOGRAPHIC NAMES REGARDING A PROPOSAL TO NAME CERTAIN COASTAL PORTIONS OF ST. JOHNS COUNTY AS "SAN PABLO ISLAND". THE COUNTY RECEIVED AN INQUIRY FROM THE U.S. BOARD ON GEOGRAPHIC NAMES SEEKING RESPONSE TO AN APPLICATION TO OFFICIALLY NAME THE COASTAL LAND-MASS FROM THE ST. AUGUSTINE INLET NORTH TO THE ST. JOHNS RIVER AS "SAN PABLO ISLAND". THE PROPOSED NAME CHANGE IS BASED UPON HISTORICAL PRECEDENTS OF THE PABLO NAME FROM JACKSONVILLE BEACH NORTH TO THE ST. JOHNS RIVER. THIS PORTION, HOWEVER, ONLY CONSTITUTES ONE-THIRD OF THE LAND MASS PROPOSED FOR THE NAMING. THE REMAINING TWO-THIRDS ARE WITHIN ST. JOHNS COUNTY. THE COUNTY'S CULTURAL RESOURCES REVIEW BOARD VOTED UNANIMOUSLY TO RECOMMEND DENIAL OF THIS NAMING. ADDITIONALLY, STAFF FINDS THAT ADDING THE SAN PABLO NAME TO THESE COASTAL LANDS IS DETRIMENTAL TO THE CURRENT AND HISTORICAL IDENTITY OF ST. JOHNS COUNTY

The meeting recessed at 10:37 a.m. and reconvened at 10:54 a.m.

(09/04/12 - 12 - 10:54 a.m.)

DISTRICT 1

4. PUBLIC HEARING - WORTHINGTON PARTIAL PLAT VACATION. THE PROPERTY IS LOCATED NORTH OF GREENBRIAR ROAD AND EAST OF SR 13 N, AND IS PART OF THE WORTHINGTON PUD. THE PURPOSE OF THIS VACATION REQUEST IS TO ELIMINATE A TRACT FROM THE PLAT THAT WAS INCLUDED AS OPEN SPACE/RECREATION, BUT IS ACTUALLY PART OF THE SINGLE FAMILY DEVELOPMENT IN PHASE II. THIS REQUEST WILL REVERT THE PROPERTY TO PARCEL LAND AND ALLOW FOR IT TO DEVELOP IN A FUTURE PHASE AS DEPICTED ON THE MDP ASSOCIATED WITH MAJMOD #11-09. ALL TECHNICAL COMMENTS HAVE BEEN ADDRESSED THROUGH THE DEVELOPMENT REVIEW PROCESS; THEREFORE, STAFF HAS NO OBJECTIONS. PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL (7/0) AT THEIR AUGUST 16, 2012 MEETING

Proof of publication of the notice of public hearing on the Worthington Partial Plat Vacation, was received, having been published in *The St. Augustine Record* on July 21, 2012, and July 28, 2012.

Kathy Nielsen, Application Review Manager, Development Services Division, gave the presentation, *Exhibit A*. She said the item was a partial plat vacation for Worthington, and that the request was to bring the plat into compliance with the Master Development Plan.

(10:55 a.m.) **Motion by Sanchez, seconded by Morris, carried 4/0, to adopt Resolution No. 2012-244, approving the petition to vacate a portion of the Worthington Plat.**

RESOLUTION NO. 2012-244

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

(09/04/12 - 13 - 10:56 a.m.)

DISTRICT 5

5. PUBLIC HEARING - MAJMOD 2012-04, ST. AUGUSTINE CENTRE PUD (NATIONS BUS). THIS IS A REQUEST BY THE APPLICANT NATIONS BUS TO MODIFY ST. AUGUSTINE CENTRE PUD TEXT FOR A 2.86 ACRE PARCEL TO ALLOW BUS SALES AND SERVICES WITHIN A 40 ACRE SITE OF THE PUD THAT CURRENTLY ALLOWS VEHICLE SALES AND SERVICE. THE REQUEST ALSO SEEKS TO REMOVE THE WEIGHT RESTRICTION FOR VEHICLES OVER 11,000 LBS. AND ADD AN INCREMENTAL MASTER DEVELOPMENT PLAN (MDP) WITH AN EXCEPTION TO ALLOW A 12.5' PERIMETER BUFFER RATHER THAN THE REQUIRED 20' PERIMETER BUFFER FOR AN EXISTING PARKING LOT. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR AUGUST 2, 2012 MEETING BY A UNANIMOUS VOTE OF 7-0

Proof of publication of the notice of public hearing on MAJMOD 2012-04, Nation's Bus site, was received, having been published in *The St. Augustine Record* on August 20, 2012.

Georgia Katz, Planner III, Long Range Planning, gave the presentation, *Exhibit A*. She said the item, MAJMOD 2012-04, St. Augustine Centre, Nations Bus, was a request to modify the PUD text for a 2.86 acre parcel to allow bus sales and services, to remove a vehicle weight restriction, and provide an exception to allow a 12.5 foot buffer for an existing paved area and the required 20 foot buffer for the remaining vacant area along the west perimeter boundary of the property. She said there were no letters of support and one letter of objection, *Exhibit B*.

(11:01 a.m.) Bryan disclosed ex parte communication with Mr. Osborne, and Ms. Taylor. Stevenson disclosed ex parte communication regarding the site plan for the entire project, and the layout. Bryan mentioned the letter of opposition, and asked if all the issues were cleared up. Katz mentioned the concern listed in the letter of opposition, regarding traffic, and she replied that there would not be additional transportation or traffic issues.

(11:04 a.m.) Karen Taylor, Land Planner, said they started Nations Bus on the West Coast and were based out of Los Angeles, CA. She mentioned the modification that was done in 2006, that eliminated the gross rate requirement for all the parcels, was inserted back into the document in 2007. She reviewed the one objection and the exception, displaying the site plans, *Exhibit C*. Bryan asked if they were going to start off with 1-5 employees, and Taylor replied that was correct.

(11:09 a.m.) **Motion by Bryan, seconded by Morris, carried 4/0, to enact Ordinance No. 2012-21, known as MAJMOD 2012-04, adopting the findings of fact 1-6 to support the motion.**

ORDINANCE NO. 2012-21

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PLANNED UNIT DEVELOPMENT, ORDINANCE

**NUMBER 1997-23, AS AMENDED, MAKING FINDINGS
OF FACT; REQUIRING RECORDATION; AND
PROVIDING FOR AN EFFECTIVE DATE**

(09/04/12 -14 - 11:09 a.m.)

DISTRICT 4

6. PUBLIC HEARING - PUD 2011-06, VALLEY SMOKE. THIS IS A REQUEST TO REZONE 0.92 ACRES FROM COMMERCIAL GENERAL (CG) TO PLANNED UNIT DEVELOPMENT (PUD) FOR PROPOSED MIXED USE DEVELOPMENT, INCLUDING A RESTAURANT WITH ACCESSORY RESIDENTIAL OR PROFESSIONAL/MEDICAL OFFICE. THE PROJECT IS LOCATED ON THE WEST SIDE OF S. ROSCOE BLVD. THE PLANNING & ZONING AGENCY RECOMMENDED APPROVAL BY A VOTE OF 7-0, WITH APPROVAL OF WAIVERS #1, #4-10, AND NO APPROVAL OF WAIVERS #2-3 AND #11, AS LISTED IN THE STAFF REPORT. OTHER CONDITIONS INCLUDED LIMITING OF ALCOHOL USE OUTSIDE THE BUILDING FOOTPRINT, NO AMPLIFIED MUSIC TO THE BUILDING EXTERIOR, AND REMOVAL OF THE EASTERNMOST TREE ON THE MDP MAP. THE DEVELOPMENT REVIEW DIVISION FINDS THE REQUEST SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE

Proof of publication of the notice of public hearing on PUD 2011-06, Valley Smoke, was received, having been published in *The St. Augustine Record* on August 20, 2012.

David Harrell, AICP, Planner I, gave the presentation, *Exhibit A*. He said the building would have different setbacks. He said they recommended approval of the request and waivers, with exception of waiver #'s 2, 3, and 11. He said other conditions were prohibiting alcohol consumption, and music outside of the building. He said parking was discussed. He mentioned that the site was located in an area that was a mixture of commercial and residential.

(11:16 a.m.) Doug Burnett, St. Johns Law Group, 509 Anastasia Blvd., gave a presentation, *Exhibit B*. He reviewed, on the overhead, what the project was going to look like, the revised site plan, and the comparison of the PZA site plan versus the BCC MDP. Burnett explained the parking spaces.

(11:22 a.m.) Sanchez, Morris, Bryan, and Stevenson disclosed ex parte communication with Burnett to discuss the project.

(11:23 a.m.) Morris stated that he sat through the Planning and Zoning Agency meeting (PZA), and the only problem that PZA had with the project was the parking spaces.

(11:23 a.m.) Stevenson commented on tandem parking.

(11:25 a.m.) **Motion by Morris, seconded by Sanchez, carried 4/0, to enact Ordinance No. 2012-22, known as PUD 2011-06, adopting findings of fact 1-7 to support the motion.**

ORDINANCE NO. 2012-22

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED, HEREINAFTER FROM COMMERCIAL
GENERAL (CG) TO PLANNED UNIT DEVELOPMENT
(PUD), PROVIDING FINDINGS OF FACT; PROVIDING
A SAVINGS CLAUSE; REQUIRING RECORDATION;
AND PROVIDING AN EFFECTIVE DATE**

(09/04/12 - 15 - 11:26 a.m.)

7. PUBLIC HEARING - LAND DEVELOPMENT CODE AMENDMENTS TO REFLECT CHANGES DUE TO HOUSE BILL 503. THIS IS THE BOARD OF COUNTY COMMISSIONERS HEARING TO CONSIDER MODIFICATIONS TO ARTICLES III, IV, VI, AND XI OF THE LAND DEVELOPMENT CODE. THE PURPOSE OF THE CHANGES IS TO ALIGN THE LAND DEVELOPMENT CODE WITH CURRENT FLORIDA LAW. AS OF JULY 1, 2012, HOUSE BILL 503 PROHIBITED A LOCAL GOVERNMENT FROM REQUIRING THE SUBMITTAL OF ANY REQUIRED FEDERAL OR STATE PERMITS, PRIOR TO THE COUNTY APPROVAL OF A DEVELOPMENT PERMIT. ON JULY 1, 2012, THE COUNTY COMPLIED WITH THE LEGAL TIMEFRAME BY NO LONGER REQUESTING COPIES OF FEDERAL OR STATE PERMITS AS A CONDITION FOR DEVELOPMENT PERMIT APPROVAL. THE PROPOSED CODE CHANGES IN THIS ITEM WILL AMEND THE CODE TO COME INTO CONFORMANCE WITH THE NEW LAW. A FULL COPY OF THE AFFECTED ARTICLES IS AVAILABLE FOR VIEWING AT MINUTES AND RECORDS, AND GROWTH MANAGEMENT. THE PLANNING AND ZONING AGENCY HEARD THE AMENDMENT PACKAGE ON AUGUST 2, 2012, AND RECOMMENDS APPROVAL ON A VOTE OF 7/0

Proof of publication of the notice of public hearing on LDC Article III, IV, VI, and XI, was received, having been published in *The St. Augustine Record* on August 21, 2012.

Jan Brewer, Environmental Division Director, gave the presentation, *Exhibit A*. She said this item was to consider proposed amendments to Articles III, IV, VI, and XI of the Land Development Code. She stated the purpose of the changes was to align the Land Development Code with current Florida Laws.

(11:28 a.m.) Stevenson said that the item would cause confusion to some people, but would allow people to run on a parallel track, and process things through the permitting cycle faster.

(11:28 a.m.) **Motion by Stevenson, seconded by Bryan, carried 4/0, to enact Ordinance No. 2012-23, amending Articles III, IV, VI, and XI, of the Land Development Code.**

ORDINANCE NO. 2012-23

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING, AND REPEALING PARTS OF ARTICLE III SPECIAL DISTRICTS; ARTICLE IV NATURAL RESOURCES; ARTICLE VI DESIGN STANDARDS AND IMPROVEMENTS REQUIREMENTS AND ARTICLE XI CONCURRENCY MANAGEMENT; OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING ARTICLE III SPECIAL DISTRICTS, SPECIFICALLY SUBSECTION 3.03.02.D.1.b, STANDARDS AND CRITERIA; ARTICLE IV NATURAL RESOURCES, SPECIFICALLY SUBSECTIONS 4.01.06.C.2 CRITERIA APPLIED WHEN REVIEWING THE UPLAND BUFFER AND 4.01.11.F.1 DREDGE AND FILL; ARTICLE VI DESIGN STANDARDS AND IMPROVEMENTS REQUIREMENTS, SPECIFICALLY SUBSECTIONS 6.04.02.C, STATE AND FEDERAL PERMITS, AND

6.04.06.F.3.A(3) MINIMUM DESIGN STANDARDS; AND AMENDING ARTICLE XI CONCURRENCY MANAGEMENT, SPECIFICALLY SUBSECTIONS 11.05.02.C.3 PORTABLE WATER, AND 11.05.03.C.3.c WASTEWATER; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

(09/04/12 - 16 - 11:29 a.m.)

8. CONSIDER A REQUEST TO SET THE MOULTRIE CREEK CDD DISSOLUTION FOR CONSIDERATION AND CONSIDER WAIVING THE \$1,500 REVIEW FEE

Patrick McCormack, County Attorney, gave the presentation. He said State law directed the County to repeal the ordinance. He said there were two motions, one to set the CDD dissolution for consideration and approve a fee waiver, and the other motion was to set the CDD for dissolution to deny the fee waiver. He asked the Board to waive the fee. Bryan asked, if by dissolving the fee, would there be any other costs, fees, or liability to the county that had been incurred as a result in waiving the fee. McCormack responded that he contacted the CDD Management Company and asked them if there was an account for this particular CDD that had any funds in it, and the answer was no. He said the owners of the property that initiated it, no longer owned the property associated with it. He said there would be at some point in the future, along with the CDD ordinance, a PUD on the property, and if someone wanted to develop the property, they would have to come back before the Board to revise that PUD, in which there would be fees associated with that revision. Bryan stated unless they added it on whoever came back before the Board in the future. McCormack said the County had a fee schedule and could review that. He said there could be a motion to have the CDD dissolved, but the County reserved the right to recover the cost in a future application pertaining to the property.

(11:35 a.m.) Morris said he would attach it as a fee lien on the property. McCormack said there could be a motion to set the CDD dissolution for repealing the CDD PUD ordinance, but reserving the right to recover the cost on to any future applicant, pertaining to the subject property.

(11:36 a.m.) Stevenson said she didn't think it was that much money, and the County would be spending more to collect it. She suggested it as a lesson learned, and said they needed to move on. Bryan said he understood, but he knew a few places the County could use \$1,500. Stevenson asked how much it would cost to attach a lien and pursue it. McCormack recommended reserving the right to recover the fee. He said there were some practical matters in trying to attach a lien to it, but there may be some other mechanism to collecting the fee. Bryan said, if it would not cost the County anything; just add the language to reserve the right to recover the fee in the future. McCormack said the motion as proposed would not actually be placing a lien on the property, and there would be some technical difficulty in placing a lien on the property at this time. Bryan mentioned establishing a policy reserving the right to recover the fee in the future. McCormack spoke on dissolving CDDs. Discussion followed on collecting the fee.

(11:40 a.m.) **Motion by Sanchez, seconded by Morris, to set the CDD Dissolution for consideration and to approve the \$1,500 Review Fee waiver for the dissolution of the Moultrie Creek CDD, finding it is in the best interest of the County, and serves a public purpose, and County will maintain the right to recover the \$1,500. McCormack suggested a motion to set the CDD for dissolution by ordinance and reserving the right to recover any fees associated with that. Sanchez agreed to McCormack's suggestion and the second agreed.** Stevenson asked if the fee was \$1,500 or was it going to be more than \$1,500. McCormack replied \$1,500, and if there were any additional fees, there would have to be an application to amend the PUD, in which the applicant would

have to pay. Stevenson said if they wanted to dissolve a CDD, the County should let them dissolve it, but they haven't even launched. **The motion carried 3/1 with Stevenson opposed.**

(09/04/12 - 17 - 11:42 a.m.)

9. PRESENTATION ON THE RISK MANAGEMENT PROGRAM FOR ST. JOHNS COUNTY

Wanchick said that Risk Management was one of those functions that did not come before the Board of County Commissioners on a regular basis. He mentioned that it was a very important function working in conjunction with the County Attorney's Office to help minimize the legal and financial responsibility.

(11:43 a.m.) Sarah Taylor, Risk Manager, gave an update, *Exhibit A*. She reviewed the department's functions, organizational structure, their size and exposures, annual insurance premiums, risk management's role, total incurred for liability claims, workers' comp costs, risk management process, considerations, and recent successes.

(12:00 noon) Bryan asked Taylor to explain, Just Call, which was part of the HR reach out programs to help the County managers. Taylor responded on calling an attorney group for advice, which was no charge to the County. Sanchez mentioned having a copy of her presentation sent to the Commissioners. Bryan said in comparison to other counties that were insured by the Florida Association of County's Trust, St. Johns County was at the top. He spoke about the Florida Association of County's Trust.

(12:03 p.m.) Stevenson mentioned not conducting business a certain way could expose the County to risks. She spoke about claims.

(12:04 p.m.) Bryan spoke about the concert hall in Ponte Vedra. McCormack gave his point of view of Risk Management in St. Johns County.

(09/04/12 - 17 - 12:07 p.m.)

9A. PROCLAMATION FOR CONSTITUTION WEEK

Stevenson said this was basically a proclamation to celebrate September 17, 2012 through September 23, 2012, the 225th anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; then, read the Proclamation.

(12:10 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 4/0, to approve the Proclamation.**

(09/04/12 - 17 - 12:10 p.m.)

COMMISSIONERS' REPORTS

Commissioner Stevenson:

Stevenson mentioned being able to get more clarification on items that came before the Board, prior to the Board meeting.

Stevenson thanked all the volunteers.

(12:12 p.m.) Commissioner Morris:

No report.

(12:12 p.m.) Commissioner Sanchez:

Sanchez mentioned receiving a phone call from Mr. Bowers, a disabled veteran, regarding refinancing their home with a VA loan and was not able to, because the property was zoned General Commercial. He asked for the Board's approval to waive the County's rezoning fee of approximately \$2,300 plus \$250 in advertising for Mr. Bowers, so he could follow through with the loan and survive where he was located. Wanchick said this was a cleanup item. He mentioned that the property actually had two zoning designations. He said that it was a type of thing they would have done on their own when they adopted the new Land Use plan, but when they started to make the change, people were concerned about property rights, so they decided to do the cases individually. (12:14 p.m.) *There was consensus of the Board to waive the County's rezoning fee of approximately \$2,300, plus \$250 in advertising, for Mr. Bowers.*

Sanchez said that he met with officials from the Jaguar Foundation and was told that the Foundation gave \$1.1 million dollars to organizations, within St. Johns County.

Sanchez said during the campaign, there were candidates telling farmers that the County Commission set the property values on their property. He said that the County Commission did not set property values on any property; the Property Appraiser's Office set the property values, under very strict State laws.

(12:16 p.m.) Commissioner Bryan:

Bryan mentioned that he was approached about documents dealing with Morgan Cove, and said he had not been informed from staff about it. He said while he was a commissioner, he wanted to be briefed on what was occurring. Stevenson said that she received a complaint over the weekend about it also.

(12:18 p.m.) Stevenson spoke about seeing articles on county employees in another county being charged with a crime, and it not being reported to the county where they were employed. She said that if the County had not already made that change, that the County required that it was encumbered on the employees to report to them, if they were charged with certain levels of infractions. McCormack said they had discussed it as being part of the Administrative Code, so it would be a requirement, for there to be a timeframe to report arrests, as part of the personnel policy.

(09/04/12 - 18 - 12:20 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick spoke about Morgan Cove. He said he did not want to bring it before the Board until all the considerations were covered. Bryan said he wanted to know what was going on, at all times. Wanchick said they were taking the 1,000 page document and distilling it down into a meaningful document, because they did not do things haphazard, and they wanted to be fair to the project.

(09/04/12 - 18 - 12:24 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack said the rezoning waiver, regarding Mr. Bowers, would be for a public purpose.

McCormack mentioned that he may have a recommendation at the 5:30 p.m. meeting, regarding the lawsuit of Alachua County, which was in the prior closed session meeting.

(09/04/12 - 19 - 12:25 p.m.)
CLERK OF COURT'S REPORT

No report.

The meeting recessed at 12:25 p.m. and reconvened at 5:30 p.m. with all four commissioners, Wanchick, McCormack, and Deputy Clerk Lenora Newsome present.

(09/04/12 - 19 - 5:30 p.m.)

10. PUBLIC HEARING - ADOPTION OF TENTATIVE MILLAGE RATES & BUDGET FOR FISCAL YEAR 2013, FLORIDA STATUTES 129.03, AND 200.065 REQUIRE THE BOARD OF COUNTY COMMISSIONERS (BCC) TO ADOPT ITS MILLAGE RATES AND BUDGET FOR THE NEXT FISCAL YEAR (FY), AT A PUBLIC HEARING. THAT HEARING MUST BE HELD AFTER 5:00 P.M., IF SCHEDULED ON A DAY OTHER THAN SATURDAY. THE SEPTEMBER 4TH, 5:30 P.M. HEARING DATE HAS BEEN NOTICED, AS REQUIRED, IN THE RECENT MAILING OF NOTICES OF PROPOSED PROPERTY TAXES (TRIM) BY THE COUNTY'S PROPERTY APPRAISER. FLORIDA STATUTES PRESCRIBE A SPECIFIC ORDER FOR THE CONSIDERATION OF ITEMS AT THE PUBLIC HEARING. DUE TO POSSIBLE REVISIONS FROM UPDATED INFORMATION, THE SPECIFIC ORDER AND DETAIL OF THE PRESCRIBED ITEMS WILL BE PROVIDED AT THE MEETING. THE FIRST SUBSTANTIVE ISSUE OF DISCUSSION MUST BE THE PERCENTAGE INCREASE IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE. THE ROLLED-BACK RATE IS DEFINED, AS THE AGGREGATE MILLAGE RATE THAT WOULD GENERATE THE SAME LEVEL OF PRIOR YEAR TAX REVENUES, LESS CERTAIN DEFINED ALLOWANCES (SUCH AS NEW CONSTRUCTION). THE GENERAL PUBLIC SHALL BE ALLOWED TO SPEAK, AND TO ASK QUESTIONS PRIOR TO ADOPTION OF ANY MEASURES BY THE BCC. THE BCC SHALL ADOPT, BY RESOLUTION, ITS TENTATIVE MILLAGE RATES PRIOR TO ADOPTING ITS TENTATIVE BUDGET FOR FY 2013. THE BCC WILL ALSO NEED TO ESTABLISH A DATE, TIME, AND PLACE OF A PUBLIC HEARING FOR ITS FINAL MILLAGE AND BUDGET ADOPTION. IT IS RECOMMENDED THAT THE BCC ESTABLISH TUESDAY, SEPTEMBER 18, 2012, AT 5:30 P.M. IN THE COUNTY AUDITORIUM, FOR ITS FINAL HEARING

Doug Timms, Director, Office of Management and Budget, said the Florida Statute 200.65 prescribed how the hearing would be conducted. He said this year the percentage decrease from the Rolled-back rate was 3.83 percent. He said the Tentative Millage Rate resolution must be adopted first. He said there were two minor changes; increasing the General Fund millage rate from 5.29 to 5.39, and decreasing the County Transportation Trust Fund Millage Rate from .63 to .53. He publicly announced that the taxing authority, St. Johns County, Rolled-back Rate was 7.5457 mils, the percentage decrease in property taxes from the Rolled-back Rate -3.83 percent, and the Tentative Aggregate Millage Rate 7.2566 mils. He asked the Board to adopt the tentative millage rate resolution.

(5:31 p.m.) Stevenson asked Timms to explain the Rolled-back rate. Timms explained that the Rolled-back rate was the aggregate Millage Rate that would have generated the same level of property taxes as the prior year, except for certain allowances or adjustments, which were primarily new construction. Stevenson asked, with the rate adopted this year, would property taxes received in the County, in aggregate increase, decrease, or stay the same. Timms replied that property taxes would decrease, because they were lower than the Rolled-back Rate this year. Stevenson said in spite of the new construction, the County would be operating with less property tax dollars.

(5:34 p.m.) Bryan said that Timms just mentioned that there would be less money coming into the County, yet the millage rate was not increased, taxes did not increase, and the County was continuing to provide the same level of service. He asked Timms to explain how they were going to do that, and for how long they could continue to do it. Timms said the Board had steered the County into a period where they had built-up reserves, and would allow them to pass through the period of slow economic growth for several years, approximately through 2017. He said the County was very carefully balanced, but did have strong reserves they could draw on, even though the property taxes were going down. He said that he thought they could do that for several years and wait for the economy to grow again at more normal rates. Bryan thanked Timms and his staff, and the Commissioners, for having the foresight over the last few years to build up those reserves, in order for the County to be able to continue to operate.

(5:36 p.m.) Morris echoed Bryan's comments, and told Timms and his staff, that they were as good as they get, and that they did an excellent job.

(5:36 p.m.) **Motion by Sanchez, seconded by Bryan, carried 4/0, to adopt Resolution No. 2012-245, establishing the tentative millage rates for FY 2013.**

RESOLUTION NO. 2012-245

RESOLVED, that the following TENTATIVE MILLAGE RATE is hereby set by the Board of County Commissioners of St. Johns County, Florida, for all property in St. Johns County, as of January 1, 2012

General Fund	5.3900
County Transportation Trust Fund	.5300
County Health Unit Trust Fund	.0171
Fire District, Countywide	1.4000
Except City of St. Augustine	
Vilano Street Lighting District	.0500
St. Augustine South Street Lighting District	.2100
Summerhaven M.S.T.U.	10.0000
AGGREGATE MILLAGE RATE	7.2566
Rolled-back Rate	7.5457
Percentage decrease in Property Taxes from rolled-back rate:	-3.83%

(5:37 p.m.) Timms said there was good news on the total Tentative County Budget, distributing a copy of the resolution for the tentative budget, *Exhibit A*. He said they almost achieved a flat budget, even with adding almost \$17,000,000 for the new emergency radio system. He said without the increase for the radio system, they would have had a decrease in budget once again, which would have marked the sixth straight year. He said the budget was roughly \$567,000,000. He stated the reason for the increase was that the recommended budget was capital project carryovers, which totaled \$55,000,000. He asked the Board to adopt the Tentative Budget Resolution.

(5:39 p.m.) Bryan commented on the radio system.

(5:40 p.m.) **Motion by Bryan, seconded by Morris, carried 4/0, to adopt Resolution No. 2012-246, establishing the tentative budget for FY 2013.**

RESOLUTION NO. 2012-246

RESOLVED, that the following FISCAL YEAR 2013 TENTATIVE BUDGET of the Board of County Commissioners of St. Johns County, Florida, developed using the certified taxable value of \$17,011,765,477, generating an estimated \$123,447,763 in taxes, is hereby adopted, resulting in a total budget of \$566,821,452 as follows:

General Fund	\$161,814,913
Special Revenue Funds	
Alcohol & Drug Abuse Trust Fund	\$11,215
Beach Services Fund	\$1,281,248
Building Services Fund	\$6,074,366
CH Arnold Rd Grading MSBU Fund	\$12,175
Communication Surcharge Fund	\$385,632
Community Based Care Fund	\$5,232,965
County Cultural Events Fund	\$6,205,977
County Health Unit Trust Fund	\$298,598
County Transportation Trust Fund	\$51,277,894
Court Facilities Trust Fund	\$432,630
Court Innovation Fund	\$98,199
Crimes Prevention Trust Fund	\$61,492
Court Technology Trust Fund	\$4,270,553
Deerwood Lane ROW MSBU Fund	\$10,364
Driver Safety Education Fund	\$89,643
E-911 Communications Fund	\$1,496,006
Elkton Drainage District Fund	\$32,969
Fire District Fund	\$35,882,747
Fire/EMS Impact Fees Fund	\$1,790,047
Florida Boating Improvement Fund	\$299,803
Flagler Estates CRA Fund	\$86,011
Juvenile Alternative Programs Fund	\$40,912
Law Enforcement Trust Fund	\$250,039
Law Library Fund	\$76,492
Legal Aid Fund	\$308,119
Northwest Tower Fund	\$160,926
Parks Zone-A Impact Fees Fund	\$169,251
Parks Zone-B Impact Fees Fund	\$123,317
Parks Zone-C Impact Fees Fund	\$91,463
Parks Zone-D Impact Fees Fund	\$181,085
Pier Fund	\$325,488
Police Services Impact Fees	\$523,642
Public Bldg Impact Fees	\$1,430,983
Roads Zone-A Impact Fees Fund	\$2,579,086
Roads Zone-B Impact Fees Fund	\$8,384,826
Roads Zone-C Impact Fees Fund	\$4,285,981
Roads Zone-D Impact Fees Fund	\$1,136,214
Rusty Anchor/Wendover Rd MSBU Fund	\$1,567
St. Augustine South Lighting District Fund	\$46,591
State Housing Initiative Program Fund	\$533,118
Summerhaven MSTU Fund	\$280,702
Tourist Development Tax Fund	\$8,938,922
Tree Bank Special Revenue Fund	\$2,804,190
Vilano CRA Fund	\$200,665
Vilano Street Lighting District Fund	\$15,761
West Augustine CRA Fund	\$221,621
World Commerce Center DRI Fund	\$67,876

Debt Service Funds

03 Transportation Improvement Debt Service	\$901,920
04 Flagler Estates CRA Debt Service	\$512,780
04 Sales Tax Bonds Debt Service	\$2,194,624
05 Revenue Sharing Debt Service	\$1,229,263
06 Sales Tax Bonds Debt Service	\$2,989,550
06 Transportation Improvement Debt Service	\$1,833,675
09 Sales Tax Bonds Debt Service	\$3,829,107
09A Sales Tax Refunding Bonds Debt Service	\$1,571,469
12 Transportation Refunding Bonds Debt Service	\$1,115,750
Commercial Paper Program Debt Service	\$1,161,685
GE Capital Note Debt Service	\$184,960
Ponte Vedra MSD Debt Service	\$1,673,540
Series 2012 Chase Note Debt Service	\$1,279,468
Trane Capital Lease Debt Service	\$241,561

Capital Improvement Funds

06 Transportation Projects Fund	\$2,262,698
09 Sales Tax Bonds Projects Fund	\$1,018,337
Beach Re-nourishment Projects Fund	\$687,943
Interoperable Radio System Towers Fund	\$5,013,749
Interoperable Radio System Chase Note Projects Fund	\$12,576,390
SR 207 CIG Development Agreement Fund	\$385,373
Trane Equipment Lease Fund	\$426,850
Transit System Projects Fund	\$3,085,761

Enterprise Funds

Convention Center Fund	\$3,224,753
Ponte Vedra Utility Services Fund	\$24,176,176
Solid Waste Fund	\$32,507,429
St. Johns County Utility Services Fund	\$109,368,857
St. Johns Golf Course Fund	\$1,627,492

Internal Service/Trust & Agency Funds

FSA - Dependent Fund	\$85,598
FSA - Medical Fund	\$576,914
Group Health Insurance Fund	\$29,646,982
OPEB Trust Fund	\$6,069,007
Worker Compensation Fund	\$3,037,507

(5:42 p.m.) BJ Kalaidi, 7 Newcomb Street, spoke about general fund monies, and the main library needing an upgrade in the bathrooms, displaying a picture, *Exhibit B*. Bryan thanked Kalaidi for bringing the issues to the Board's attention, and stated that the County staff would look into those issues.

(5:46 p.m.) Timms explained that the last motion needed was to set the next public hearing for the consideration of the final budget adoption.

(5:46 p.m.) **Motion by Sanchez, seconded by Bryan, carried 4/0, to set a Public Hearing on September 18, 2012, at 5:30 p.m. in the County Auditorium, to consider the adoption of the final millage rates and budget for FY 2013.**

(5:46 p.m.) McCormack said in the Medicaid case, there was a revised, proposed settlement stipulation that was provided through FAC. He said that he reviewed it, and had not changed his prior recommendation provided to the Board.

(5:47 p.m.) Sanchez said he attended the Horse Association meeting at the Equestrian Center. He said the Association had some really good plans, good leadership, and an extended membership list.

(5:49 p.m.) Stevenson mentioned that she attended the United Way Kickoff.

Stevenson said during the drought, she had called the Water Management District and asked why they did not implement the drought notices sooner. She said the Water Management District's representative explained that it was based on ground water, how it wasn't the way things appeared, and the drought problems frequently reversed quickly. She said while she was meeting with them, they were experiencing the quick reversal of the drought.

(5:51 p.m.) Sanchez mentioned that the horse membership dues were \$10.00 a year.

With there being no further business to come before the Board, the meeting adjourned at 5:52 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Numbers 486257-486449, totaling \$1,003,714.99 (08/21/12)
2. St. Johns County Board of County Commissioners Voucher Register, Voucher Numbers 10365-10408, totaling \$366,139.94 (08/21/12)
3. St. Johns County Board of County Commissioners Check Register, Check Numbers 486450-486518, totaling \$36,961 (08/22/12)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Numbers 10409-10466, totaling \$36,614 (08/22/12)
5. St. Johns County Board of County Commissioners Check Register, Check Numbers 486519-486549, totaling \$69,292.27 (08/23/12)
6. St. Johns County Board of County Commissioners Check Register, Check Number 486700, totaling \$66,850 (08/28/12)

CORRESPONDENCE:

1. Letter dated August 23, 2012, to Liz Cloud, Program Administrator, Department of State, filing St. Johns County Ordinance Number 2012-20

Approved October 16, 2012

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____

J Ken Bryan, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____

Deputy Clerk

