

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
DECEMBER 21, 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:       Ken Bryan, District 5, Chair  
                          Ray Quinn, District 3, Vice Chair  
                          Cyndi Stevenson, District 1  
                          Ron Sanchez, District 2,  
                          Jay Morris, District 4  
                          Michael D. Wanchick, County Administrator  
                          Patrick McCormack, County Attorney  
                          Lenora Newsome, Deputy Clerk

(12/21/10 - 1 - 8:58 a.m.)  
CALL TO ORDER

Bryan called the meeting to order.

(12/21/10 - 1 - 8:58 a.m.)  
ROLL CALL

The clerk called the roll and stated that all five Commissioners were present.

(12/21/10 - 1 - 8:58 a.m.)  
Dr. Walter West, Anastasia Baptist Church gave the Invocation and Morris led the Pledge of Allegiance

(12/21/10 - 1 - 9:01 a.m.)  
PRESENTATION BY THE VETERANS OF FOREIGN WARS OF THEIR SERVICE OFFICE OF THE YEAR AWARD TO THE ST. JOHNS COUNTY VETERANS SERVICES DEPARTMENT

Kenneth A. Thie, Director, Department of Florida Veterans of Foreign Wars Veterans Service Office, awarded the Service Office of the Year Award to St. Johns County's Veterans Service Department. Mac McDermott, Veterans Services Manager, thanked Tami Shirley, Heather Andrews, and Rick Reeves for their teamwork. He also thanked the VFW, who always continued to support them, and the citizens of the County who continued to support them.

(12/21/10 - 1 - 9:09 a.m.)  
DELETIONS TO CONSENT AGENDA

McCormack requested to pull Item 9.

(12/21/10 - 1 - 9:10 a.m.)  
APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Sheriff Bonds: None
3. Minutes: BCC Workshop 11/30/10
4. Motion to adopt **Resolution No. 2010-287**, accepting a Bill of Sale and Schedule of Values for water services to serve St. Augustine Shores Unit 7, also known as Estates of Tuscany Phase 2B

**RESOLUTION NO. 2010-287**

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 SERVICES TO SERVE THE RESIDENTS WITHIN ST. AUGUSTINE SHORES UNIT 7 ALSO KNOWN AS ESTATES OF TUSCANY PHASE 2B

5. Motion to adopt **Resolution No. 2010-288**, approving the terms and authorizing the County Administrator, or designee, to execute three Agreements for the Temporary Construction Easements required for the Ravenswood Drainage Improvement Project

**RESOLUTION NO. 2010-288**

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 THREE AGREEMENTS FOR THE TEMPORARY CONSTRUCTION EASEMENTS REQUIRED FOR THE RAVENSWOOD DRAINAGE IMPROVEMENT PROJECT

6. Motion to adopt **Resolution No. 2010-289**, approving the terms, provisions, conditions and requirements of a Settlement Agreement and Release between St. Johns County and Ryfas, II, L.L.C, and authorizing the County Administrator to execute the Settlement Agreement and Release on behalf of the County and authorizing the Chair of the Board to execute a County Deed on behalf of the County, as part of the Agreement

**RESOLUTION NO. 2010-289**

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A SETTLEMENT AGREEMENT AND RELEASE BETWEEN ST. JOHNS COUNTY AND RYFAS, II, L.L.C., AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE SETTLEMENT AGREEMENT AND RELEASE ON BEHALF OF THE COUNTY AND

**AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE A COUNTY DEED ON BEHALF OF THE COUNTY AS PART OF THE AGREEMENT**

7. Motion to adopt **Resolution No. 2010-290**, accepting a Roadway Drainage Easement Agreement in connection with the Nocatee Phase 2 Roadway dedication and authorizing the Board Chair to join in the execution of the Agreement on behalf of the County

**RESOLUTION NO. 2010-290**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A ROADWAY DRAINAGE EASEMENT AGREEMENT IN CONNECTION WITH THE NOCATEE PHASE 2 ROADWAY DEDICATION AND AUTHORIZING THE BOARD CHAIR TO JOIN IN THE EXECUTION OF THE AGREEMENT ON BEHALF OF THE COUNTY**

8. Motion to adopt **Resolution No. 2010-291**, approving the final plat for Montura - Phase "B"

**RESOLUTION NO. 2010-291**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR MONTURA - PHASE "B"**

9. Motion to adopt a resolution approving the final plat for Willowcove Park Replat  
*This item was pulled from the agenda.*
10. Motion to adopt **Resolution No. 2010-292**, approving the final plat for Crossing At Cypress Trace

**RESOLUTION NO. 2010-292**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR CROSSINGS AT CYPRESS TRACE**

11. Motion to adopt **Resolution No. 2010-293**, authorizing the Board Chair to execute the Phosphate, Minerals, Metals and Petroleum Reservation and Release of Related Rights of Entry and Exploration document, on behalf of the Board, in connection with properties that have been conveyed to the Housing Finance Authority of St. Johns County

**RESOLUTION NO. 2010-293**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE BOARD CHAIR TO EXECUTE THE PHOSPHATE, MINERALS METALS AND PETROLEUM RESERVATIONS AND RELEASE OF RELATED RIGHTS OF ENTRY AND EXPLORATION DOCUMENT, ON**

**BEHALF OF THE BOARD, IN CONNECTION WITH PROPERTIES THAT HAVE BEEN CONVEYED TO THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY**

12. Motion to adopt **Resolution No. 2010-294**, approving the extension of the COA contract to receive Block Grant funding from the Florida Department of Transportation in Joint Participation Agreement FP 418441-1-84-05

**RESOLUTION NO. 2010-294**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE EXTENSION OF A CONTRACT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ST. JOHNS COUNTY COUNCIL ON AGING TO JANUARY 31, 2012, THAT PROVIDES FOR THE REIMBURSEMENT OF SERVICES FROM FUNDS RECEIVED BY THE COUNTY FROM A FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSIT BLOCK GRANT IN ACCORDANCE WITH JOINT PARTICIPATION AGREEMENT FP-NUMBER 414441-1-84-05, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE EXTENSIONS OF THE AGREEMENT ON BEHALF OF THE COUNTY**

13. Motion to adopt **Resolution No. 2010-295**, which sets forth a traffic calming plan for a part of West Dondanville Road

**RESOLUTION NO. 2010-295**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE PROPOSED PLAN OF DONDANVILLE ROAD TRAFFIC CALMING IMPROVEMENTS ATTACHED HERETO AS FIGURE 1**

14. Motion to declare items as surplus and authorize the County Administrator, or his designee, to dispose of same in accordance with Purchasing Policy 308 and Florida Statue 274
15. 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, England, Thims & Miller, for Retiming and Synchronization of Signalized Arterials. If an agreement cannot be reached with the Number One ranked firm, authorization is requested to begin negotiations with the next ranked respondent and so continue until an agreement is reached
16. Motion to authorize the County Administrator, or his designee, to negotiate with, and, if negotiations are successful, to award a contract to Barco-Duval Engineering, Inc., in an amount not to exceed \$1,662,740, as described in the Bid Documents/Specifications for Bid #09-07, Fox Creek Regional Stormwater Facility
17. Motion to authorize the County Administrator, or his designee, to enter into a contract for one (1) year with three (3) available one year extensions, with

Shrieve Chemical Company, for an annual amount not to exceed \$116,397, for the supply of Sulfuric Acid to the SJC Utility Department as described in the Bid Documents/Specifications and the firm's submitted Bid Proposal for Bid #11-09, Purchase of Sulfuric Acid

18. Motion to authorize the County Administrator, or his designee, to enter into a contract for one (1) year with three (3) available one year extensions, with Miracle Janitorial Service, LLC, for an annual amount not to exceed \$57,024, for janitorial services for the SJC Branch Libraries as described in the Bid Documents/Specifications and the firm's submitted Bid Proposal for Bid #11-19, Annual Janitorial Services for SJC Branch Libraries
19. Motion to authorize the County Administrator, or his designee, to award a contract to Eastman Aggregate Enterprises, LLC for a Total Lump Sum Bid of \$431,031, for Bid # 11-10 Summer Haven FEMA Berm
20. Motion to adopt **Resolution No. 2010-296**, approving the terms, provisions, conditions, and requirements of a Contract renewal for the provision of financial assistance to the St. Johns County Council on Aging, Inc. for the Trout Creek Community Center and authorizing the County Administrator, or designee, to execute the Contract renewal on behalf of the County

#### **RESOLUTION NO. 2010-296**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT RENEWAL FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE CONTRACT RENEWAL ON BEHALF OF THE COUNTY**

21. Motion to adopt **Resolution No. 2010-297**, approving the terms, provisions, conditions, and requirements of a Contract renewal for the provision of financial assistance to the St. Johns County Council on Aging, Inc., for the Players Community Senior Center and authorizing the County Administrator, or designee, to execute the Contract renewal on behalf of the County

#### **RESOLUTION NO. 2010-297**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A CONTRACT RENEWAL FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE CONTRACT RENEWAL ON BEHALF OF THE COUNTY**

22. Motion to approve a General Fund Transfer for \$12,000 from the General Fund Reserve to the Juvenile Alternative Programs Trust Fund to cover the payment terms for EPIC THINK ASAP Contract
23. Motion to approve the General Fund Transfer from Reserves for \$42,559 and to recognize unanticipated revenue in the amount of \$10,796 for FY11 for Library Donations, thereby increasing the Library Services budget in the total amount of \$53,355

**RESOLUTION NO. 2010-298,**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2011 GENERAL FUND IN ORDER TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE LIBRARY SYSTEM**

24. Motion to approve the transfer of \$280,697 from Community Based Care Fund Reserves [1401-59920] to cover additional child welfare costs which include housing and other client services, transfer to 1401-54401 (Lease Building), 1401-55500 (Client Services), 1401-55513 (Residential Group Care), 55514 (Independent Living Scholarship)
25. Motion to adopt **Resolution No. 2010-299**, accepting the terms of the Agreement between the County and the Northeast Florida Safety Council, Inc., for their clients (who have been charged with DUI) to have treatment services at the St. Johns County Mental Health Department and authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County

**RESOLUTION NO. 2010-299**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ON BEHALF OF THE ST. JOHNS COUNTY MENTAL HEALTH DEPARTMENT ACCEPTING THE AGREEMENT BETWEEN ST. JOHNS COUNTY AND NORTHEAST FLORIDA SAFETY COUNCIL, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

26. Motion to adopt **Resolution No. 2010-300**, accepting the terms of the Agreement between St. Johns County Board of County Commissioners and Gateway Community Services for adult substance abuse detox services, adult/child residential services, and transportation services and authorizing the County Administrator to execute the Amendment on behalf of the County

**RESOLUTION NO. 2010-300**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE CONTRACT BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND GATEWAY COMMUNITY SERVICES, INC., AND**

**AUTHORIZING THE CHAIR TO EXECUTE THE  
CONTRACT ON BEHALF OF THE COUNTY.**

27. Motion to approve a transfer of \$75,676 from the Court Technology Trust Fund Capitol Outlay Reserve to cover the cost of digital recording equipment for the three new courtrooms
28. Motion to adopt **Resolution No. 2010-301**, which approves the terms, provisions, conditions and requirements of a Memorandum of Agreement between St. Johns County, St. Johns County Health Department and Rural Health Care, Inc., d/b/a/ Family Medical and Dental Centers and ratifies the prior execution of the Agreement by the County Administrator on behalf of St. Johns County

**RESOLUTION NO. 2010-301**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN AND AMONG ST. JOHNS COUNTY, FLORIDA, ST. JOHNS COUNTY HEALTH DEPARTMENT, AND RURAL HEALTH CARE, INC., AND RATIFYING THE PRIOR EXECUTION OF THE AGREEMENT BY THE COUNTY ADMINISTRATOR, ON BEHALF OF ST. JOHNS COUNTY**

29. Motion to adopt **Resolution No. 2010-302**, approving the guidelines for grant submission, and authorizing the County Administrator, or designee, to submit an application, on behalf of the St. Johns County Growth Management Department's Environmental Division, for a US Department of Interior Grant to acquire land complementing the County's approved Habitat Conservation Plan. The County shall apply for no more than \$500,000 with this grant application

**RESOLUTION NO. 2010-302**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT AN APPLICATION AND ANY OTHER REQUIRED PAPERWORK, IN ORDER TO SEEK FUNDING ASSISTANCE THROUGH THE DEPARTMENT OF THE INTERIOR'S COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND (SECTION 6 OF THE ENDANGERED SPECIES ACT) GRANT PROGRAMS TO ACQUIRE LAND IN ST. JOHNS COUNTY FURTHERING THE COUNTY'S APPROVED HABITAT CONSERVATION PLAN**

30. Proofs:
  - a. Proof: Request for Bids, Bid 11-21 Janitor Services Utility Dept., as published in the St. Augustine Record on November 10, 2010 and November 17, 2010
  - b. Proof: Notice of Meeting, Cancelled Workshop - Meeting on November 19, 2010, as published in the St. Augustine Record on November 18, 2010
  - c. Proof: Notice of Meeting, Sunshine/Ethics Workshop on November 30, 2010, as published in the St. Augustine Record on November 23, 2010

- d. Proof: Notice of Meeting, Pain Management Clinic Ordinance on December 7, 2010, as published in the St. Augustine Record on November 23, 2010
- e. Proof: Notice of Meeting, Replace Ordinance 97-11 on December 7, 2010 as published in the St. Augustine Record on November 23, 2010
- f. Proof: Notice of Meeting, Special Public Meeting on December 7, 2010 as published in the St. Augustine Record on November 29, 2010
- g. Proof: Notice of Meeting, AMCS Oversight Report on December 7, 2010 as published in the St. Augustine Record on November 26, 2010
- h. Proof: Notice of Meeting, IAF-#3865 Contract Negotiations on December 2, 2010 as published in the St. Augustine Record on November 29, 2010
- i. Proof: Notice of Intent, Apply for Local Legislation –Mosquito Control Bill on December 10, 2010 as published in the St. Augustine Record on November 30, 2010
- j. Proof: Notice of Meeting, St, Johns County Legislative Delegation on December 10, 2010, as published in the St. Augustine Record on November 30, 2010
- k. Certificate of Insurance, Robert Scakrider, DBA Sack Roofing
- l. Certificate of Insurance, Waste Pro USA, Inc.
- m. Proof: Notice of Meeting, Special BCC Meeting on December 14, 2010, as published in the St. Augustine Record on November 5, 2010
- n. Proof: Notice of Meeting, Special BCC Meeting on December 14, 2010, as published in the St. Augustine Record on November 7, 2010
- o. Proof: Notice of Meeting, Display Ad for Land Development Code changes on November 2, 2010 & December 7, 2010, as published in the St. Augustine Record on October 23, 2010 & November 29, 2010

(12/21/10 - 8 - 9:11 a.m.)

PUBLIC COMMENT

Maureen Ortagus, 1445 Masters Drive, spoke on culture in St. Johns County, *Exhibit A*. She requested the Commission to instruct the County Attorney to move forward to pursue access of open records, past and present, from the St. Johns Cultural Council which was designated in 2007, under Resolution, the lead art and cultural agency for the County.

(12/21/10 - 8 - 9:14 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

There were none.

(12/21/10 - 8 - 9:14 a.m.)

APPROVAL OF REGULAR

**Motion by Sanchez, seconded by Quinn, carried 5/0, to approve the Regular Agenda as submitted.**

(12/21/10 - 8 - 9:14 a.m.)

- 1. WORLD GOLF VILLAGE POTABLE WATER TREATMENT PLANT PROJECT IMPROVEMENTS. THIS IS AN UPDATE OF THE ONGOING MULTI-YEAR, MULTI-PHASE DESIGN-BUILD PROJECT TO UPGRADE THE LARGEST WATER TREATMENT PLANT AND REQUEST A CONTRACT CHANGE THAT WILL ADDRESS AN ONGOING HYDROGEN SULFIDE ISSUE. A DEGASIFIER SYSTEM HAS BEEN IDENTIFIED AS THE COST-EFFECTIVE CORRECTIVE MEASURE FOR THIS CUSTOMER AND INFRASTRUCTURE



CONCERN. BOARD APPROVAL IS SOUGHT REGARDING THE CONTRACT INCREASE OF \$1,698,751 FOR THE DEGASIFIER SYSTEM FROM AVAILABLE UTILITY FUNDING

Bill Young, Director of Utilities, gave a presentation, *Exhibit A*. He reviewed the justification for the Degasifier System. He stated there was no impact on the rates and it was fully funded by current rates. He thanked everyone for their help, and the customers for their patience.

*McCormack mentioned considering a slight revision to the motion in the package to read; motion to adopt Resolution No. 2010-303, authorizing the County Administrator, and the rest of the motion read as printed.*

(9:22 a.m.) **Motion by Sanchez, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2010-303 , authorizing the County Administrator, or his designee, to execute Change Order 27 with CDM Constructors Inc., in the amount of \$3,220,184 for completion of design and construction of the Northwest Water Plant Phase C including a contingency of \$171,221.**

**RESOLUTION NO. 2010-303**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, TO EXECUTE CHANGE ORDER 17 WITH CDM CONSTRUCTORS INC., IN THE AMOUNT OF \$3,220,184 FOR THE COMPLETION OF DESIGN AND CONSTRUCTION OF THE NORTHWEST WATER PLANT PHASE C INCLUDING A CONTINGENCY OF \$171,221, EFFECTIVE THIS DATE**

(12/21/10 - 9 - 9:23 a.m.)

2. UTILITY DEPARTMENT STATE REVOLVING FUND LOAN APPLICATION. IN MAY 2009, THE BCC APPROVED THE SUBMITTAL OF A WASTEWATER AND RECLAIM WATER CONVEYANCE SYSTEM FACILITY PLAN TO THE FDEP FOR CONSIDERATION OF LOW-INTEREST FINANCING THROUGH THE STATE REVOLVING FUND PROGRAM. RECENTLY, A \$8,262,000 CONSTRUCTION LOAN AT A 2.43% INTEREST RATE HAS BEEN MADE AVAILABLE FOR THREE MAJOR PROJECTS IN OUR FACILITY PLAN. THIS COMPETITELY AWARDED LOAN IS A KEY COMPONENT OF THE UTILITIES FINANCING PLAN. BOARD RESOLUTIONS ARE SOUGHT FOR SUBMITTING THIS STATE REVOLVING FUND LOAN APPLICATION

Bill Young, Director of Utilities, gave a presentation, *Exhibit A*. He reviewed the terms of the loan and the projects. He explained how they obtained the 50 acres to the north. Stevenson asked which development the 50 acres came out of, with Young replying the Silverleaf development. He stated the loan had many advantages and was very competitive. Bryan mentioned that it was a very competitive loan that many counties try to get. Young responded that St. Johns County was a winner for getting it, and they had earned their way up the list. He stated that it was a long process and many people were involved in it. He stated it was a very important component of their overall utilities system, and no rate increase was required to pay the loan back. He said that it was a great opportunity, great project, and they would appreciate the Board's support on submitting the application. Quinn questioned the map and balance of the loan. Young responded on the balance of the loan. Stevenson stated that she was pleased to see that they could access the money and appreciated all the hard work from the

different agencies. Morris stated that to get funding for under two and a half percent was great, and he was all in favor of it. He stated that they needed to really look at what their capital expenditure requirements were going to be and to start to lean that back. Young responded that they were working on it and the numbers were going down as they spoke.

(9:34 a.m.) **Motion by Stevenson, seconded by Morris, carried 5/0, to adopt Resolution 2010-304, authorizing the County to apply for a SRF loan with the Florida Department of Environmental Protection (FDEP) for the construction of a wastewater collection and reclaimed water conveyance system for an amount up to \$8,262,000 including capitalized interest, establishing pledged revenues, authorizing execution of documents and designating authorized representatives.**

(9:36 a.m.) **Motion by Stevenson, seconded by Quinn, carried 5/0, to adopt Resolution No. 2010-305, authorizing the Declaration of Official Intent required by the FDEP relating to the SRF loan.**

(9:36 a.m.) **Motion by Stevenson, seconded by Bryan, to adopt Resolution No. 2010-306, authorizing the recognition and appropriation of State Revolving Loan Funds from the FDEP within the Utility Services Fund in the amount of \$8,262,000.**

*McCormack mentioned that the Board received a red folder with an amended resolution for the third item.* Bryan asked if the maker of the motion and second accepted the motion as amended. **The maker of the motion and the second both accepted the amendment to the motion. The motion carried 5/0.**

#### **RESOLUTION NO. 2010-304**

**RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RELATING TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING LOAN PROGRAM; AUTHORIZING APPLICATION FOR LOAN; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; AUTHORIZING SUBMITTAL OF LOAN APPLICATION; AND PROVIDING AN EFFECTIVE DATE**

#### **RESOLUTION NO. 2010-305**

**RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RELATING TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING LOAN PROGRAM; AUTHORIZING DECLARATIONS OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO ISSUANCE; AND PROVIDING AN EFFECTIVE DATE**

#### **RESOLUTION NO. 2010-306**

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

AMENDING THE FISCAL YEAR 2011 UTILITY SERVICES FUND, IN ORDER TO RECEIVE UNANTICIPATED STATE REVOLVING FUND LOAN FUNDS FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROGRAM AND AUTHORIZE THE EXPENDITURE OF SUCH FUNDS FOR THE CONSTRUCTION OF A WASTEWATER COLLECTION AND RECLAIMED WATER CONVEYANCE SYSTEM

(12/21/10 - 11 - 9:37 a.m.)

District 3

3. PUBLIC HEARING - ZNZVAR 2010-02, CRAIG MEMORIAL PARK SIGNAGE. THIS IS A REQUEST FOR A ZONING NON-ZONING VARIANCE TO SECTION 7.00.02.B.1.OF THE LAND DEVELOPMENT CODE TO ALLOW AN ADDITIONAL TWO (2), ONE-SIDED SIGNS LOCATED ON THE EASTSIDE OF OLD MOULTRIE RD. SOUTH OF LEWIS POINT ROAD AND KNOWN AS 2600 OLD MOULTRIE RD. THIS PROPERTY IS LOCATED WITHIN COMMISSION DISTRICT #3. THE SITE PRESENTLY HAS ONLY ONE SIGN LOCATED AT THE MAIN ENTRANCE INTO THE CEMETERY. THE PLANNING AND ZONING DIVISION FINDS THE REQUEST SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE, SPECIFICALLY SECTION 10.04.03.B

Proof of publication of the notice of public hearing ZNZVAR 2010-02, Craig Memorial Park Signage, was received, having been published in *The St. Augustine Record* on December 6, 2010.

David Harrell, Planner, Growth Management, gave the presentation, *Exhibit A*. He mentioned the practical difficulties in this case would be the limited size of the present sign which was 32 square feet, size of the property which was 1150 square feet, and the sign setbacks from the road with the present sign being 30 feet, making the advertisement of the sign and the associated office mausoleum impossible on the current sign. He stated that the other four findings of fact were met.

**(9:40 a.m.) Motion by Quinn, seconded by Sanchez, carried 5/0, to approve Zoning Non-Zoning Variance 2010-02, adopting 9 findings and 6 conditions to support the motion.**

(12/21/10 - 11 - 9:41 a.m.)

District 3

4. PUBLIC HEARING - ZNZVAR 2010-03, THE PONCE THERAPY CARE CENTER MONUMENT SIGN. THIS IS A REQUEST FOR A ZONING NON-ZONING VARIANCE TO SECTION 7.02.03.A. OF THE LAND DEVELOPMENT CODE TO ALLOW A FIVE (5) FOOT INTRUSION INTO A TEN (10) FOOT SIDE SETBACK FOR A NEW GROUND SIGN LOCATED ON THE WEST SIDE OF OLD MOULTRIE ROAD APPROXIMATELY 850 FEET SOUTH OF SR 312, AND KNOWN AS 1999 OLD MOULTRIE RD. THE SITE IS LOCATED WITHIN DISTRICT #3. THE PLANNING AND ZONING DIVISION FINDS THE REQUEST SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE, SPECIFICALLY SECTION 10.04.03.B

Proof of publication of the notice of public hearing for ZNZVAR 2010-03, The Ponce Therapy Care Center Monument Sign, was received, having been published in *The St. Augustine Record* on December 6, 2010.

David Harrell, Planner, Growth Management, gave the presentation, *Exhibit A*. He stated that the Planning and Zoning Division found the request to encroach five feet into a ten foot setback, and met the Comp Plan and the Land Development Code. Quinn asked what was north of the sign on the adjacent property where they were intruding, with Harrell replying, offices.

**(9:44 a.m.) Motion by Quinn, seconded by Sanchez, carried 5/0, to approve Zoning Non-Zoning Variance 2010-03, adopting 5 findings and 5 conditions to support the motion.**

(12/21/10 - 12 - 9:44 a.m.)

5. CONSIDER A RESOLUTION APPROVING AN INTERIM MEDICAL EXAMINER AGREEMENT

Wanchick stated that Item 5 pertained to an Interim Local Agreement with Volusia County for a Medical Examiner's Services. He said that District 23's Medical Examiners, in the State of Florida, included Putnam, Flagler and St. Johns County. He mentioned that Dr. Steiner who had been the Medical Examiner was retiring affective December 31, and as a result, they needed to put in place an agreement with the State Attorney's Office for Medical Examiner's Services until they could make a permanent selection. He stated that the agreement that was in the red folder was modeled after a similar agreement Volusia County had with Seminole County. He said that it generally would stay within the established budget, but there might be a small increase, which would be split among the three counties. He mentioned that the agreement would be heard by Volusia County on January 6, so there could be some small modification to the agreement. He stated that McCormack would like them to approve it according to form, and they would bring it back at the next meeting after January 6 for final approval. He stated that it would let State Attorney Larizza appoint Marie Herrmann, in Volusia County, as Interim Medical Examiner so there would be no break in service to District 23. Bryan asked Legal if they needed a consensus from the Board or a motion. *McCormack replied that they would need a motion; to author the County Administrator to execute the Interim Local Agreement between St. Johns County, Florida, and Volusia County, Florida, for provision of Medical Examiner's Services by Volusia County, substantially in the form provided to the Board.* He said that they had been negotiating back and forth with Volusia County, and there were probably a few details that needed to be ironed out. He mentioned that if there were substantial changes, then they would bring the item back for ratification on January 18. Quinn asked if there was an estimated amount of time that they would be under the Interim Agreement. Wanchick replied that for now it would be for a 90 day period, with the right to renew beyond that time. Sanchez commented, for the record, that he sat on the Board to pick the new Medical Examiner, serving for RJ Larizza, and the Board had nothing to do with the Interim appointment, which was totally up to Larizza. McCormack stated that was correct, and one of the whereas causes in the proposed contract stated that Section 406.15 Florida Statutes provided that in the absence of the Districts Associate Medical Examiner, the State Attorney of the County may appoint a competent physician to act in their stead. Wanchick mentioned that the permanent appointment affected the three counties he mentioned. He said that they needed to make sure that they were all comfortable with the arrangement, and that they were taking the lead because the facility was located in St. Johns County.

**(9:49 a.m.) Motion by Bryan, seconded by Sanchez, carried 5/0, based on the County Attorney's verbiage and recommendation.**

(12/21/10 - 13 - 9:50 a.m.)

5A. Bryan mentioned an item he had for a reappointment for the Northeast Florida Community Action Agency regarding the reappointment of Ben Kohne as a representative to the Board of Directors. (9:50 a.m.) **Motion by Bryan, seconded by Quinn, carried 5/0, to appoint Ben Kohne as the St. Johns County representative on the Northeast Florida Community Action Agency.** Sanchez asked if that item needed to be added to the Agenda. McCormack replied that he essentially did add it, and it didn't need an agenda number, unless it would be easier for the Clerk to track it. He said it could be designated as 5a. Bryan said they would designate it as 5a.

(12/21/10 - 13 - 9:51 a.m.)

#### COMMISSIONERS' REPORTS

##### Commissioner Morris:

He said he hoped everyone would have a very Merry Christmas and a great New Years.

(9:52 a.m.)

##### Commissioner Quinn:

He wished everyone the best for the holidays as well.

(9:52 a.m.)

##### Commissioner Sanchez:

He wished everybody a very Merry Christmas, to have a good one, but to be safe.

(9:52 a.m.)

##### Commissioner Stevenson:

Stevenson said that she would like the Board to consider a practice to improve transparency. She noted that it was followed by cities throughout the State of Florida in many counties; two readings for the adoption of ordinances that were not real estate related.

Stevenson mentioned changes made to the agenda a couple of years ago to the order of the beginning of their meetings, so that public comment came after the approval of the Consent Agenda. She said that she would appreciate it if the Chair would consider asking for public comment on Consent Agenda Items only, before the Consent was approved, so they would have the benefit of the public comment before they approved the agenda items.

Bryan replied that the Board members could consider it, and could bring it up as an item at the next meeting.

(9:54 a.m.)

##### Commissioner Bryan:

Bryan mentioned that he had the pleasure of going to Armstrong and helping to serve Christmas dinner. He said Merry Christmas to everyone.

(12/21/10 - 14 - 9:54 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick reviewed the schedule for the rest of the month and for next month. He stated that they were closed December 23rd and 24th for Christmas and Friday, December 31st for New Years. He mentioned the January 4th meeting had been cancelled, but they would meet again on January 18th. That was the first meeting where Commissioner Miner would be back and they wanted to invite Commissioner Quinn to that meeting to give him an appropriate send off. He reminded them that they did set a special meeting on January 25th, a joint meeting with the School Board, to discuss impact fees. He thanked the Commission for hanging in with them and staff, because it had been a challenging year in a lot of ways. He thanked staff for performing exceptionally well. Bryan said that Wanchick was echoing the sentiments of everyone on the Board. Sanchez spoke on trying to give Melinda Peeples a computer. Stevenson said that the public was tense and the comments and criticisms sometimes to staff were sharper. Wanchick spoke on why people go into public service.

(12/21/10 - 14 - 10:00 a.m.)

COUNTY ATTORNEY'S REPORT

McCormack spoke on the bid for the Special Magistrate for Code Enforcement. *He stated that the Board's next meeting was January 18th and until then, he would like to request the Board to approve, by motion, of appointing as Interim Special Magistrate, Michael McCabe, until the contract for a final appointment could be considered by the Board on January 18th.* (10:02 a.m.) **Motion by Sanchez, seconded by Quinn, carried 5/0, to approve McCormack's request.**

With there being no further business to come before the Board, the meeting adjourned at 10:03 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 463928 through 463939, totaling \$219,333.17 (11/29/2010)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 463940 through 463941, totaling \$383.00 (11/29/2010)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 463942 through 464152, totaling \$1,010,404.88 (11/30/2010)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 4292 through 4342, totaling \$526,234.20 (11/30/2010)
5. St. Johns County Board of County Commissioners Check Register, Check No. 464153, totaling \$559.64 (11/30/2010)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 464154 through 464174, totaling \$36,623.15 (12/2/2010)
7. St. Johns County Board of County Commissioners Check Register, Check No. 464175, totaling \$2,846.00 (12/2/2010)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 464176 through 464334, totaling \$454,368.68 (12/7/2010)
9. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 4343 through 4385, totaling \$1,125,402.22 (12/7/2010)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 464335 through 464338, totaling \$47,211.33 (12/7/2010)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 464339 through 464343, totaling \$176,523.63 (12/9/2010)

12. St. Johns County Board of County Commissioners Check Register, Check Nos. 464344 through 464595, totaling \$693.66.07 (12/14/2010)
13. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 4386 through 4445, totaling \$626,951.72 (12/14/2010)

CORRESPONDENCE:

1. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing St. Johns County Ordinance Numbers 2010-49 through 2010-53
2. Letter to Recipients of City of St. Augustine Code of Ordinances, filing St. Johns County ordinances passed through September 2010

Approved \_\_\_\_\_ January 18 \_\_\_\_\_, 2011

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

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

Ken Bryan, Chair

ATTEST: CHERYL STRICKLAND, CLERK

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

Deputy Clerk

