

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MAY 19, 2006
(2:00 P.M.)**

Proceedings of a special emergency meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US 1 North, St. Augustine, Florida.

Present were: Cyndi Stevenson, District 1, Vice Chair
 Karen R. Stern, District 2
 Ben Rich, District 3
 Bruce A. Maguire, District 4
 Ben W. Adams, Jr., County Administrator
 Dan Bosanko, County Attorney
 Terry Bulla, Deputy Clerk

Absent: James E. Bryant, District 5, Chairman

(05/19/06 - 1 - 2:04 p.m.)

Vice Chairman Stevenson called the meeting to order.

(05/19/06 - 1 - 2:05 p.m.)

ROLL CALL

Four Commissioners were present, with Bryant absent.

(05/19/06 - 1 - 2:05 p.m.)

The Pledge of Allegiance was led by Stern.

(05/19/06 - 1 - 2:05 p.m.)

ADDITIONS OR DELETIONS TO AGENDA

There were none.

(05/19/06 - 1 - 2:05 p.m.)

APPROVAL OF THE SPECIAL EMERGENCY MEETING AGENDA

(2:05 p.m.) **Motion by Rich, seconded by Maguire, carried 4/0, with Bryant absent, to approve the agenda of the Emergency Meeting.**

(05/19/06 - 1 - 2:05 p.m.)

1. CONSIDER AND POSSIBLY TAKE ACTION CONCERNING DECLARING A STATE OF LOCAL EMERGENCY PURSUANT TO CHAPTER 252, FLORIDA STATUTES, AND ST. JOHNS COUNTY ORDINANCE 94-25, AS PREVIOUSLY AMENDED, BECAUSE OF THE SEVERE THREAT OF FIRE TO THE LIVES AND THE PROPERTY OF RESIDENTS OF ST. JOHNS COUNTY, FLORIDA

Bosanko explained the purpose of the emergency meeting. He stated he had been contacted yesterday afternoon and told by Fire and Emergency personnel and by the County Administrator's office about the possibility for the need of an emergency meeting. He said they had been monitoring the situation very closely because of the dryness and lack of rain and humidity. He noted the various documents that had been

drafted with the possibility of the needed emergency action and based on an evaluation that morning; the decision was made to move forward with the emergency meeting. He stated that the Governor had promulgated an Executive Order 06-108 declaring that there was an on-going danger of wildfires in Florida due to extreme dry weather conditions and a threatened state, with a possibility of a major disaster. He said many protection actions had been set into process but did not address or give direction to the local community as to what should be done in a particular county. He reviewed the proposed resolution and the provisions provided by it. He stated the order would activate the procedures in the St. Johns County Emergency Management Plan to increase the authority of the County Administrator to take appropriate action to protect the citizens. He said the period of emergency would last for seven days and was the option of the Board Chairman or County Administrator to extend the emergency beyond seven days.

(2:11 p.m.) Bobby Hall, Fire Chief, reviewed the weather conditions as having been extremely dry, with low relative humidity, and with high temperatures expected over the weekend and with no appreciable rainfall expected within the next 10 days. He said they probably would ask for an extension unless significant rainfall came within that time. He explained that the drought index, which went up to 800, desert-like conditions, was at 585 today and had been moving up on a daily basis. He asked that a burn ban be issued for St. Johns County.

(2:13 p.m.) Gary Carpenter, Division of Forestry, 4950 County Road 208, stated that the Division of Forestry agreed with Hall. He said they had been watching it for a few weeks now, and noted other surrounding counties had already taken this action. He said that lightning could further enhance the problem if and when the rain began to fall.

(2:14 p.m.) Stern said that people in the southwest part of the county had expressed concern because of the dry conditions. She said it was good decision and a proper time to take this action. She asked if seven days was the maximum length of time the emergency ban could cover. Bosanko stated that seven days was standard procedure. He said they could look at it in another few days. He noted some events were planned in about eight or nine days from now that would be affected by the ban and he said they might want to take another look at it closer to that time.

(2:17 p.m.) Stevenson asked how this would affect the municipalities. Bosanko said the resolution they were being asked to adopt created an emergency period for seven days during which the County Administrator could take special action. The County Administrator had already planned action to be taken in conjunction with Chief Hall and Ray Ashton, Director of Emergency Services. He said the order could be changed based on circumstances. He said the first plan was for the Administrator to order a ban on certain items and processes in the county. He said there was a list of the processes to be undertaken.

Bosanko said he had added a sentence at the end of the list about the municipalities. He said they were concerned about how the municipalities might have a different view of the situation. He stated there was a special event next weekend in the City of St. Augustine with the Cathedral Parish Fair that planned on having a major fireworks program. He consulted with the City Manager, Bill Harris, regarding how they would handle this order. He said the municipalities would be covered by the order unless they chose to opt out of the order. He said he was asked by Harris to include a provision, which was an exception to the ban: "Notwithstanding any other provision of this Order, the Fire Marshall of St. Johns County or the Fire Marshall of any municipality within St. Johns County, may for good cause and in the public interest, authorize and put into effect an exception to said prohibitions imposed by this order,

only for a particular fireworks display determined by such authority to be reasonably safe for private persons and the public.”

(2:19 p.m.) Frank McElroy, St. Johns County Fire Marshall, reviewed the list of actions to be taken in the ban: Fireworks, sparklers and basically everything that encompassed that would be consumer use items as well as public displays with the exception of those displays outlined by Bosanko for the CPS Festival fireworks display for a week from Sunday. It prohibits flares or outdoor burning devices, campfires or outdoor cooking fires. Campfires would be allowed only within fire rings within a licensed campground or state park. He said outdoor barbeque or cooking fires would be allowed if in a grill, hibachi or cooking device specifically intended for that purpose. The burning of yard trash, yard debris, leaves and limbs would be prohibited. It would ban the issuing of any permits for agricultural, land clearing, timber clearing and burning.

(2:26 p.m.) Maguire clarified that the Chairman could sign the extension without the entire board having to meet again. He said back yard burning was going to be one of the most difficult things to control.

(2:27 p.m.) McElroy stated a press release had been prepared to go out at the completion of that meeting and other publicity actions were to be taken.

(2:28 p.m.) Rich asked Sgt. Chuck Mulligan, of the SJC Sheriff's Department, to step forward and to comment on the enforcement tool. Mulligan said the Sheriff's Department would be the enforcement office and would give warnings and would enact second-degree misdemeanor procedures when warranted.

(2:30 p.m.) Stern asked how they enforced smokers who threw out cigarette butts from car windows. Mulligan said there was a state statute in the Traffic Ordinance that addressed that issue and it would be enforced. Stern stated she hoped the municipalities would be very careful in making exceptions.

(2:32 p.m.) Motion by Stern, seconded by Maguire, carried 4/0, with Bryant absent, to enact Resolution 2006-159, a resolution of the Board of County Commissioners of St. Johns County, declaring a state of local emergency as provided in part I, chapter 252, Florida Statutes, and by St. Johns County, Florida Ordinance 94-25, as previously amended.

RESOLUTION NO. 2006-159

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING A STATE OF LOCAL EMERGENCY AS PROVIDED IN PART I, CHAPTER 252, FLORIDA STATUTES, AND BY ST. JOHNS COUNTY, FLORIDA ORDINANCE 94-25, AS PREVIOUSLY AMENDED.

(2:33 p.m.) Motion by Maguire, seconded by Rich, carried 4/0 with Bryant absent, to adjourn.

With there being no further business to come before the Board, the meeting adjourned at 2:33 p.m.

Approved June 13, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk

